

# Schools' May vote nullified

- **NY commish: Hempstead** needs a new election for seat
- **Challenger's supporters** seek charges in ballot count

BY JO NAPOLITANO  
jo.napolitano@newsday.com

The Hempstead school district must hold a new election for a contested seat briefly filled by longtime board president Betty Cross, state Education Commissioner John B. King Jr. ruled yesterday in annulling that portion of the May 20 election.

King last month ordered Cross to step down as he considered the merits of the vote after challenger Maribel Touré accused Cross and her supporters of fraud, coercion and abuse of the absentee balloting process. His decision came just 11 weeks after he was petitioned to weigh in; it could have taken some eight months.

King, in his decision, ruled that the district must comply with monitors he will select to oversee the vote. The term of the at-large board seat expires June 30, 2015.

School board president Lamont Johnson said he did not know when the election would be held, but it would be "hopefully as soon as possible."

Johnson said he was not concerned about the cost, saying that is what is being required of the district. "We have to do what has to be done," he said.

The board held a regular meeting last night but took no action on the vote. Beforehand, more than two dozen protesters stood outside Hempstead High School, chanting, making speeches and singing.

They were glad Cross' election had been deemed invalid, but were equally upset about Touré and her coalition of volunteers having to mount another run.

They want to see criminal



Maribel Touré



Betty Cross

## KING'S DECISION

Here are a few key outcomes resulting from Education Commissioner John B. King Jr.'s decision regarding a contested school board race in Hempstead:

- **Wrote** the board exercised "a degree of laxity in the handling of absentee ballots that threatened the integrity of the election"
- **Ordered** a special election to fill at-large seat under contest between longtime board president Betty Cross and challenger Maribel Touré
- **Ruled** the district must comply with monitors he will select to oversee vote
- **Date** of election is unclear
- **Board** president Lamont Johnson agrees to hold election, no matter the cost

SOURCE: NEWSDAY REPORTING

charges filed in the matter.

"What we now need is for the district attorney . . . to step up and tell us who is going to jail," said Sergio Argueta, an activist with The Corridor Counts, a civic group.

Touré told the crowd she was "still in shock" and "very, very disappointed" with King's decision to invalidate the race's results.



From left, Hempstead school board members Shelly Brazley, Ricky Cooke Sr., JoAnn Simmons and Lamont Johnson.  
■ **Video:** [newsday.com/hempstead](http://newsday.com/hempstead)

But Frederick K. Brewington, Touré's attorney, praised the outcome, saying "It's time for the community to heal."

District clerk Patricia Wright, named in Touré's complaint, declined to comment last night on King's decision.

Roger Tilles, who represents Long Island on the Board of Regents, said King had to throw out results for the contested seat because it was impossible to determine which of the absentee ballots cast for Cross and Touré was valid.

Touré had 712 votes on election night, compared with Cross' 691. The next day, dozens of contested absentee ballots were included in the totals, putting Cross ahead by six votes, beating Touré 719 to 713.

"It was clearly an election that had been tampered with one way or another," Tilles said.

The petition to King argued the absentee ballots were obtained surreptitiously and called out the district for not keeping a list of such voters open to the public.

King said the failure to maintain that list "demonstrates a degree of laxity in the handling of absentee ballots that threatened the integrity of the election."

He noted the disparity between the number of absentee votes in favor of Cross vs. the machine votes she collected; she had 159 fewer machine votes than Touré but half the absentee

votes cast for seven candidates.

"On its face, such a disparity in the number of absentee ballots cast in favor of a single candidate is highly suspect," King said in his decision.

Ricky Cooke, the highest vote-getter, received 802 votes, including six absentee ballots. He was sworn in with Cross during an emergency meeting on May 21 and will remain in his post.

Absentee votes have grown increasingly popular in Hempstead and across the nation.

District officials said 44 people voted by absentee ballot in 2012, increasing to 103 a year later, according to records obtained by Newsday under a Freedom of Information Law request.

It's not clear how many absentee ballots were filed this year, but a total of 343 absentee votes were cast for seven candidates in the 2014 election.

District officials did not know the total number as those ballots because they were collected months ago by the Nassau district attorney's office.

With Victor Manuel Ramos and Zachary R. Dowdy

### FULL LETTER

Read John King's final decision.

[newsday.com/hempstead](http://newsday.com/hempstead)

PHOTO: HOWARD SCHNAPP

PHOTO: HOWARD SCHNAPP