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COMMITTEE ON GOVERNMENTAL OPERATIONS

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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September 20, 2021
Start: 10:30 a.m.
Recess: 3:26 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 2

B E F O R E: Stephen T. Levin,
Serving as Chairperson

COUNCIL MEMBERS:

- Darma V. Diaz
- Ben Kallos
- Alan N. Maisel
- Bill Perkins
- Keith Powers
- Ydanis A. Rodriguez
- Kalman Yeger
- Rafael Salamanca
- Carlos Menchaca
- Public Advocate Williams

A P P E A R A N C E S

Melissa John

Citizen of Trinidad and Tobago by birth

Murad Awawdeh

Executive Director of the New York Immigration
Coalition

Fulvia Vargas-De Leon

Associate Counsel with LatinoJustice PRLDEF

Carole Wacey

President and CEO of Women Creating Change

Crystal Walthall

Executive Director of Faith in New York

Nora Moran

Director of Policy and Advocacy at United
Neighborhood Houses

Mia McDonald

Political Manager at the New York Working
Families Party

Catalina Cruz

Assembly Member representing Corona, Jackson
Heights and Elmhurst

Michael Ryan

Executive Director for Board of Elections

Dawn Sandow

Deputy Executive Director for Board of Elections

Laura Wood

Chief Democracy Officer of the Mayor's
DemocracyNYC Initiative

Raquel Batista

Commissioner of Mayor's Office of Immigration
Affairs

Paul Ochoa

Director of the Mayor's Office of City
Legislative Affairs

A P P E A R A N C E S (CONT.)

Eric Friedman
Assistant Executive Director for Public Affairs

Amanda Melillo
Deputy Director of Public Affairs

Felicia Singh
Democratic Nominee for the 32nd City Council
District

Molly Sellner Harris
Co-Chair of the Committee on Media & Advocacy
Committee for the New York Chapter of AILA

Rodrigo Camarena
Director of the Immigration Advocates Network or
IAN

Olivia Adechi
Paralegal Case Handler with the Immigration Law
Unit at the Legal Aid Society

Monica Bartley
Community Organizer at the Center for
Independence of the Disabled New York

Shruti Banerjee
Senior Policy Analyst at Demos

Maria Lizardo
Executive Director of a Settlement House called
NMIC

Judy Lei
Voting Rights Organizer at the Asian American
Legal Defense and Education Fund's Democracy Team

Caroline Scown
Adult Literacy Instructor at the Chinese-American
Planning Council

Win-Sie Tow
Civic Engagement Organizer for the Chinese
Progressive Association

A P P E A R A N C E S (CONT.)

Farah Salam
Priority Areas Specialist for the Arab-American
Family Support Center

Sara El Sebai
Arab American Association of New York's
Immigration team in Bay Ridge, Brooklyn

Gbenga Awonusi
DSI International

Yesenia Mata
Executive Director of La Colmena

Celine Yip
Nonprofit New York

MJ Okma
Human Services Council

Eva Santos Veloz
Dominican DACA recipient

Adeel Ahmed
Community Organizer for the Black Institute

Lea Giddins
Senior Program and Policy Manager at Women
Creating Change

Mama Sama
Civic Education Program Coordinator for the
Muslim Community Network, MCN

Towaki Komatsu

Nicole Rojas
Community Organizer at Mixteca Organization

Leticia Reyes
Mother of six children

Steven Espinoza
Support of the Undercounted Voters

A P P E A R A N C E S (CONT.)

Shola Oyelohunnu
Member of African Communities Together, ACT

Enan Nasim
DACA Recipient

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SERGEANT KOTOWSKI: Computer recording started.

SERGEANT PEREZ: Back up is rolling.

SERGEANT LUGO: Cloud is good. Sergeant Biondo with your opening statement please.

SERGEANT BIONDO: Sure. Good morning and welcome to today's Remote New York City Council Hearing for the Committee on Governmental Operations. At this time, would all panelists please turn on their video for verification purposes. And to minimize disruptions, please place all electronic devices to vibrate or silent mode. If you'd like to submit testimony, please send via email to testimony@council.nyc.gov. Again, that is testimony@council.nyc.gov.

Thank you for your cooperation. Chair Levin, we are ready to begin.

CHAIRPERSON LEVIN: Thank you very much Sergeant. Good morning everybody. I am going to gavel in here. [GAVEL]. Okay, good morning everybody. I am Council Member Stephen Levin, I am serving as Chair of the Committee on Governmental Affairs for this hearing, pinch hitting for my friend and colleague Council Member Cabrera.

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2 I want to start off by welcoming everybody and
3 thanking the members of the Committee for joining us
4 today. We're joined by Council Members Maisel,
5 Council Member Yeger, Council Member Kallos, I
6 believe Council Member Powers, Council Member
7 Salamanca, the Public Advocate Jumaane Williams and
8 the Bill Sponsor, Council Member Ydanis Rodriguez,
9 Council Member Carlos Menchaca and Council Member
10 Darma Diaz and I think that's it for now. We expect
11 other Council Members to join us throughout the
12 course of the hearing as well.

13 Today, the Committee will be hearing two bills.
14 The first is Introduction 1867, which is sponsored by
15 Council Member Ydanis Rodriguez in relation to
16 allowing lawful permanent residents in New York City
17 to vote in municipal elections.

18 New York City is a city of immigrants.
19 Immigrants make up close to 40 percent of New York
20 City's population and an even larger share of its
21 workforce. Immigrants are a vital part of the city's
22 economic, cultural and civil landscape. This bill
23 would allow certain immigrants who are not yet U.S.
24 citizens to vote in municipal elections. The bill
25 would create a new class of voters, all municipal

2 voters. A municipal voter would be any individual
3 who is, A. Not a U.S. citizen. B. Either a lawful
4 permanent resident or otherwise authorized to work in
5 the U.S.. C. Has been a resident of New York City
6 for at least 30 consecutive days. D. Meets all the
7 qualifications per registering to vote under the
8 election law other than U.S. Citizenship and E. Has
9 registered to vote as a municipal voter with the
10 Board of Elections in New York City.

11 Municipal voters would be able to vote in any
12 election for Mayor, Comptroller, Public Advocate,
13 Borough President or a Council Member for any city
14 ballot initiative. Municipal voters would not be
15 authorized to vote in any state or federal elections.

16 The Board of Elections would be tasked
17 implementing the bill. Among other things, they
18 would be required to create a municipal voter
19 registration form to be used by municipal voters.
20 Create a single registered voter list with a
21 distinguished marker for municipal voters and provide
22 informational notices to municipal voters about the
23 law. The Board of Elections would be prohibited from
24 requiring municipal voters to form a separate line or
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2 a vote in a separate location. The bill would also
3 include privacy protections for municipal voters.

4 Finally, the bill would create an advisory group
5 that would provide recommendations regarding any
6 problems or potential improvements with respect to
7 the municipal voting process. The advisory group
8 would be made up of five members, Chaired by the
9 Public Advocate. There would be four representatives
10 of community-based organizations. Two appointed by
11 the Mayor and two by the Speaker of the Council.

12 There are many important questions about this
13 bill that will need to be addressed. Representatives
14 from the Administration, the Board of Elections, the
15 Campaign Finance Board, community groups and other
16 organizations are here with us today to speak about
17 the bill. We look forward to their testimony.

18 The second bill that we are hearing today is
19 Introduction 2316, sponsored by Council Member Rafael
20 Salamanca in relation to city agency attendance at
21 Council hearings. The bill would require that at
22 least one representative of each city agency call to
23 testify before City Council Committee remain in
24 attendance for the duration of the committee hearing.

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2 And with that, I want to thank my fellow Council
3 Members Rodriguez and Salamanca for their leadership
4 on these pieces of legislation today. They will
5 speak more about their bills in a moment. I also
6 want to thank our Committee Staff CJ Murray, Emily
7 Forgione, Elizabeth Kronk and Sebastian Bacchi for
8 their work on this.

9 I would now like to invite Council Member
10 Salamanca, sponsor of Intro. 2316 to give a
11 statement.

12 COUNCIL MEMBER SALAMANCA: How are you Mr. Chair?
13 Can you hear me?

14 CHAIRPERSON LEVIN: Yes, sir.

15 COUNCIL MEMBER SALAMANCA: Alright, thank you.
16 Thank you for allowing me to speak.

17 CHAIRPERSON LEVIN: Yes Council Member.

18 COUNCIL MEMBER SALAMANCA: My bill is just a very
19 commonsense bill. We know throughout our hearings we
20 have many members from the community that want to
21 come and give public testimony and many times the
22 community feels that their testimony is not being
23 heard by the appropriate agency. Given point NYCHA,
24 many times as Chairs of Committee's, we allow city
25 agencies, especially the Commissioners to speak

1 first. Once they give their testimony and they hear
2 questions from Council Members, they leave and the
3 question is, are city agencies actually hearing to
4 the concerns of residents in the City of New York?
5

6 And so, what this bill would do, it would require
7 city agencies to leave someone, preferably a decision
8 maker throughout the entire hearing, so that they can
9 listen to New Yorkers and they can bring back that
10 information and really bring positive change. With
11 that, I thank you for allowing me to speak.

12 CHAIRPERSON LEVIN: Thank you very much Council
13 Member Salamanca. I would now like to invite Council
14 Member Ydanis Rodriguez, sponsor Intro. 1867 to give
15 a statement.

16 COUNCIL MEMBER RODRIGUEZ: Thank you Chair. I
17 also would like to thank Chairman Fernando Cabrera as
18 the Chairman also of this Committee for being one of
19 those who are signing on this bill. This Committee
20 has nine members and six of those members support
21 this bill. It means that we have the vote to pass at
22 the Governmental Committee. And also, we veto power
23 number at the Council.

24 I want to say that when you look at the back
25 where I am, I am there protesting a lot of injustice

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and invasion in the whole world, fighting for democracy. That photo you see back there, is myself being in the 80's organizing against one of the most important fight and accomplishment that I got fighting against tuition, increasing budget cuts on the Governor Cuomo. We were told that we couldn't win the fight but I won, together with my colleagues the fight. I didn't have a citizenship. I had a green card, which was that I had from '83 to 2000. During those years, I washed dishes out in a restaurant. During those years, I worked at 2 Broadway working in a cafeteria. I worked as a livery taxi. I was a student activist. I became a teacher after graduating in '93 from city college and paid my taxes too.

It is so unfair that we, the most progressive city, are not ready to expand voting rights. To reestablish a right of individuals who pay the taxes, that has a green card, that has working paper to understand right, that a resident of this city had when in 1900, the New York City population was 96 percent White, two percent Black, Latino's and Asian were a no count.

