

**Testimony before the
Joint Legislative Budget Hearing on Local Government/General Government
February 10, 2026**

Thank you for allowing me to testify at this Joint Legislative Budget Hearing on Local Government/General Government. I am Susan Lerner, Executive Director of Common Cause/NY. Common Cause is a nonpartisan, nonprofit organization founded to serve as a vehicle for citizens to make their voices heard in the political process. We fight to strengthen public participation and faith in our institutions of self-government and lead the grassroots component of the nationwide Election Protection effort. Common Cause/NY is among the largest and most active state chapters, with thousands of activists throughout the state, and is a founder and leader of the statewide Let NY Vote coalition. As an organization that seeks to strengthen and protect democracy, we support measures which protect self-government at all levels. Additionally, the orderly administration of elections and ensuring that our elections are accessible and fair is part of our core mission to promote civic engagement and accountability in government.

Localities and Boards of Elections Need Increased Support to Respond to Changes at the Federal Level

The past year has seen massive changes in the support which the federal government provides to ensure the smooth and efficient running of our elections. And, indeed, it now appears that the federal government may even attempt to interfere with the midterm elections. Resources must be provided to localities to ensure that they have the resources to safeguard free and fair elections.

Filling the Gap Left by Federal Cutbacks

In the past year, the support which the federal government has provided to ensure the security of our elections has virtually disappeared. Previously, election officials received regular updates from the federal government regarding potential threats, both domestic and foreign, particularly around cybersecurity. Such information is no longer provided by the federal government. Where previously, the Cybersecurity & Infrastructure Security Agency (CISA) provided training and materials on improving election security, that agency has now been specifically prohibited from providing election related assistance. Under the circumstances, we believe that it is an error to fund the State Board of Elections at previous levels. We believe that the New York State Board of Elections should receive a minimum of an additional \$1.5 million to allow it to find privately sourced threat information and to significantly expand its own training and risk assessment capabilities, not only for its own systems, but to provide additional assistance to the county boards of elections. We are particularly concerned about providing additional support to election administrators in the smaller counties, who are dependent on their county administrations for cybersecurity and online access. In addition to providing the State Board with additional funding to assist counties in strengthening their security practices, we recommend that a special fund be set up to which counties can apply for funding to perform risk assessments and harden their cybersecurity and general security protections. We recommend that a minimum of \$2 million dollars be provided in this budget year with the anticipation that a larger amount be provided next budget year, to ensure that resources are available to take protective action for this election cycle as well as to provide sufficient funding for improvements and new systems to be fully developed and in place for the 2028 presidential election, as the design and development of such systems may well stretch over more than one budget year.

Protecting Against Interference With Our Elections

It is a truly sad state of affairs that we are now considering how to protect the conduct of our elections not only from bad actors but possible federal attempts to interfere with the conduct of our elections. It is both a challenge and a strength of our election system that election administration is decentralized. That simultaneously makes it harder to reliably influence the results of an election but provides more possible targets for interference. We are particularly concerned with activities designed to discourage people from voting at polling places, such as federal agents stationing themselves near polling places, and attempts to interfere with ballot counting. We recommend that a can emergency contingency fund of \$1.5 million be established to reimburse counties for emergency measures that might be taken in the face of attempted interference during both the primary and general elections this year. We would also provide the New York State Board with an additional \$250,000 to develop materials and curricula on an emergency basis for training election administrators and poll workers on Know Your Rights and scenario planning.

Fund Participation in ERIC

Last year, the Legislature passed and the Governor signed into law, a bill which requires New York State to join the Election Registration Information Center (ERIC), a state-led nonprofit, non-partisan organization for multistate voter list maintenance by July 31, 2026. Funding in the amount of \$1,500,000 should be provided to allow the State Board of Elections to pay its membership fee with the balance to cover the programming and data preparation which will be necessary to prepare our state's voter rolls to take advantage of the maintenance services provided by ERIC, as well as the cost of mailings to act on the reports ERIC provides, including the Eligible but Unregistered (EBU) mailing or various list maintenance mailings undertaken by counties. We recommend that \$500,000 of that amount be provided to counties to defray the cost of the necessary list maintenance mailings that counties must undertake to be in compliance with the requirements of ERIC.

Fund Democracy During Detention

Common Cause NY joins many voting rights, civic engagement and criminal justice organizations in requesting dedicated funding in the FY 2027 budget to support implementation of the Democracy During Detention Act (S440/A2121), a critical election modernization framework that ensures eligible New Yorkers detained in local jails are able to register and vote. The proposal builds on existing successful voter access programs in New York election law (see §§ 8-407; 8-600) establishing a flexible statewide framework to ensure these eligible citizens can timely register and vote regardless of where they are detained. Counties must be assured that the Democracy During Detention Act is not simply another unfunded mandate. Local officials must have the resources necessary to develop and implement their voter access plan successfully, especially in the first election cycle the new plan will be used. We therefore request \$500,000 in Aid to Localities funding based on a formula to be determined by the State Board of Elections to support implementation across New York.

Provide \$175 million to localities for immigration legal defense

Common Cause NY joins with the Campaign for Access, Representation, and Equity (CARE) for Immigrant Families in supporting the full funding of immigration legal defense to strengthen and expand emergency deportation defense to allow the legal services field to provide high-quality services statewide in the face of constant changes in immigration policies. Our communities and our democracy cannot function in an ever-increasing atmosphere of fear and violation of due process rights.

