



In D.A. race, election law overlooks Staten Island reality

Illuzzi McMahon composite5.jpg

The campaigns of Joan Illuzzi and Michael McMahon have had to collect a minimum of 4,000 signatures each for the Republican and Democratic lines, far fewer than state election law requires for congressional candidates, whose district extends off the Island and to more voters. (Advance composite photo)

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STATEN ISLAND, N.Y. -- While election law seeks to apply the same rigid rules to candidates and similar races, it sometimes has the unintended consequence of not making a whole lot of sense.

Consider the Staten Island district attorney's race.

The Republican and Democratic candidates in borough-wide races — D.A. and borough president — must collect about 70 percent more petition signatures than candidates running for Congress in the 11th Congressional District, which encompasses all of Staten Island and parts of southern Brooklyn.

That's because state election law considers the number of voters typical in other parts of the city, where there are multiple congressional districts in each borough and thus, fewer voters in those districts than in borough-wide races.

It's understandable that a smaller congressional race requires 1,250 signatures on designating petitions, while a borough-wide race, like one for district attorney, requires 4,000 for those major party lines.

Except on Staten Island.

With one congressional district — larger than the entire borough — it leaves one scratching one's head.

POLITICAL PARTICIPATION IS DOWN

Richard Flanagan, political science professor at the College of Staten Island and co-author of "Staten Island: Conservative Bastion in a Liberal City," said he thinks there is an inherent issue with the disparity between signature requirements.

"These laws derived from a time when there was more political participation and there was more patronage," he said. "Both of those have dissolved."

In the race at hand, Republican Joan Illuzzi has **accused Democrat Michael McMahon's campaign of fraud**. While Democratic county committee members collected signatures for McMahon, the party supplemented them by hiring Brooklyn-based Red Horse Strategies. McMahon's campaign also hired the firm to collect Independence Party signatures.

Several Red Horse Strategies employees are **accused of forging a handful of signatures**, including those of deceased individuals.

A special prosecutor will investigate the allegations and determine whether to seek criminal charges.

Flanagan sees the 4,000-signature requirement as burdensome in an age of dwindling political participation.

"What you're left with is incumbent politicians not changing or modernizing the rules because collecting the signatures is an obstacle keeping outsiders from entering politics," he said.

Firms like Red Horse Strategies are hired because "petition requirements are so arcane ... that only a few hardy souls will grudgingly agree to collect signatures ... so you're left with these professional firms."

At a typical rate of \$1 per signature it's "sweet temptation" to forge some signatures, he said. "And the world is surprised there are problems with the system."

Instead of requiring a large number of signatures, "I think a good reform would be either you pay \$1,000 — some nominal fee to get your name on the ballot — or a much lower signature number with registered voters and not having to belong to a party."

He cited states like California that have more open petition collecting processes and lower signature requirements.

"All this does is keep all these election lawyers in business," Flanagan said of New York's petitioning requirements.

Democratic political consultant Hank Sheinkopf disagrees.

"Four thousand signatures is not a burdensome number," he said, especially given that the number was higher in the past.

A vendor getting hired "is an indication of the weakness of the parties and ability to put operations together to do what they're supposed to do," he said. "When you hire vendors, you're going to have things occur."

While not critical of the 4,000-signature requirement, Sheinkopf acknowledged that for Staten Island, it's an "unusual case" of requiring more signatures for what ends up being a smaller race than for Congress.

Agreeing with Flanagan about decreased political participation, Sheinkopf said, "What is occurring is the outsourcing of democracy of political organizations' basic functions."

That includes the Island Democratic county committee that hired Red Horse Strategies.

Now, paid services replace what parties used to do all on their own.

"This is not about bad or good, this is about fact," Sheinkopf said. Political participation is down "therefore what occurred here is not surprising and you will see more, not less, of professionals used to obtain ballot access."

He added, "It speaks about democracy, where the future may or may not lie."

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