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2 Today, population is 29 percent Latino's, 24
3 percent Black, 15 percent Asian. We are the majority
4 but this coalition is more than Black. This
5 coalition is more than Latino. This coalition is
6 about Jewish, Irish, Italian. A lot of people who
7 are ready to say, it took a lot of decades for women
8 to get the right to vote in 1919. It took a lot of
9 decades for people of color to have the right to vote
10 because this constitution that we have must only
11 allow White men who had a lot to learn to vote in
12 this election. Up to 1926, it was not required to be
13 a citizen to vote in local election.

14 For Mayor de Blasio, we've been in this fight for
15 so many years. As I was marching those days, we were
16 organizing a support of the Sandinista and Nicaragua
17 or the members of Salvador, everyone who was
18 organizing for their freedom. This is our time for
19 you to lead the legacy. If the question were asked
20 to you about this, why don't you take that approach
21 that you're ready to lead this fight and if we need
22 to get to Albany, we go to Albany together. You ask
23 all of us to go to Albany to fight for mayoral
24 control but you know what, we are hear today as a
25 result of a long process. This bill has been

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2 introduced. He's been writing by so many other
3 colleagues. This bill, as I was elected selected to
4 sign in 2009 was carried on by Council Member Danny
5 Dromm, Margaret Chin. Tell me if I was wrong, but
6 when I put any LS requests on the Council, the LS
7 request is revised and the lawyer get back to me and
8 say, we cannot write this bill because this is not
9 legal.

10 So, how is the lawyer of the Council been
11 reaching this bill over and over? How do we went
12 through this process having so many meetings? And
13 the Immigration Coalition has their own lawyer and
14 they are ready and they are ready to fight if it's
15 needed? Can he go through a lawsuit? Probably
16 because we also have right wing individuals in the
17 City of New York who are always going to be asked to
18 go when we want to move the immigrant rights agenda
19 in the city. We were here for them today as we were
20 here in the discussion about why we should not pass
21 this bill. But the polls that being released by the
22 Immigration Coalition say, most of 60 percent of New
23 Yorkers support this bill. This bill is supported by
24 the New York State NAACP by the House Adjuster led by
25 Reverend Sharpton. By the Borough President Eric

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2 Adams, Gale Brewer, Ruben Diaz, Donovan Richards. By
3 the Public Advocate Jumaane Williams, by the Council
4 Member Brad Lander, by the Comptroller Scott
5 Stringer.

6 I saw so many New Yorkers to run to move this
7 bill or is it that some people have some fear that
8 this bill will change the landscape of the
9 participation in New York City? I would like to
10 believe that I'm wrong. I would like to believe that
11 no progressive individuals are there to be asked to
12 move this bill.

13 When we were running for the Speakers seat, the
14 question was asked at the New York One Debate to all
15 Council Members who were running, including myself,
16 do you support the municipal voting rights? And
17 everyone said yes, including my colleague Speaker
18 Corey Johnson. That I hope that also I can get his
19 support to move this bill.

20 This is not about a favor. This is about no
21 taxation without representation. Something that I
22 was teaching my students in the 15 years that I was
23 teaching social studies in the New York City public
24 school. We need to recognize the contribution made
25 by our immigrant brothers and sisters. This is not

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2 about doing a favor to immigrants by allowing them to
3 vote. If they pay their taxes as I did when I had
4 green card, then they should have a right to elect
5 their local leaders. And these people have a problem
6 with this, then they should move to another town or
7 another country that has not been built by
8 immigrants. They should move to other places in the
9 South, in the Midwest, that they are trying to stop
10 immigrant rights to be protected. Elections are not
11 only important but in many cases, they are the key to
12 create change at the federal and state and city
13 level, however, can we really consider our sole
14 representative for all members or community when
15 there are hundreds of thousands of potential eligible
16 voters who are being denied their right to vote? I
17 want to make it very clear for everyone, neither the
18 federal nor state will prevent New York City from
19 extending the right to vote in municipal election to
20 noncitizens. New York City has the power to
21 enfranchise noncitizens New Yorkers. And many times
22 we've been told that we were not able. That we did
23 not have the right , certain team Mayor de Blasio, we
24 did it and we did it together with you. We did it in
25 a paid sick day with them closing Rikers Island. We

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2 did it with the UPK. We need to do it and you should
3 do it under leadership, so that you can live this as
4 your last important legacy for the whole city and the
5 whole nation.

6 In a time when many states are passing voters
7 suppression laws, the lack of which we haven't seen
8 since the Jim Crow era. New York City must be seen
9 as a sample for other progressive city's to follow.
10 Nearly 400 voter suppression laws have been proposed
11 in 48 states after the last presidential election.
12 Passing this law will make this the largest
13 additional eligible borders in 50 years. The city
14 had to come apart in Maryland helping a lot of
15 noncitizens to vote in the municipal elections since
16 the 1990's.

17 And many other arguments our colleagues have been
18 making against this bill have never happened. There
19 hasn't been any issue or an uproar against or because
20 noncitizens were able to vote. Eleven other city's
21 in Maryland and Illinois allow no citizen the right
22 to vote alongside three other countries, Ireland,
23 Switzerland and Australia allow their noncitizen to
24 vote as also Columbia and Spain. We go to Europe to
25 learn about Vision Zero and we cannot look at Europe

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2 and Latin America to look about how people who are
3 not a citizen should be allowed to vote in local
4 election and we call this progressive. Immigrants in
5 New York City on 52 percent on local businesses and
6 contribute over \$100 billion to the citywide GDP.

7 During the height of the pandemic, it was our
8 immigrant New Yorkers who kept New York City running
9 when a lot of people moved to the Hudson Valley into
10 Long Island. Over half of our frontline essential
11 workers are immigrants and approximately one-fifth
12 are noncitizen New Yorkers. They have earned their
13 right to participate in a local election to decide
14 what the leader – who will be making the decision on
15 keeping the street clean, invest in quality
16 education, who create a good paying job. Who create
17 opportunities for women and minority to have access
18 to local small businesses. We have fought hard to
19 pass a law that allow non-citizen to get a driver's
20 license, create ID NYC and create higher education
21 scholarship to noncitizen New Yorkers.

22 We were told many times this was not possible and
23 yet, we made it possible. It is now time that we
24 emphasize our immigrant New Yorkers so that they can
25 elect and hold a local leader accountable. To leave

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2 nearly one million voters out of a city democracy
3 process is un-American, is un-progressive. And a
4 country builds on the back of immigrants, we must ask
5 ourselves why haven't we already passed a bill that
6 will enfranchise those who have green cards and
7 working permits. It is because there are people who
8 believe that if you extend voting right to
9 immigrants, we will dilute and make the vote of
10 citizen less important. That's not how democracy
11 works. Allowing people to vote benefit us all. It
12 is our duty to return the right to vote to a
13 noncitizen immigrant living in New York City at a
14 time where the city today look different than what it
15 looked in the 1900's.

16 [SPEAKING IN SPANISH 19:01-19:25]

17 CHAIRPERSON LEVIN: Thank you very much Council
18 Member Rodriguez. And before we turn it over to the
19 Administration for testimony, I want to just
20 acknowledge the good work of the Chair of this
21 Committee Fernando Cabrera and everything that he's
22 done for the last almost four years as Chair and uhm,
23 and I just wanted to make sure we acknowledge his
24 good work.

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2 And with that, I'll turn it over to the Counsel
3 to administer the uhm, uh, the oath to the
4 Administration who will be testifying.

5 COMMITTEE COUNSEL: Thank you Chair. My name is
6 CJ Murray, I am Counsel to the Committee on
7 Governmental Operations. Before we begin testimony,
8 I want to remind our panelists that you will be on
9 mute until you are called on to testify. At which
10 point you will be unmuted by a member of our staff.
11 I will be calling on panelists to testify
12 periodically throughout the hearing, so please listen
13 for your name to be called.

14 All hearing participants may submit written
15 testimony to testimony@council.nyc.gov. At today's
16 hearing, the first panel will consist of members of
17 the public. After that, there will be several panels
18 consisting of representatives from the administration
19 and then additional members of the public will
20 testify.

21 There will be time for Council Member questions
22 after each panel. If a Council Member would like to
23 ask a question, please use the Zoom raise hand
24 function and I will call on you in order. We will be
25 limiting Council Member questions to five minutes,

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2 which includes the time it takes the panelists to
3 answer your question. Please note that for ease of
4 this virtual hearing, there will not be a second
5 round of questioning outside of questions from the
6 bill sponsors and the Committee Chair.

7 We will now hear from our first public panel.
8 Each panelist will be given three minutes to speak.
9 The Sergeant at Arms will keep a timer and will let
10 you know when your time is up. Once I have called on
11 you, please wait until the Sergeant has announced
12 that you may begin before starting your testimony.

13 I would now like to welcome Melissa John to
14 testify, followed by Murad Awawdeh and then Fulvia
15 Vargas De Leon. Melissa John, you may begin upon the
16 Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 MELISSA JOHN: Good morning everyone. My name is
19 Melissa John, I am a Citizen of Trinidad and Tobago
20 by birth. I am a New Yorker by choice. Classroom
21 teacher by profession. Taxpayer, green card holder
22 and one of the individuals that would benefit from
23 this bill. Voting is a privilege and it has been a
24 privilege extended to White males and that has been
25 the pathology and power structure of this country.

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2 It is a solid vestige of postcolonial America.
3 Historically, Black and Brown bodies on American soil
4 have had their respective voices discounted. The
5 existence and passage of the Naturalization Act of
6 1790 which limited citizenship to any alien being a
7 free White person who had been in the U.S. for two
8 years is one relic that supported that second class
9 citizenship. The Municipal Rights Bill, a Local Law
10 to amend the City Charter, would benefit individuals
11 like myself green card holders and there is no
12 illegality to this bill as it already exists in
13 different parts of the United States. In California
14 and 11 municipalities in Maryland.

15 However this legislation passing in New York City
16 is the catalyst for immigrant suffrage rights in
17 other city's with large immigrant folks. Immigrants
18 have always been the cornerstone of New York City's
19 culture and commerce yet continue to have their
20 political voices stifled and be denied power at the
21 polls while still contributing financially to the
22 neighborhoods and boroughs they now call home.

23 This disparity once again became evident during
24 the onset of the pandemic in March 2020. Many
25 immigrants who are also essential workers expose

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2 themselves daily to a deadly virus in order to keep
3 countless New Yorkers safe.

