

# SENATOR RICHARD H. BLACK (RET.)

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FORMER COMMITTEE ASSIGNMENTS:  
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Transportation

October 27, 2022

By email to:

Mr. Tom Rutledge, CEO, Charter Communications, owner of Spectrum News

Mr. Mr. Bob Hardt, New York Political Director of Spectrum

Mr. Joe Konig

Gentlemen:

I am appalled that you have tentatively chosen to deny Ms. Diane Sare the opportunity to participate in the upcoming debate for U.S. Senate.

New York's requirement for petition signatures is remarkably stringent and obviously designed to deter independent candidates from standing for election. Nonetheless, 66,000 New York voters signed the nominating petition for Ms. Sare, demonstrating that she enjoys widespread support across the state.

No other candidate—male or female--came close to demonstrating her level of support.

Spectrum News now plans to hold a debate that excludes the only woman candidate in the race. The two male candidates, Sen. Chuck Schumer and Mr. Joe Pinion, will be allowed to debate, but the only woman candidate, Ms. Diane Sare, will not.

The format you have chosen seems calculated to prevent voters from realizing that the name of an intelligent, knowledgeable woman will appear on the November ballot. Denying her the opportunity to appear along with her male opponents is particularly egregious, since it denies New York's female voters the

right to know that, against all odds, a top-drawer female has become a candidate for this high office.

You excused your decision to bar Ms. Sare from participating by claiming that in order to debate, candidates must first demonstrate a 15-percent level of support in at least two of your pre-selected polls. However, as you know, it was impossible for Ms. Sare to meet that requirement, since none of your polls-- Marist College, Siena College, or Emerson College—ever gave those polled the option of choosing the sole woman candidate, Diane Sare. Her name was intentionally omitted from the lists of candidates.

You have applied a grossly discriminatory standard to the sole woman candidate, making it mathematically impossible for her to participate in the debate. You say she must show support in polls that have systematically excluded her, denying voters the opportunity to select her, regardless of how popular she might be.

Discrimination based on sex has a long and unpleasant heritage; you should avoid the appearance of fostering that legacy of discrimination in your debate.

I urge you to reconsider your decision. Reasonable people may conclude that you have chosen a methodology calculated to achieve a discriminatory outcome based on sex. I suggest that you reconsider and seek counsel to determine whether the intentional exclusion of the only qualified female candidate—one who has already met highly exclusionary state standards—might violate applicable state and federal civil rights laws.

Sincerely,



Senator Richard H. Black (ret.)