



NEW YORK CITY LAW DEPARTMENT  
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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*For Immediate Release*

**CORPORATION COUNSEL EXPRESSES “DEEPEST CONCERN”  
WITH RUSHED PLAN TO IMPLEMENT “HELP AMERICAN VOTE ACT” (HAVA)**

***ALSO URGES U.S. DEPARTMENT OF JUSTICE AND ATTORNEY GENERAL ELIOT SPITZER OFFICES  
TO CRAFT A PLAN FOR COMPLIANCE WITH HAVA’S VOTING MACHINE REQUIREMENTS  
ON A “REASONABLE TIMETABLE”***

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New York, March 2, 2006 – New York City Corporation Counsel Michael A. Cardozo issued a letter today on behalf of the Board of Elections in the City of New York and Mayor Michael R. Bloomberg to the U.S. Department of Justice (DOJ) and New York State Attorney General Eliot Spitzer expressing “deepest concern” that a possible settlement of a lawsuit filed by the DOJ to enforce compliance with the federal “Help America Vote Act” (or “HAVA”) is infeasible and “would lead to chaos at the polls and possible disenfranchisement of the voters.”

Reports in the media have indicated that the DOJ and the Attorney General’s office are in the process of negotiating a settlement of the lawsuit filed yesterday that would require the State to install, and use at each poll site for the September 2006 primary election, one new voting machine that would be accessible to the disabled. Mr. Cardozo explains in the letter that although the City supports HAVA, and in particular, that proper voting arrangements are made for the disabled as a result of the State’s delay, it is “impossible for the City to have HAVA-compliant voting machines in place” by the September primary election. To attempt to do so, Mr. Cardozo writes, “is courting with electoral disaster.”

The letter explains the numerous steps that the City’s Board of Elections would need to undertake in order to properly implement new voting machines, including machines specifically designed for the disabled. In view of the magnitude of these steps and the need to preserve the right to vote, Cardozo urges in the letter that “any resolution of this matter be based on a responsible plan for compliance with HAVA’s voting machine requirements on a reasonable timetable.” A copy of the letter can be obtained from Kate O’Brien Ahlers, Media & Communications Director of the New York City Law Department, at (212) 788-0400 or [kahlers@law.nyc.gov](mailto:kahlers@law.nyc.gov).

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600’s, the Department’s 650-plus lawyers handle more than 90,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department’s attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at [www.nyc.gov](http://www.nyc.gov) or via direct link at [www.nyc.gov/html/law/home.html](http://www.nyc.gov/html/law/home.html).

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