4 As the 2021 Mayoral elections approach and they
5 have come to a close right now, this bill is very
6 important as it would allow nearly one million of my
7 fellow immigrant New Yorkers to have a voice in New
8 York City local election. We contribute to the legal
9 force. We contribute to the business economy. We
10 are taxed in community whose taxes also will be
11 paying the salaries of those public officials that
12 individuals have decided to elect. Voices is really
13 important for it to be a part of the political
14 process.

15 Continuous engagement in the democratic process
16 is a revolutionary act. The Municipal Voting Rights
17 Bill will arm immigrants with the tools to fully
18 engage in the political process while concurrently on
19 the pathway toward citizenship and create a holistic
20 and comprehensive voting landscape reflective of New
21 York City's diversity. Thank you.

22 COMMITTEE COUNSEL: Thank you. Next, we will
23 hear from Murad Awawdeh followed by Fulvia Vargas-De
24 Leon and then Carole Wacey. Murad Awawdeh, you may
25 begin upon the Sergeants announcement.

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SERGEANT AT ARMS: Time starts now.

MURAD AWAWDEH: Thank you. Good morning. My name is Murad Awawdeh; I am the Executive Director of the New York Immigration Coalition. Thank you for the opportunity to testify. The New York Immigration Coalition supports both bills being heard today. It would be great if every agency had to stay for the entirety of the hearing so they could listen to how legislation actually effects the people of this city.

Especially legislation like Introduction 1867, which has several dozen individuals and organizations that took time out of their work day to urge the Council to restore voting rights to immigrant New Yorkers.

We live in a democracy and yet nearly one million New Yorkers can't vote. These New Yorkers live here, work here, go to school here and pay taxes here. According to the Mayor's Office of Immigrant Affairs, just over half of New Yorkers with green cards or other legal status have lived here for over ten years. These New Yorkers are an essential part of our city. And the city as a whole is worse off by not having their voices reflected at the ballot box. Right now, so many other states are trying to take

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2 away people's rights to vote. But here in New York
3 City, we also have taken away people's voting rights.

4 One of the untold stories of U.S. history is how
5 common and legal non-citizen voting was for the first
6 150 years of our history. Immigrant New Yorkers used
7 to be able to cast votes for Mayor, city
8 representatives until that right was taken away in a
9 racist, nativist, backlash of new types of immigrants
10 from southern and eastern Europe and east Asia.

11 Despite this, New York City maintain noncitizen
12 voting in school boards until 2002, when school board
13 were eliminated. The City Council has an opportunity
14 to right this wrong and restore non-citizen voting.
15 Failing to pass Introduction 1867 this year means
16 failing not nearly one million New Yorkers but their
17 communities as well.

18 What we are demanding is simply that residents of
19 New York City get to vote on who represents New York
20 City. The people who would be enfranchised by this
21 legislation may not have the piece of paper that says
22 they are a U.S. citizen but they are absolutely New
23 Yorkers. The ongoing pandemic has demonstrated just
24 how vital these New Yorkers are to our city. Half of
25 all frontline essential workers are immigrants and

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2 one in five are noncitizen. How can you look at
3 these New Yorkers in the eye and tell them that you
4 appreciate that they literally risk their lives to
5 keep this city functioning but you don't think they
6 deserve to vote for their City Council member or
7 Mayor. Because that is what not passing this
8 legislation means. It means you are telling New
9 Yorkers they must continue to put their bodies at
10 risk, but you don't care about their voices. It
11 means keeping one out of every nine New Yorkers on
12 the sidelines of democracy.

13 SERGEANT AT ARMS: Time expired.

14 MURAD AWAWDEH: Voting rights are political power
15 and a lack of power means that some people, some
16 neighborhoods and some issues are treated differently
17 and given lower priority than others. Failing to
18 pass this legislation would delay democracy and
19 diminish civic eagerness within immigrant communities
20 and communities of color. Democracy cannot wait at a
21 time when democracy itself is under attack worldwide,
22 this Council should lead the way on voting rights and
23 show the world what 21st Century democracy looks
24 like. This legislation has been around for a long
25 time. It has been talked about and debated. That

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2 the super majority of the Council supports it. Most
3 residence of our city support it. How much longer do
4 one million New Yorkers have to wait for their voting
5 rights. This legislation has the votes to pass the
6 Council today. Don't let another election year,
7 another election, another year, another day go by.
8 Pass this legislation now. Thank you.

9 COMMITTEE COUNSEL: Thank you. I will now
10 welcome Fulvia Vargas-De Leon to testify. After
11 that, I will be calling on Carole Wacey and then
12 Crystal Walthall. Fulvia Vargas-De Leon, you may
13 begin on the Sergeants announcement.

14 SERGEANT AT ARMS: Time starts now.

15 FULVIA VARGAS-DE LEON: Good morning Council
16 Members. Thank you for the opportunity to testify
17 here today. My name is Fulvia Vargas-De Leon and I'm
18 an Associate Counsel with LatinoJustice PRLDEF.

19 LatinoJustice is one of the country's leading
20 civil rights legal defense funds. And part of our
21 work focuses on advocating to ensure the
22 enfranchisement of those who were traditionally
23 excluded from the electoral process. At a time where
24 many states across our nation are enacting broad
25 voter suppression laws to make it more difficult to

1
2 participate in the franchise, New York City should
3 lead an enacting legislation that seeks to
4 enfranchise close to one million New Yorkers who
5 currently have no voice in the electoral process.

6 Citizenship has never been a constitutional
7 prerequisite for voting and history indicates instead
8 that localities in states look at a persons domicile
9 to determine whether they were allowed to vote. The
10 notion that citizenship is required for voting is new
11 when put in context of American history. And its
12 practice is deeply rooted in a racist history of
13 attempting to keep marginalized communities from
14 having a say in who is elected. While some may deem
15 Introduction 1867 as a revolutionary measure in terms
16 of voting rights, between 1968 and 2002 in this very
17 city, noncitizens were able to vote in and run for
18 school board elections. We recognized then that
19 noncitizens should have a say and be actively engaged
20 in the manner in which their community schools were
21 managed. Thus, what we're seeking here is actually a
22 restoration of the right to vote in local elections.

23 We expect immigrants to show up for the city day
24 in and day out, even in the midst of a pandemic.
25 They are your teachers, delivery people, local

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2 grocer, your colleagues, your next door neighbors.
3 And yet, we say to them, live in the city, send your
4 kids to school here, work here and even pay taxes
5 here. But if you want to have a say in who runs the
6 city. If you want to have a say in the legislation
7 that is passed in the city, you don't meet the
8 necessary requirements.

9 Introduction 1867 is signal of the conundrum that
10 exists in calling many in our immigrant community our
11 essential workers. Expecting them to show up and
12 risk their life for the city yet still denying them
13 the ability to have their voices heard when it comes
14 to the electoral process. It is time to change this
15 arbitrary practice and empower all of our community
16 to act and effect change for voting. Thank you.

17 COMMITTEE COUNSEL: Thank you. Next, we will
18 hear from Carole Wacey followed by Crystal Walthall
19 and then Nora Moran. Carole Wacey you may begin upon
20 the Sergeants announcement.

21 SERGEANT AT ARMS: Your time starts now.

22 CAROLE WACEY: Thank you very much. My name is
23 Carole Wacey. I'm the President and CEO of Women
24 Creating Change, we're a nonprofit based here in New
25 York City that increases civic engagement and

1 awareness for women who have been systemically been
2 excluded from civic processes.

3
4 I want to thank you acting Chair Levin for
5 inviting us to participate and submit testimony. I
6 am here to submit testimony in support of Intro. 1867
7 to restore, not expand, not give something new, but
8 to restore voting rights to nearly one million New
9 Yorkers with work authorizations, and green cards.
10 At Women Creating Change, we have been advocating for
11 voting rights and civic engagement for more than 100
12 years, and in 2021, this work continues. Having been
13 directly involved in the women's suffrage movement,
14 WCC is proud to raise our voices once again to expand
15 democracy, make sure everybody can participate and
16 we're proud to be partners with our city, our Vote
17 Coalition, and our incredible partners both at the
18 New York Immigration Coalition and United
19 Neighborhood Houses. This legislation is a natural
20 extension of our early work and we're proud to be a
21 part of it.

22 Over my 30-year career, I have worked in the
23 politics and policy and philanthropy, nonprofits,
24 media, and advocacy. My work at WCC is really a
25 return to some of my activist roots. My own family

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2 immigrated to the U.S. in the late '60's. Uhm, my
3 siblings, my parents and I, were all green card
4 holders for a long time. My feminist mother
5 encouraged me to be active and to participate in our
6 new home country. I was happy to do that. I fought
7 for things like the Equal Rights Amendment back in
8 the '70's, social security, and pay equity. All
9 these things from an early age. I've always been an
10 engaged citizen but I couldn't vote also until I
11 became a citizen in the 1990's. I was in my 20's and
12 I shouldn't have had to wait. Just like so many
13 people shouldn't have to wait right now.

14 Uhm, as we've all been saying, immigrants are
15 really a backbone to not only New York City but to
16 our country. And they shouldn't be taxed without
17 being represented in every way. New York City should
18 be a leader on this. We should be proudly out front.
19 Uhm, it's really quite sad that we haven't led and
20 it's great to have so many members really putting
21 their foot forward and really calling upon others to
22 lead.

23 We know that local elections are not only as
24 consequential, many often, many times, more
25 consequential than federal or state elections. They

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2 really impact our day to day lives. And this is a
3 real opportunity for all of us. We want to restore
4 the vote. I want to thank the 33 Council Members and
5 our Public Advocate for really getting out front and
6 supporting this legislation and I want to urge the
7 City Council to put this to a vote. Restore this
8 vote. There is no democracy unless all can
9 participate in democracy. Thank you.

10 COMMITTEE COUNSEL: Thank you. Next, we will
11 hear from Crystal Walthall followed by Nora Moran and
12 then Mia McDonald. Crystal Walthall you may begin
13 upon the Sergeants announcement.

14 SERGEANT AT ARMS: Time starts now.

15 CRYSTAL WALTHALL: Hello, good morning. My name
16 is Crystal Walthall; I am the Executive Director of
17 Faith in New York. Faith in New York is part of
18 faith in action, the largest grassroots community of
19 organizing organization in the country and I'm proud
20 to be here this morning. I am here representing
21 thousands of people of faith in New York City and to
22 uplift the moral imperative of Intro. 1867. We have
23 a moral obligation to the almost one million New
24 Yorkers who currently do not have a voice in our city
25 government. Who do not currently have the power to

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2 uplift their voice in the vision and buildings of New
3 York City, of their communities, of their schools, of
4 their blocks. Passing Intro. 1867 not only expands
5 and restores this uhm, this democratic right to these
6 residents. It also rejects the nativists, the racist
7 and the other uhm, policies that were in place to
8 even strip this voting right.

