



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

April 17, 2024

VIA ELECTRONIC MAIL

Richard B. Golden
Orange County Department of Law
Orange County Government Center
255-275 Main Street
Goshen, NY 10924

Re: Preliminary Identification of Orange County as a Covered Entity Under the New York Voting Rights Act

The Civil Rights Bureau (“CRB”) of the Office of the New York Attorney General (“OAG”) writes regarding your letter dated February 20, 2024,¹ concerning the preliminary identification of Orange County as a covered entity subject to preclearance under the New York Voting Rights Act (the “NYVRA”).²

The CRB requests, by May 17, 2024, your views on whether *United States v. Orange County*³ qualifies the County as a covered entity subject to preclearance.⁴

Sincerely,

Lindsay McKenzie
Section Chief, Voting Rights
Civil Rights Bureau
Office of the New York Attorney General

¹ Letter dated Feb. 20, 2024, available at https://ag.ny.gov/sites/default/files/2024-02/preliminary_guidance_comment_01_20240220.pdf.

² See N.Y. Elec. Law § 17-200 *et seq.*; see also OAG Guidance, *The New York Voting Rights Act: Preliminary Identification of Covered Entities and Covered Policies Subject to Preclearance (To Take Effect on September 22, 2024)*, <https://ag.ny.gov/sites/default/files/regulatory-documents/nyvra-preliminary-identification-of-covered-entities-and-covered-policies-subject-to-preclearance.pdf>.

³ *United States v. Orange County Board of Elections*, No. 12-cv-3071 (S.D.N.Y. filed Apr. 18, 2012).

⁴ As noted in OAG’s preliminary guidance, “[w]hile the preclearance coverage formula determines which local jurisdictions and BOEs are subject to preclearance and the NYVRA does not require [the CRB] to separately identify those jurisdictions and BOEs, greater clarity as to which jurisdictions and BOEs fall within the coverage formula supports the law’s implementation.” See OAG Guidance at 1-2.