



August 3, 2022

John S. Hogan
Bergen County Clerk
One Bergen County Plaza
Hackensack, NJ 07601

Dear Mr. Hogan:

Over the past couple of years, several members of the Teaneck community have reported alleged violations of New Jersey's electioneering statute (**NJSA 19:34-5 to 19:34-15**) to our league as well as to county election officials and were dissatisfied by the steps taken in response to those complaints. The Teaneck League of Women Voters is now writing to formally ask for your assistance in ensuring that this statute is vigorously enforced in the upcoming Nov. 8th general election and that Teaneck residents are protected from intimidation tactics from elected officials at their polling places.

Here is a summary of the background prompting our request:

- In the November 2021 general election, Teaneck Council Member Keith Kaplan - who publicly opposed two municipal questions on the ballot - was inside and outside of the Rodda Center polling place for much of the early voting week. He was talking with voters and handing out business cards inside the 100-foot boundary set for purposes of preventing electioneering. Following complaints to the county officials and local police, some of our members were advised that Council Member Kaplan had been admonished for this behavior. To date, we have not been made aware of any fine or formal action being taken.
- In the June 2022 primary, in which Council Member Kaplan was running to secure a place on the Teaneck Democratic Municipal Committee slate to represent Teaneck's District 7, he went into the Lowell School polling place to vote wearing attire that clearly identified him as a sitting councilman. After he emerged, Mr. Kaplan remained to electioneer incoming voters just outside the 100-foot boundary -- as shown in the attached photo.

The LWVT is concerned that Mr. Kaplan was not deterred by the previous incident

involving very similar behavior during early voting in November 2020 at Teaneck's Rodda Center, when Mr. Kaplan was chastised for violating electioneering regulations. In both cases, his appearance at a polling place wearing his council regalia had the potential to exert undue influence on incoming voters. (This second incident was especially problematic as he appeared on the ballot as a candidate.)

We request information about any previous enforcement action taken in regard to these complaints, and if none was taken, we would like to know why. The statute specifically states the following: *Any person willfully violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by fine not exceeding five hundred (\$500.00) dollars and imprisonment until such fine and the costs of the conviction are paid.*

Absent a deterrent, we are concerned this behavior will occur again in November. In addition, we would like to know what steps the Bergen County Board of Elections will take to prevent a re-occurrence and what guidance the League of Women Voters can provide to Teaneck registered voters about the reporting protocol to follow if they witness acts of electioneering at their polling place to ensure immediate enforcement.

The November election will be a particularly contentious one in our community, as there are four Council seats on the ballot as well as a majority of seats on the Board of Education. It is imperative that members of the Teaneck community have faith that this election is conducted fairly and that current elected officials are not permitted to exercise undue influence on individual voters.

Thank you for your attention to this matter and please feel free to contact us should you require additional information.

Sincerely,



CC: Dean Kazinski, Teaneck Manager
Doug Ruccione, Teaneck Clerk
Debra Francico, BC Superintendent
of Elections

Arlene Gartenberg
Barbara Ostroth
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Attached: Photo of Mr. Kaplan on June 8, 2022 in front of Lowell School polling location wearing Teaneck council attire