9 New York City is home to more than three million
10 immigrants. We are a city built on immigrants. We
11 rely on their labor, their culture, their dollar,
12 their influence and yet do not give them the voice to
13 be able to determine things like sanitation pickup.
14 How their dollar is being spent in their communities.
15 How systems and other things in their communities
16 will help benefit their children, their families and
17 create a safer, quality of life for our communities.
18 How can we do that? How can we say that we love and
19 protect our neighbor? How can we say that we are
20 truly living into democracy, when we are actively
21 creating a space where we are taking someone's labor,
22 taking someone's dollar, taking someone's culture and
23 then saying, no, you do not have the ability to
24 actually speak on what will be beneficial to you,
25 your neighbor, your family. I say that that is a

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2 space where we are not acting in a space of morality
3 and we have the opportunity to change that. What
4 does this mean by passing Intro. 1867? That means
5 increase civic engagement in our communities and many
6 folks I believe today on this City Council, that
7 would mean that your parents will have the
8 opportunity to vote. Your loved ones, your cousin,
9 your neighbor. Those who support you, actually have
10 the opportunity to vote for you.

11 This means that it will change the landscape of
12 our communities and the quality of life. This means
13 that those who on the frontlines, risking their lives
14 during COVID every day actually have a say in the
15 recovery of our city.

16 My Christian faith calls me to love on my
17 neighbor. To care for the widow, the orphan and it
18 also encourages me to dismantle the systems of
19 oppression that prevent us from living the lives that
20 we have been called to as our creator has deemed it.
21 And so, I call on the City Council today to restore
22 this voting right for our immigrant residents. Thank
23 you so much.

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2 COMMITTEE COUNSEL: Thank you. Next, we will
3 hear from Nora Moran followed by Mia McDonald. Nora
4 Moran, you can begin on the Sergeants announcement.

5 SERGEANT AT ARMS: Time starts now.

6 NORA MORAN: Thank you so much for the
7 opportunity to testify this morning. My name is Nora
8 Moran, I am the Director of Policy and Advocacy at
9 United Neighborhood Houses. We work with New York
10 City Settlement Houses and represent 44 settlement
11 houses across the state.

12 UNH you know has supported Intro. 1867 for
13 several years. Has been supportive of you know the
14 concept of expanding voting rights for many years and
15 that really comes from our Settlement House members.
16 For over a century, they have driven higher levels of
17 civic engagement in their neighborhoods and have a
18 very long history of welcoming immigrants. They work
19 very closely to promote civic engagement. They lead
20 nonpartisan voter mobilization efforts, census
21 outreach efforts and see often individuals who are
22 very excited to make their communities better and
23 their neighborhoods better but are denied that one
24 fundamental way, in which they can do so. Which is
25 the ability to vote in local elections.

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2 And for UNH, we really saw the urgency of this
3 bill during the COVID-19 pandemic. Choices were
4 being made that impacted peoples day to day lives
5 around schools, around health care. Uhm, whether or
6 not you know who was an essential worker. What
7 businesses were essential and there were nearly one
8 million people who could not make their voices heard
9 and weigh in on those issues in a very fundamental
10 way.

11 Lots of my colleagues have noted you know this
12 bill would really restore voting rights, you know a
13 long history in this country of having noncitizens
14 vote in elections and you know, additionally we've
15 done different kinds of legal analysis as a
16 coalition. We've not found anything in the state or
17 federal constitution that would prohibit New York
18 City from doing this and from passing this law.

19 We really feel that the time is right to pass
20 Intro. 1867. There is groundswell of support for the
21 bill. Majority of Council Members supporting it,
22 nearly 70 organizations as part of the RCDR Vote
23 Coalition, supporting it. As well as many
24 organizations who are ready to work hard on
25 implementation of this bill and make sure that it is

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2 implemented well and safely and that individuals know
3 their rights when the time comes for them to be able
4 to vote in local elections.

5 And I'd just close by saying, as we're seeing
6 states across the country, take action to suppress
7 voting rights. We in New York City have an
8 opportunity to change that national discussion and
9 expand voting rights in municipal elections and in
10 franchise. Nearly one million people who would be
11 able to vote. So, thank you so much for the
12 opportunity to testify and happy to answer questions
13 at the end.

14 COMMITTEE COUNSEL: Thank you. Next, we will
15 hear from Mia McDonald followed by Assemblywoman
16 Catalina Cruz. Mia McDonald, you may begin upon the
17 Sergeants announcement.

18 SERGEANT AT ARMS: Your time starts now.

19 MIA MCDONALD: Good morning Chair Cabrera and
20 members of the Committee. I am Mia McDonald,
21 Political Manager at the New York Working Families
22 Party. Thanks so much for the opportunity to testify
23 on behalf of Intro. 1867. The New York Working
24 Families Party is a multiracial progressive coalition
25 of individual members, labor organizations and

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2 community groups committed to building a state rooted
3 in equity and justice.

4 Central to our goal is upholding, expanding and
5 realizing a true democracy, which at its core, should
6 ensure democratic representation for all of our
7 neighbors and afford the right to vote to those who
8 make the city what it is. Today, nearly one million
9 noncitizen New Yorkers are denied that right. Our
10 neighbors contribute to our city and pay taxes, are
11 active in their communities and most importantly, are
12 just as if not more impacted by the decisions made by
13 elected officials, yet still unable to choose them.

14 The right to vote could and should be designed
15 along residential, not citizenship lines. This is a
16 matter of equality, true representation and
17 transformative justice. During this ongoing
18 pandemic, we have seen the central work of our
19 noncitizen neighbors perform to keep the city
20 running. Half of all frontline essential workers are
21 immigrants and one in five are noncitizen New
22 Yorkers. They risk their lives serving as medical
23 professionals, keeping pharmacies and grocery stores
24 open and keeping our buildings clean. Many are
25 delivery workers who are making an average of less

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2 than \$8.00 an hour without basic worker protections
3 and without a voice in government to hold those in
4 power accountable. These workers absorb the most
5 risk in this crisis and should have a say in what
6 recovery looks like.

7 As our city's immigrant population is
8 overwhelmingly Black, Brown and Asian, this is a
9 critical matter of racial justice. Our systems of
10 policing, immigration, education and housing, have
11 long produced racial inequity and expanding the right
12 to vote moves us closer to racial equity in our city.

13 At the Working Families Party, we strive to be an
14 organization that is inclusive and representative of
15 New York, which crucially includes our noncitizen
16 neighbors. As a democratic organization and
17 political party, noncitizen members vote on who the
18 Working Families Party endorses and to ensure our
19 processes are accessible to all. We've held
20 candidate endorsement interviews simultaneously in
21 five different languages. We are an organization
22 that has revised our model and practiced the work of
23 internal democracy to ensure our political decisions
24 and endorsements reflect our communities.

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2 And along with many of our member organizations,
3 we strive to model fair, more inclusive processes and
4 we're calling on New York City to do the same and
5 we're a proud member of the Our City Our Vote
6 Coalition and we urge the City Council to do the
7 right thing and pass Intro. 1867 immediately. Thank
8 you.

9 COMMITTEE COUNSEL: Thank you. Next, we will
10 hear from Assemblywoman Catalina Cruz. Assemblywoman
11 Cruz, you may begin on the Sergeants announcements.

12 SERGEANT AT ARMS: Your time starts now.

13 CATALINA CRUZ: Good morning Mr. Chairman and
14 members of the Committee. My name is Catalina Cruz
15 and I am the Assembly Member representing Corona,
16 Jackson Heights and Elmhurst. I represent the most
17 diverse district in the country, where more than 150
18 languages are spoken. Of the approximately 123,000
19 members of my community, 60 percent were born in
20 another country and 40 percent are noncitizens. This
21 includes permanent residents, recipients, refugees
22 and definitely undocumented people.

23 Most of us came to this country looking for a
24 better future for our families. We pay taxes,
25 raising our children to our schools. We open up

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2 businesses. We ride mass transit and use our
3 hospitals. Just like you and I.

4 But unlike you and I, they don't get to choose
5 who represents them and their values. They don't get
6 to vote for those making decisions over their future
7 of their children, the loss of business, how mass
8 transit is invested in or even their health care.

9 These noncitizen New Yorkers pay taxes to the
10 tune of \$10 billion each year but they have no
11 influence as to how that money will be invested back
12 into their communities. This is taxation without
13 representation. Which stands contrary to the very
14 principles in which our country was founded. Intro.
15 1867 will extend voting rights to close to one
16 million New Yorkers who deserve the right to choose
17 whether you or even I represent them, but that's
18 going to be a conversation for another day.

19 Over the last 18 months, we saw over and over
20 again how many of these families put their lives at
21 risk so that many of you could stay at home and be
22 safe during quarantine. As Murad said earlier, half
23 of all those frontline workers are essential
24 immigrant workers. One out of every five are
25 noncitizens. The many legal permanent residents and

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2 recipients, or refugees who are nurses, doctors,
3 pharmacists and kept our families alive.

4 Standing with immigrants shouldn't just be a
5 campaign timeline. Supporting Intro. 1867 tells our
6 neighbors, tells your constituents because every
7 single one of you has immigrants in your community.
8 It tells them that they matter. It tells them that
9 their voice matters. But when you stand against
10 them, it also tells them that they are only needed
11 during campaign. And before I end, I want to address
12 a statement made by Mayor de Blasio and regurgitated
13 and probably will be addressed by some of the folks
14 here today who stand against this bill.

15 The noncitizen voting is against the
16 constitution. It is unconstitutional. Well, it's
17 already happening around the country in more than ten
18 towns in Maryland, five towns in Massachusetts, in
19 Portland, Maine, Washington DC is looking at it. And
20 guess what? The courts haven't overturned that.
21 This legislation does not violate federal law. It
22 actually grants - the states are granted discretion
23 to choose who gets to vote in our municipal
24 elections. That is exactly what you're doing.

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2 Now, one of the things I think it's really
3 important is, that over the last year, we saw how
4 much the voice of immigrants is needed.

5 SERGEANT AT ARMS: Time expired.

6 CATALINA CRUZ: I'll just say one last thing.
7 Every single one of us wants to talk about how much
8 we stand with immigrants over the last year. This is
9 when it counts. This is a time that you get to
10 actually put your vote where your mouth is.

11 CHAIRPERSON LEVIN: Thank you so much Assembly
12 Member. Uhm, now, Committee Counsel, I think we're
13 going to have Council Member Yeger. I'm going to
14 recognize Council Member Yeger for five minutes?

15 COUNCIL MEMBER YEGER: Thank you Mr. Chair. I
16 see the Public Advocate has his hand up and I would
17 yield to the stature as an ex officio member of this
18 Committee if the Chair wants to recognize him first.

