

## Stop NY's war on independent voters



A resident, with ballot in hand, walks towards a voting booth at Auburn Village School, Tuesday, Jan. 23, 2024. Credit: AP/Charles Krupa

**By Jeremy Gruber**

Guest essay

February 25, 2024 4:00 pm

[Original article](#)

I recently received a text from Sheila, a volunteer with NYC Votes, a project of the New York City Board of Elections. She wanted to let me know that as a registered independent voter in New York, I can't vote in primary elections — which are very competitive, she wanted me to know — and that if I wanted to re-register with a party to vote, she would be happy to help. It's not bad enough that as an independent voter in New York, I'm legally barred from almost every aspect of

our democratic process of elections. Now government is twisting the knife even deeper. I'm not alone; that's the shared experience of millions of New York independent voters.

Independent voters are barred from voting in primary elections in our state. As Sheila reminded me, these are elections to "select a party's candidate." So you might think these are private elections. They aren't. Independents help pay for them. Primary elections in New York are held in public buildings, run on publicly owned-and-operated machines, by publicly paid election workers and administered by government agencies. The only thing not public about primary elections in New York is that more than 3 million members of the public who are independent voters are barred from them.

Sheila was right about one thing: Primary elections host much of the competition in our state's elections. Our state's general election races are dismal by comparison. In 2022, nearly 60% of general election races for State Legislature seats were uncontested or virtually uncontested. Less than 10% were competitive. Turnout in New York elections is almost always depressingly low. It's not hard to understand why. Our general elections rarely matter. Get-out-the-vote efforts largely fail because New Yorkers are smart. None of us want to vote in a meaningless election.

But New York's war on independent voters only begins there. State law prohibits independent voters from serving as poll workers, watchers, inspectors or registrars. Independent voters are legally barred from serving on the Board of Elections. Every aspect of New York's election administration bars independents; we can have no role in conducting elections or implementing election policies and procedures.

New York's independents are frequent targets of deep-pocketed efforts to convince them to join a party. Numerous groups spend millions of dollars annually targeting independent voters and calling on them to join a party.

New York doesn't even allow us the dignity of calling ourselves independent voters. Registration forms list us as "no party." The state Board of Elections lists us as "other." Which is ironic, considering that Gov. Kathy Hochul recently signed a law restricting the use of "independence"

or “independent” on a ballot line in order to allegedly reduce the chances of confusing voters who might register for a party when they wanted to register as an independent.

And yet, more and more New Yorkers are deciding to become independent — a 14.4% increase on Long Island and New York City alone from November 2020 to May 2023, per one analysis of voter rolls — even though we’re disenfranchised at the ballot box, barred from participating in any aspect of election administration, and targeted by political machines. Now government is getting in on the act by bullying us in our own homes to join a party. Enough is enough!

End the war on independent voters in New York.

THIS GUEST ESSAY reflects the views of Jeremy Gruber, an attorney who is senior vice president of Open Primaries, a nonprofit election reform organization, and co-founder of Let Us Vote, a campaign to empower independent voters.