19 CHAIRPERSON LEVIN: Okay. Public Advocate.

20 PUBLIC ADVOCATE JUMAANE WILLIAMS: Hello? Can
21 anybody hear me?

22 CHAIRPERSON LEVIN: Yes, sir.

23 PUBLIC ADVOCATE JUMAANE WILLIAMS: Thank you
24 Chair Levin. Thank you Council Member Yeger. I very
25 much appreciate it. As mentioned, my name is Jumaane

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2 Williams, the Public Advocate of the City of New
3 York. Thank you Chair Cabrera and a special shout to
4 Council Member Ydanis Rodriguez and Salamanca for
5 both their bills. I'll be speaking primarily on
6 Council Member Ydanis Rodriguez bill. I do first
7 want to lift the plight of the 13,000 Asian nationals
8 at our border that the president is trying to send
9 back. Very often, the plight of Black immigrants are
10 not lifted up as much as they should be, so I want to
11 start with that.

12 Immigrant New Yorkers shape our city in countless
13 ways but many are locked out of the electoral
14 processes. This means city residents will fund, use,
15 and provide essential government services of no
16 political voice and how these services are funded and
17 operated. It also means that elected leaders have no
18 political incentive to advance policies that are of
19 interest to these residents. Even when those
20 policies most adversely affect them.

21 As a sanctuary city that prides itself on its
22 immigrant past, present and future, this must change.
23 As a first generation American, a son of immigrants
24 from Grenada, I am proud to co-sponsor the vote bill,
25 Intro. 1867 by Council Member Rodriguez which would

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2 restore and I think it's important that we continue
3 to say that. We simply restore the right of
4 noncitizen New Yorkers who have green cards and work
5 authorization to vote in municipal elections.

6 Expanding the franchise through this bill will
7 strengthen civic engagement, government
8 accountability and immigrant rights. I strongly urge
9 my colleagues to pass this legislation. I'd like to
10 note that while this bill is transformative, it is
11 not unprecedented. I hear a lot of push back of
12 legality. Maybe it's one of the logistics that we
13 can move through because there are already nine
14 municipalities in Maryland where noncitizens are not
15 excluded from the franchise, Brownsville, Chevy
16 Chase, Sections five and three, Glen Echo,
17 Hyattsville, Martens Editions, Mount Rainer,
18 Riverdale Park, Somerset and Takoma Park.

19 Additionally, Chicago and San Francisco
20 noncitizens are able to vote in school board
21 elections. Further, New Yorkers who are noncitizens
22 were previously able to vote in school board
23 elections from 1969 to the dissolution of the school
24 board system in 2002. It is also critical to note
25 that noncitizens had voting rights in this country

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2 for much longer than they did not have voting rights.
3 From the founding of the country into the wave of
4 anti-immigrant sentiment in the 19th and early 20th
5 centuries, noncitizens had the right to vote in many
6 states and federal territories.

7 Let's be clear, the exclusion of immigrants from
8 voting is a political choice rooted in racism and
9 xenophobia. We can get this done and we have a duty
10 to. Whether it is furthering language access,
11 keeping immigrants and custom enforcements off our
12 streets, securing labor rights for delivery workers
13 and street vendors, supporting small businesses,
14 improving and legalizing substandard basements. This
15 city has a multitude of priority initiatives that are
16 affecting the immigrant community. It is critical
17 that we amplify their voice and governance by
18 extending them the right to vote. Very often in
19 these situations it is people who are of privilege
20 trying to prevent people from getting that privilege.
21 The question we have to ask is why? Whether it is
22 marriage or it is voting rights. It is, what are we
23 trying to prevent and why are we trying to prevent it
24 and we should allow people who have the worst impact
25 of our policies, the ability to vote on who will make

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2 those policies. And as I mentioned, we are simply
3 restoring something that I believe was wrongfully
4 taken away from people in the first place.

5 So, I don't have any questions. I wanted to make
6 that statement. I wanted to thank all of the
7 panelists for the work they are doing to get this
8 forward. A special shoutout to the Assemblywoman who
9 has been doing this work for quite some time and is a
10 shining example of the people we are speaking about.
11 This should be a proud moment for New York City. It
12 should be a proud moment for our nation as we're
13 pushing back on the xenophobia we're seeing. I'm
14 hoping that our colleagues support it and that our
15 mayor show some leadership in a time where leadership
16 is lacking from that side of City Hall.

17 Thank you so much everyone. Thank you Council
18 Member Yeger again and Chair. Peace and blessings.

19 CHAIRPERSON LEVIN: Thank you very Public
20 Advocate. We'll no call on Council Member Yeger.

21 SERGEANT AT ARMS: Time starts now.

22 COUNCIL MEMBER YEGER: Thank you Mr. Chair. I'll
23 speak briefly. First of all, with respect for my
24 colleague, the Public Advocate and he is 100 percent
25 right. As have many of the speakers before, this is

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a city of immigrants. And no city in the nation does more for its immigrant population than New York City and that's been true and its been getting better and that doesn't mean that our work is done. One of the things we can and should do is assist people who want a pathway to citizenship. Who are legal residents of this city, who have or this nation, who have green cards. That's something that my office does. That's something that many of our colleagues in Council do. By having attorney's in our office who assist people with the paperwork, we ought to do more as a city and help provide the funding that's necessary to pay the fees for people who can't afford it to want to turn their legal residency in the United States into citizenship. We should.

I too, am a first generation American. My father came here on a boat with his older brother and his parents. I am the son and grandson of immigrants. My mother's father escaped Nazi Europe through the generosity of the good people of Japan and subsequently China was able to live out the war there before being welcomed here into the United States. And I'm now a member of the City Council.

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2 That story is not unique to me. That's
3 everybody's story in this city and its been the story
4 of New Yorkers for several hundred years. The
5 question before us, in my view, is not whether this
6 is the right thing to do or whether this is the wrong
7 thing to do. The question is whether we, the New
8 York City Council have the legal authority to do
9 this. While many colleagues of mine who have spoken
10 so far and many of the Speakers who have spoken so
11 far have focused on whether or not this violates
12 federal law. It doesn't. It doesn't violate federal
13 law. It doesn't violate the United States
14 constitution. It is however unconstitutional because
15 it violates the New York State constitution. The New
16 York State Constitution sets forth the obligations,
17 the rights of cities and municipalities in the state
18 and it sets forth the legal positions that
19 governments in the state can take.

20 Cities like ours are a creature of the state.
21 They only exist by the states granting us the
22 authority to do it. The constitution is not silent
23 on this question, it speaks as to who may vote. Not
24 a lot of attention has been focused on school board
25 elections. My father was a three term member of the

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2 school board until school boards were disbanded by
3 the state legislature early this century.

4 Parents were entitled to vote board elections
5 whether or not they were citizens of the United
6 States. That was a right granted not by the City of
7 New York, not by this body, by the State of New York.
8 So, when Assemblywoman Cruz, a colleague of mine for
9 whom I have an enormous amount of respect is here
10 before the Council talking about what we ought to do,
11 I turn the question back to her and to her colleagues
12 of the state legislature. This is something that
13 they ought to do. They ought to pass this in the
14 state legislature, amend the constitution and if this
15 is what the state legislature wishes to do, they
16 couldn't do it but we can't. Now, this is not a
17 unique statement from me, I do this frequently here
18 in the Council, talk about the things that we pass
19 that we're not allowed to pass. And as frequently as
20 I mention this, the courts back me up. So, we can
21 pass this if we want to. How many sponsors is
22 irrelevant? You need a majority to pass it, more
23 than a majority is sponsoring this bill. But the
24 question is whether or not it will become law. It
25 will not because it will promptly thrown out because

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2 we do not have the legal authority to pass it. And
3 again, this doesn't mean that those who oppose this
4 are xenophobic. It doesn't mean that those who oppose
5 this don't like immigrants. It doesn't mean that
6 those who oppose this don't respect the immigrants of
7 the United States, don't respect the people here in
8 New York City.

9 Nobody in this Council to my knowledge is a
10 decent of anybody who came here on the Mayflower.
11 And even if they were, they're still immigrants.
12 Everybody in this Council, everybody that we
13 represent is an immigrant. This is a city of
14 immigrants. But we also have to respect what the
15 rules are and the rules are that we are creature of
16 the authority granted to us by the State of New York.
17 But the State of New York has chosen not to grant us
18 the authority to enact this legislation. This is a
19 matter reserved for the state, it's called
20 preemption. We all know that because we talk about
21 it all the time.

22 So, we can have this hearing and I imagine it's
23 going to be a very long hearing and I will be here as
24 long as I can. As you know, my holiday begins a
25 little later today so as long as I can be here, I

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2 will be. But it's not about our authority to pass
3 this. Thank you very much Mr. Chair.

4 CHAIRPERSON LEVIN: Thank you Council Member
5 Yeger. I'll turn it back over to the Committee
6 Counsel.

7 COMMITTEE COUNSEL: Thank you Chair. Uhm, I will
8 now call on Council Members in the order that you -

9 CHAIRPERSON LEVIN: I'm sorry, I'm sorry, uh,
10 Counsel. I do actually have a couple of questions
11 for the panel if they are still here, if that's okay.

12 COMMITTEE COUNSEL: Sure, go ahead please.

13 CHAIRPERSON LEVIN: Okay, uhm, this is an open
14 question for anybody on the panel. Uhm, do any of
15 you have an estimate of how many New Yorkers would
16 become eligible to vote under this bill?

17 And I think if you are not able to unmute
18 yourself, just you can raise your hand and the
19 Council will unmute you.

20 MURAD AWAWDEH: It's about 900,000 people.

21 CHAIRPERSON LEVIN: 900,000 people. How many
22 registered voters are there in New York? I don't
23 know that number off the top of my head, probably a
24 couple million, three million maybe, three, four
25 million?

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2 Uhm, okay, so this would uhm, this would augment
3 the number of registered voters in New York City by
4 easily double digits in terms of percentage.

5 MURAD AWAWDEH: Potentially yeah.

6 CHAIRPERSON LEVIN: And then I think the public
7 advocate mentioned other jurisdictions that have
8 implemented noncitizen voting that have overcome any
9 significant implementation issues? If so, if anyone
10 has any knowledge about that or information that they
11 could provide for the record. If any other
12 jurisdictions, whether it is in New York State or in
13 any other state where there has been implementation
14 issues and what those jurisdictions have been able to
15 do there.

16 MURAD AWAWDEH: Do you want to jump in Nora?

17 NORA MORAN: Sure. I'll say we have spoken with
18 uhm; Takoma Park Maryland is one that has had
19 noncitizen voting rights, I think at least 20 years
20 now. And that bill actually - or the way they do it
21 actually it's for anybody regardless of citizenship
22 status. Intro. 1867 just focuses on LPR's and those
23 with work authorization. They have you know put
24 protections in place to make sure that uhm, voters
25 are you know sort of clearly marked on the poll

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2 books. Their registration forms explain to people
3 what their rights are. They get opt out you know
4 clauses and things like that in case somebody
5 accidentally registered to vote in a federal election
6 and you know wasn't supposed to. So, they've you
7 know, figured out ways to put different safeguards
8 in. Uhm, different advocates and other you know
9 individuals supporting the bill. We have spoken with
10 them just to learn a little bit more about what that
11 implementation has looked like and they told us that
12 they've never had somebody vote in a nonmunicipal
13 election. And voting you know in an election; they
14 were not qualified to do so forth.

15 CHAIRPERSON LEVIN: And just from a legal
16 question, uhm, a jurisdictional question, Takoma Park
17 and I'm sorry, I forgot the other municipalities that
18 the Public Advocate mentioned but those
19 municipalities did this through a Local Law or local
20 ordinance down there. And did they run into
21 constitutional challenges from the mayoral and state
22 constitution? I mean, I don't know if you're a state
23 constitution expert but uhm, I don't know if anyone
24 could speak to kind of the constitutional issue that
25 Council Member Yeger raised.

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2 MURAD AWAWDEH: Yeah, uhm, we have someone who is
3 on. They are going to be speaking I guess late in
4 another panel. His name is [INAUDIBLE 1:01:58].

5 CHAIRPERSON LEVIN: Okay.

6 MURAD AWAWDEH: He's been working on this issue
7 extensively.

8 CHAIRPERSON LEVIN: Okay.

9 MURAD AWAWDEH: And would be better suited to
10 respond to the previous instances of municipal voting
11 happening.

12 CHAIRPERSON LEVIN: Hmm, hmm.

13 MURAD AWAWDEH: You know, the state constitution
14 does not say noncitizens can't vote. The State
15 Election law allowed local election law to be
16 inconsistent with state law. So, there is that to be
17 said as well and there is precedent from earlier
18 cases that already happened. So, I don't foresee
19 this as an issue against the state constitution more
20 so than having the will to get this bill done. And I
21 see the Assemblywoman has joined to speak.

22 CATALINA CRUZ: Thank you and I'll let the
23 witness later add a little bit more but I think one
24 of the things that we all as legislators and those of
25 us who are attorney's are pretty much aware of is

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2 that, when it comes to preemption, we at the local
3 level can always expand the rights but never actually
4 diminish the rights that whoever is above us be it
5 the state or the federal government is giving in a
6 particular situation.

7 And haven't actually been a drafter for the City
8 Council. I can tell you often road bills that we
9 weren't sure whether they were constitutional or not
10 but we knew that it was the right thing to do, so we
11 moved them forward because it was the right thing to
12 do. It isn't the job of Council Members. It isn't
13 the job of the legislature to determine whether there
14 is perhaps an open question, constitutional or not.
15 Arguably, I would say this is not an open question.
16 There has been at least three holdings in a court of
17 appeals and other courts in the state of New York
18 allowing municipalities to determine who can vote.

19 But even if there was, let the courts decide. It
20 is not our job as legislators to do that. It is not
21 your job as legislators to do that, let the courts
22 decide. And so, I'll leave it at that but I - to
23 address my colleague Mr. Yeager, definitely you know
24 given our role at the state, we will absolutely be
25 looking at this but it shouldn't diminish what you

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2 guys need to do now. It shouldn't excuse what you
3 guys have to do now. You guys can open the doors and
4 the rest of the state can walk through it.

5 CHAIRPERSON LEVIN: We do have a bill here that
6 certainly we can pass and we're meeting part of that
7 process today here by hearing the bill, so.

8 MURAD AWAWDEH: Chair, we can also share our
9 legal memo with you regarding this matter and we're
10 happy to do that and also happy to announce that we
11 are back to having a super majority on the bill. And
12 with Public Advocate Williams that brings us up to 35
13 cosponsors with a new addition of Councilwoman Darma
14 Diaz, who was here earlier. Thank you for signing on
15 to the bill.

16 CHAIRPERSON LEVIN: Uhm, does anyone know in
17 other jurisdictions that have implemented noncitizen
18 voting, do noncitizens generally vote at similar
19 rates as citizens do? I don't know if there is any
20 analysis of that.

21 MURAD AWAWDEH: I believe so but again, we can
22 circle back with that answer or you can ask the
23 following panel.

24 CHAIRPERSON LEVIN: Okay, great and then, here is
25 a question, this might be this is a question that

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2 certainly we'll be asking the Board of Elections but
3 the Board of Elections obviously has made a number of
4 high profile in the states in the past few elections
5 uhm, that have hampered the smooth administration of
6 election. Uhm, it's kind of an ongoing story there.
7 Are you confident that they could administer a
8 program like this successfully? What resources or
9 regulations or procedures do you propose to avoid
10 Board of Election errors detrimental to running
11 municipal voting, a municipal voting program?

12 MURAD AWAWDEH: Well, I don't think that we
13 should prohibit uhm or not restore the right of
14 voting and bring in more people into our democracy
15 because the Board of Elections generally tends to not
16 do their job appropriately. So, I think that there
17 is uh, there is an opportunity to partner with New
18 York City Board of Elections to ensure that they run
19 this program well and I think that the Advisory
20 Counsel and Committee that would be Chaired by the
21 Public Advocate and in partnership with four other
22 organizations can help set up that system for the
23 Board of Elections to ensure that they are able to
24 move this process forward in a seamless way.

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2 CHAIRPERSON LEVIN: Uhm, I think that might be
3 something that uhm, if this bill were to pass that we
4 could look to the state for some help and kind of the
5 overall set up of the system program and oversight in
6 the administration as well. You know make sure that
7 there is the resources available and uhm, uh, and
8 that it not be subject to - I mean, one of the
9 challenges that we've seen in New York City over the
10 last five or six years in particular has been this
11 kind of decrease in confidence in democracy because
12 of mistakes at the Board of Elections. And so, I
13 agree with you though that uhm, we should not be uhm,
14 letting those concerned determine which policies we
15 pursue. Just because they have made mistakes does
16 not mean that we should not be looking to expand the
17 franchise.

18 Okay, so those are my questions for the panel at
19 this point and I greatly appreciate everybody's
20 patience and the thoughtful testimony of this panel.
21 And with that, I will turn it back over to the
22 Counsel to the Committee and I want to thank you all.
23 Thank you Assembly Member for your testimony and I
24 look forward to working with you in the future.
25

2 COMMITTEE COUNSEL: Thank you Chair. I will now
3 turn it back to Council Member Rodriguez as the
4 sponsor of Introduction 1867 to see if he has any
5 questions. Council Member Rodriguez.

6 COUNCIL MEMBER RODRIGUEZ: [SPEAKING IN SPANISH
7 1:08:51-1:09:23] [LOST AUDIO 1:09:23].

8 COMMITTEE COUNSEL: Council Member Rodriguez, did
9 you have questions for this panel? We can go back to
10 him if he would like to raise his hand later. At
11 this point, I will now call on Council Members in the
12 order they have used the Zoom raise hand function.

13 Council Members, if you'd like to ask a question and
14 you have not yet raised your hand, please do so now.

15 Okay, seeing no hands raised, uhm, we can now
16 move on to the Board of Elections testimony unless
17 Chair Levin, you have any follow-up questions?

18 CHAIRPERSON LEVIN: No, I'm just seeing if
19 Council Member Rodriguez has questions. But if he
20 does not, then I am happy to call on the next panel
21 for testimony.

22 COMMITTEE COUNSEL: We'll give him a minute.
23 Okay, thank you. The next panel will consist of
24 representatives from the New York City Board of
25 Elections. Our panelists will include Executive

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2 Director Mike Ryan and Deputy Executive Director Dawn
3 Sandow.

4 Before we begin testimony, I will administer the
5 oath. Executive Director Ryan, Deputy Executive
6 Director Sandow, please raise your right hand. I
7 will read the oath once and call on each of you
8 individually for a response. Do you affirm to tell
9 the truth, the whole truth, and nothing but the truth
10 before this Committee and to respond honestly to
11 Council Member questions? Executive Director Ryan?
12 It looks like the Board of Elections is on mute.

13 MICHAEL RYAN: Yes.

14 COMMITTEE COUNSEL: Thank you. Deputy Executive
15 Director Dawn Sandow?

16 DAWN SANDOW: Yes.

17 COMMITTEE COUNSEL: Thank you. You may begin
18 your testimony.

19 MICHAEL RYAN: Yes, as I discussed with Council
20 Staff, we are preparing to testify before the New
21 York State Senate tomorrow. And we were not prepared
22 to issue remarks today but we did make ourselves
23 available to answer any questions that the Council
24 may have of the Board. And as we also discussed, if
25 there are questions that come up for which we do not

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2 have a response as we do always, we are prepared to
3 issue written responses back to the Council at the
4 conclusion of the formal hearing proceedings.

5 COMMITTEE COUNSEL: Great, thank you. At this
6 point, I'll turn it over to Chair Levin for
7 questions.

8 CHAIRPERSON LEVIN: Thank you very much. So, I'm
9 going to actually turn it over to Council Member
10 Rodriguez who has questions right now and then I'll
11 ask a few as well.

12 COUNCIL MEMBER RODRIGUEZ: Thank you Chairman.
13 In the past, when we have the Board of Elections in
14 front of us and that question has been asked to the
15 Board of Elections on this bill. And what the
16 records say and as I personally ask a question to the
17 Board of Election. I say that it is not your job for
18 you to decide that you have the capacity to execute
19 the law in the Council beside it. What can you say
20 about it?

21 MICHAEL RYAN: That remains our position. I
22 think the only thing that has somewhat changed is
23 there appears to be a bit of a disagreement, a split
24 if you will, at the City Government level but that's
25 not for us to resolve. I just would like to also

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2 remind the Council as well, that should lawsuits
3 arise, the New York City Board of Elections is
4 represented by the New York City Law Department. So,
5 with that structure in place, I stand by our previous
6 comments to this Council.

7 COUNCIL MEMBER RODRIGUEZ: Thank you. And I will
8 say that I know that that's a position that you know,
9 that for us is important that even though we know
10 that Board of Elections has been going through a lot
11 of challenges and only because of internal issue of
12 where we believe that the Board of Election can run
13 this all better but also because we need to invest
14 more resources. And also, we need to support the
15 Board of Election. I think it is important that the
16 Board of Election is expressing that if the Council,
17 if the city pass this bill that there should not be
18 any issue why the Board of Election would not be
19 ready to work and put the system in place so that the
20 new couple of hundred thousand voters would be able
21 execute that right.

22 Have you looked at and I appreciate that position
23 and also, thanks for your leadership at the Board of
24 Election. Do you think that— have you looked at the
25 history of New York City allowing a noncitizen to

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2 vote in local election and when you look at it, what
3 is your opinion about it?

4 MICHAEL RYAN: There are some folks that still
5 work here that were here when noncitizens were
6 permitted to vote but that was limited to school
7 board elections. This would be a change in that
8 regard and under those circumstances, there was a
9 side by side registration process. If you might
10 recall the old buff cards, we called them buff cards,
11 registration cards. We called them buff cards
12 because that was the color that the paper was printed
13 on. It was called buff; it was like a light yellow.

14 And the school board elections were printed on
15 blue paper to differentiate between the two
16 processes. Now, of course there are challenges when
17 you're maintaining two systems as opposed to one but
18 it had been done before and from an operational
19 perspective, there is absolutely no reason to think
20 that it cannot be done again. But just to be clear,
21 laying to the side any legal questions that may be up
22 for public debate present.

23 COUNCIL MEMBER RODRIGUEZ: And of course, all the
24 lawyers, not to be a different interpretation that
25 you know and hopefully, you know we can arrive at the

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2 same place when it comes to what City Hall can talk
3 about it because it's not the first time that we end
4 up having some difference and at the end we end it in
5 the right place that benefit everyone. How do you
6 think that this law will expand voting rights?

7 MICHAEL RYAN: Well, there's really no way to
8 tell. If a door gets opened, you don't really know
9 who is going to walk through it. Now, it doesn't
10 seem in some of the other jurisdictions where this
11 has occurred that it has been widely used but
12 ultimately that's not the question. The question is,
13 if someone ultimately has the right to do something,
14 making that right available. Whether they choose to
15 exercise the right is up to the individual.

16 COUNCIL MEMBER RODRIGUEZ: Yeah, okay. Thank
17 you.

18 MICHAEL RYAN: Thank you Councilman and I would
19 like to just piggyback on one thing and Councilman,
20 you've always been very gracious with the Board of
21 Elections but you hit the nail on the head. I heard
22 some conversation back and forth or some testimony
23 about seeking state resources. We get some grant
24 money from the state but almost all of the dollars
25 that we spend on elections in New York City come from

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2 this body and from the administration. So, you're
3 right, if this is something that becomes a priority,
4 it's going to be up to the City Council and the
5 administration to properly fund it so that the
6 resources will be available.

7 COUNCIL MEMBER RODRIGUEZ: Well, thank you and we
8 will definitely be advocating for that and also, I
9 would like to highlight that as we also heard from
10 our representatives at the state level who join us
11 this morning, you know we hope to pass this bill in
12 New York City and to make New York City a role model
13 not only throughout the whole nation but also
14 throughout the whole State of New York. So, let's
15 continue working together. Thanks.

16 MICHAEL RYAN: Thank you Councilman.

17 CHAIRPERSON LEVIN: Thank you Council Member
18 Rodriguez. So, I do have questions Mr. Ryan and Ms.
19 Sandow. I will try to get through them as quickly as
20 possible, if that's okay.

21 So, uh, Mr. Ryan, I'm sorry, you made reference
22 to your previous remarks. What were those previous
23 remarks?

24 MICHAEL RYAN: I was reminded by Council Member
25 Rodriguez that we had previously testified and he was

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2 recounting back testimony that I had previously
3 given. To say that I am so cognitively limber that I
4 specifically remember the remarks.

5 CHAIRPERSON LEVIN: Okay.

6 MICHAEL RYAN: However, I accepted Council Member
7 Rodriguez's representations in that regard.

8 CHAIRPERSON LEVIN: Okay, so I guess my first
9 question is, would be the Board of Elections in New
10 York City be able to handle this, the provisions of
11 this bill?

12 MICHAEL RYAN: So, despite public colloquy, we
13 had handled a lot in the last year and a half in
14 particular with respect to the pandemic and all
15 legislative changes that were made including
16 remarkable expansion maybe temporary but whatever it
17 was, it happened. Remarkable expansion of the
18 absentee balloting process.

19 CHAIRPERSON LEVIN: Yeah.

20 MICHAEL RYAN: But to put it into a little bit of
21 a perspective, right now, we have just shy of five
22 million active voters and then you add another 1.6
23 million on top of that and that gives you the total
24 number of registered voters. So, if you limit this
25 just to active voters and you got 100 percent

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2 participation from this population, you would be
3 talking about a 20 percent increase in the number of
4 voters. And nothing in elections happens in vacuum.
5 So, you would be talking about the registration
6 process, which is one thing. And the domino effect
7 of everything else. The increase in the number of
8 poll sites and the number of voters per election
9 district and all of that would happen too.

10 CHAIRPERSON LEVIN: Right, which I asked the
11 previous panel what percentage you thought would
12 increase, so 20 percent is your estimation?

13 MICHAEL RYAN: Well, that's the top number and I
14 will go back.

15 CHAIRPERSON LEVIN: Okay, that's fair. I mean,
16 it's an estimation. It's not like you know.

17 MICHAEL RYAN: But it's not one that's done just
18 by throwing darts in the dark. I was going back to
19 previous testimony where I was asked rightly by
20 Speaker Johnson, what happens if everybody shows up?
21 When we had been making estimates in previous
22 elections and the answer, we didn't have a good
23 answer in that moment but that was three years ago
24 now. And so, that's what we have to plan for. What
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2 if everybody shows up? And if everybody shows up,
3 it's 900,000 by other peoples numbers.

4 CHAIRPERSON LEVIN: So, I'm not looking to like,
5 this isn't like the Board of Elections being a
6 punching bag here. I just want to know do you think
7 at this point that you would be able to implement the
8 provisions of this legislation? That's all.

9 MICHAEL RYAN: So, it always depends right, the
10 devil is in the depends. What is the implementation
11 timeframe?

12 CHAIRPERSON LEVIN: Well, how much time do you
13 think that you would need to implement the provisions
14 of this legislation? And maybe can you explain the
15 steps that would be required?

16 MICHAEL RYAN: The more lead time, the better
17 right. So, I understand that there is always a level
18 of legislative impatience that you know that
19 legislatures want to strike when the moment is there
20 if they have something they want to pass. So,
21 ultimately we are an administrative agency,
22 administerial agency and we will have to implement
23 whatever is passed.

24 But I will say this, with something like this, it
25 is incremental and evolutionary in this sense. There

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2 is a potential pool of 900,000 people. They are not
3 all going to show up on day one and register. That
4 will happen over the course of time and we won't be
5 inundated in that sense with high numbers in the
6 beginning. And like everything else, it will give
7 you an opportunity to grow into it if we see
8 disproportionate levels of registration in specific
9 neighborhoods, well then, we would probably come back
10 not only to the City Council but to other community
11 groups as well to find additional polling locations
12 and such since all of it is intertwined. It's not
13 just - the registration piece in some respects is an
14 infrastructure that has to be built no matter what and
15 will handle one or one million registrations.

16 CHAIRPERSON LEVIN: Right.

17 MICHAEL RYAN: But it's the domino effect as I
18 said, that potentially could impact the remainder of
19 the system that I think would likely occur on an
20 incremental basis as opposed to you know, the damn
21 bursting so to speak in a flood.

22 CHAIRPERSON LEVIN: Do you anticipate this bill
23 requiring software updates and have you worked with
24 the voting machine companies or any other systems?
25 Uhm, or anything you would need from the State Board

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2 of Elections, any place of approvals or anything like
3 that? Like, have you gone through like a logistical
4 punch list of like or put together a logistical punch
5 list of what would be required?

6 MICHAEL RYAN: We have a preliminary
7 understanding of what the immediate needs would be.
8 I'm not anticipating on the election day side or
9 election now ten day side that there would be any
10 real issues with the voting machines themselves
11 because once the person gets a ballot, the ballot has
12 to work in the system and we can issue a ballot that
13 doesn't work, right.

14 CHAIRPERSON LEVIN: Hmm, hmm.

15 MICHAEL RYAN: So, it would be limited to the
16 number of the city contests. So, with all of the
17 changes that are being made, whether it be rank
18 choice voting or a change like this, you're
19 increasing the likelihood that there would be
20 multiple page ballots. Because for city contests in
21 a regular election, we would be able to mix the city
22 contest with state and federal contests.

23 CHAIRPERSON LEVIN: Right.

24 MICHAEL RYAN: We're going to have city contests
25 where noncitizens can vote and they cannot vote in

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2 those other contests and we would have to have a
3 separate page just for those contests. And then, we
4 would likely for the purposes of the equal protection
5 clause, since it applies across the board, we would
6 likely then have to give out a city ballot to
7 everyone in addition to the state and federal ballot.

8 So, you're now talking about likely a two page at
9 minimum, two page ballot for all contests in New York
10 City where city offices are implicated.

11 CHAIRPERSON LEVIN: Presumably, you would give a
12 two page ballot with kind of sequester ballots with
13 on the one side city, on the other side state.

14 MICHAEL RYAN: No, these would have to be
15 separate sheets of paper.

16 CHAIRPERSON LEVIN: That's what I mean. That's
17 what I mean. They would be different sections and
18 you would have to give the separate kinds of paper to
19 people that would vote in both right? So, yeah, so
20 it would be - that would apply to everybody. So, it
21 would be a change in the way that the Board of
22 Elections rights up its ballots because as it is
23 right now, they can be mixed together on a single
24 page because the same requirements are for both types
25 of contests.

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2 MICHAEL RYAN: Yes, but it also will
3 fundamentally change the conduct of elections.
4 Because candidates for various offices who officially
5 or unofficially run as slaves, will not be on the
6 same piece of paper anymore.

7 CHAIRPERSON LEVIN: Okay.

8 MICHAEL RYAN: So, if you wanted to marry up your
9 campaign with your local assembly person or your
10 local senator, uh, they are going to be on one page
11 and you on another.

12 CHAIRPERSON LEVIN: It's infrequent. I mean, the
13 amount of times when you have a congressional or
14 state office during uhm an assembly or a senate
15 office during a municipal election as if there's a
16 special election but it's not an on year election. I
17 mean, your congressional and your state office -
18 regular elections are on even years. Your city
19 elections are on odd years. Again, that's not
20 withstanding specials and then of course the district
21 attorney's on the odd years, I get it.

22 Uhm, do uhm, are party positions, is there - I
23 don't necessarily want to go down that road but is
24 there any provision among state law that party
25 positions cannot be voted on by noncitizens?

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2 MICHAEL RYAN: Again, we're not prepared to speak
3 to the legality of it.

4 CHAIRPERSON LEVIN: Okay, it's not really in the
5 purview. Let's leave it aside. Let's leave it aside
6 because it's not really in the purview of this bill.
7 Uhm, this bill would increase the number of voters as
8 you mentioned and you have to anticipate you know 100
9 percent of those new voters being able to vote,
10 actually casting votes. What is the - have you
11 examined like what the budgetary impact to the City
12 Board of Elections would be both in a kind of one
13 shot framework and then for an ongoing budgetary
14 impact that you kind of estimated what the budget
15 impact would be here?

16 MICHAEL RYAN: Given the notice that we received
17 for this hearing, we did not really deep dive into
18 dollar. But there is always a dollar implication, no
19 question about it.

20 CHAIRPERSON LEVIN: I think if we move forward, I
21 would encourage, you would have to work with the
22 Council Finance Division because there will be a
23 fiscal impact so, I would encourage you to uhm, you
24 know respond to their questions if they start
25 reaching out to you guys about uhm -

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MICHAEL RYAN: There is the one shot -

CHAIRPERSON LEVIN: We have to do a budgeted
[INAUDIBLE 1:30:50].

MICHAEL RYAN: The single shot right, if we have
- and we will have to, we would have to make
modifications to the registration process. That's a
one off one time expense but then, uh, there will be
also ongoing expenses associated with additional
polling locations, additional poll workers and all of
that if we get a substantial increase in
participation but that happens on a rolling basis.
So, we negotiate our budget every year and it depends
on the number of contests for that year and then
always the wild card is whether a special or specials
get thrown into them.

CHAIRPERSON LEVIN: Sorry, I forgot about judges.
There's traditional elections as well and those will
happen on even and odd years. Uhm, uh, let me ask
about with - so, under what circumstances and with
each entities does the Board of Elections now dare
voter role information? And would this need to
change if this bill were enacted and uhm, and would
it be possible for the Department, for the Board of
Elections to release voter roles if this bill were

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2 enacted without revealing which voters are United
3 States citizens and which voters are not?

4 MICHAEL RYAN: So, all voter information as the
5 present status of the law is, is public information.
6 The only thing that we are legally permitted to
7 shield from public view are the last four digits of
8 the social security number of a voter. The nondriver
9 or driver ID number from the New York State
10 Department of Motor Vehicles and because the state of
11 the law is so up to date, we are not allowed to
12 reveal a fax number.

13 CHAIRPERSON LEVIN: There you go, okay.

14 MICHAEL RYAN: Those three items are the only
15 items that we're able to shield.

16 CHAIRPERSON LEVIN: Very important the fax
17 number, yeah got it.

18 MICHAEL RYAN: There is a very important fax
19 number we can't give out. And we've had
20 conversations with state officials and you know
21 regarding email addresses and cell phones and things
22 like that, but right now, those are not subject to
23 exemption. They would have to be turned over as
24 well. So, anyone can request all you know 4.9 plus
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2 1.6, all five point, almost six million voters and
3 get all of that information.

4 CHAIRPERSON LEVIN: But would you be able to,
5 would you be able to you know create a system that
6 would be able to share that type of information but
7 not share citizenship status. Or not share that it's
8 a municipal voter and not somebody that's eligible
9 than for state office.

10 MICHAEL RYAN: Again, I don't want to get into
11 legalities and what laws are applicable and not
12 applicable. All I can say to you is presently, the
13 law only allows us to shield three pieces of
14 information which I've already stated into the
15 record.

16 CHAIRPERSON LEVIN: Got it but for a practical -
17 on a practical level, you are able to shield some
18 information including the all important fax number
19 and the social security number etc..

20 MICHAEL RYAN: So, for example, if I went on to
21 my PC and I looked up a voter record because I'm an
22 elections official, I would get full record. If you
23 came into our offices here and went to one of our
24 public terminals, you would get all the information
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2 except for those three pieces of information that I
3 stated.

4 CHAIRPERSON LEVIN: Gotcha, okay. I'm going to
5 turn it over to Council Member Rodriguez. I think he
6 has a few questions as well and then I might ask a
7 couple more and call on other members of the
8 Committee to ask questions.

9 COUNCIL MEMBER RODRIGUEZ: Thank you Council
10 Member. I am very comfortable as I heard the Board
11 of Elections in previous hearings and today saying,
12 out job is to execute. It is not our job to make the
13 law and I think that this doesn't have you know the
14 decision of passing this bill to restore the
15 municipal voting rights, is based about the merit.
16 No one has a question how much those immigrants
17 contribute and sacrifice themselves during COVID when
18 a lot of people went to the Hudson Valley and they
19 stay here working in the deli, the supermarket, the
20 pharmacy as a first responder.

21 So, I think that I would like to take my approach
22 that whatever values that have to be invest, whatever
23 investment have to be made in the tech piece, that's
24 I will leave it also as a Council and the Mayor to
25 deal with that. This is about a right and I think

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2 that you know one thing that I also want to say that
3 you know, no one is a judge in any of those entities
4 to decide you know if we pass a bill. It is all
5 about us at the Council to decide. And I don't think
6 that again like you know having so many leaders that
7 share similar ideology. You know I mentioned all the
8 borough presidents, there is only one borough
9 president that has no side. The one from Staten
10 Island but all the borough presidents for the other
11 four boroughs, they have shown their support.

12 So, I think that you know, this is something that
13 we need to do our job and as usually if there is any
14 challenge, we let the court to do their job too. We
15 know we can make this change, like we did the choice
16 voting and there is already a separate New York City
17 ballot.

18 Only in unique circumstances there is any ballot
19 that bring together a voter right, a voter ballot in
20 front of them for a State of the City position. So,
21 again, I'm happy that you and the rest of the team,
22 the voter election are saying we are ready to do the
23 job if you guys pass this bill in working with the
24 city and that's what we're intended to do as we
25 already have the veto power.

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2 We also have Darma Diaz who signed today as the
3 last Council Member. So, now we have 34 Council
4 Members that are on behalf of this bill behind a
5 citywide vast majority collation that we have never
6 seen before. Thank you.

7 CHAIRPERSON LEVIN: For the Board of Elections.

8 COMMITTEE COUNSEL: Chair, I believe you were on
9 mute for the beginning of that question.

10 CHAIRPERSON LEVIN: Oh sorry. Do any other
11 Council Members have questions for the Board of
12 Elections?

13 COMMITTEE COUNSEL: Chair, I see Council Member
14 Yeger's hand is raised.

15 CHAIRPERSON LEVIN: Council Member Yeger for
16 questions.

17 SERGEANT AT ARMS: Time starts now.

18 COUNCIL MEMBER YEGER: Thank you Mr. Chair. Mr.
19 Ryan, just want to clarify something. You say the
20 law allows the board to shield certain information
21 from release. Information contained on voter
22 registration cards. Is that the New York City
23 Administrative Code?

24 MICHAEL RYAN: No, that would be the New York
25 State election.

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2 COUNCIL MEMBER YEGER: New York State election.
3 So, if the City Council were to pass a law that said
4 that there was additional information, you could not
5 release, say an address, would you be allowed to
6 comply with that law?

7 MICHAEL RYAN: My understanding is no but I also
8 understand that there is quite a bit of back and
9 forth but that should be something that would be
10 remedied or reconciled somehow between the state and
11 the city.

12 COUNCIL MEMBER YEGER: Okay and is the reason for
13 that because of the concept knowing that's
14 preemption? Where the state has acted on a
15 particular topic we are barred from acting as a city?

16 MICHAEL RYAN: Well, yes, I have cited that the
17 aspect of the law quite frequently in the eight years
18 that I've been here. So, yes, preemption is ever
19 present and is an umbrella over everything that the
20 City Board or any Board of Elections.

21 COUNCIL MEMBER YEGER: So, if we for example
22 determine that we were going to have early voting
23 start say 45 days before an election and mandate that
24 the city board open up poll sites for 45 days before
25 the election for 14 hours a day, you would look at us

1
2 and tell us that we would be acting contrary to state
3 law?

4 MICHAEL RYAN: Yes.

5 COUNCIL MEMBER YEGER: Okay, alright. Well, I
6 think we're done. Thank you very much Mr. Ryan.
7 It's really good to see you again.

8 MICHAEL RYAN: Yes, nice to see you as well and
9 you and everyone else who shares your faith
10 [INAUDIBLE 1:40:12].

11 COUNCIL MEMBER YEGER: Amen, thank you and good
12 to see you looking healthy and being back up there.

13 MICHAEL RYAN: Well, this is my first hearing
14 back, so you know the cobwebs are you know coming off
15 but I think we're doing okay.

16 COUNCIL MEMBER YEGER: We're in good hands.
17 Thank you very much. Thank you Mr. Chair.

18 MICHAEL RYAN: Thank you.

19 CHAIRPERSON LEVIN: Mr. Ryan, does the Board of
20 Elections currently uhm, keep track of a voter
21 citizenship status?

22 MICHAEL RYAN: Yes because it's a state fact
23 though because first of all, you have to check the
24 box on the voter registration form, right.

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2 CHAIRPERSON LEVIN: But if well, I guess my
3 question would be then, if it's the fact though
4 because only citizens are allowed to vote but if you
5 were to allow noncitizens to vote, there is no, is
6 there state law governing whether or any new
7 information, in other words, the state does not speak
8 to if we were to expand voting.

9 Like, so for example, let me put it this way, was
10 there a, when they did school board elections on the
11 blue cards, did they keep - was there a question
12 asked about citizenship status?

13 MICHAEL RYAN: I don't recall but it was a
14 separate, it was a completely separate form and those
15 records were kept separately.

16 CHAIRPERSON LEVIN: Well, let me put it this way.
17 So, if you were okay, let me ask the question this
18 way. If you were to implement this bill, is there
19 any requirement - does the state law speak to any
20 requirement of the Board of Elections to denote
21 somebodies citizenship status?

22 MICHAEL RYAN: Yes because presently, under New
23 York State law, we have to utilize a New York State
24 voter registration form, which asks the citizenship
25 question. Now, you don't have to actually use the

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2 form but you have to include all of the information
3 on the form.

4 So, if for some reason a voter wanted to fill
5 out, write it out in long hand, it would still have
6 to contain all of the information contained on the
7 State Board of Elections approved form. And a
8 question is, I am a citizen of the United States?

9 CHAIRPERSON LEVIN: So, then when I look up and I
10 go to the public terminal at the Board of Elections
11 and I look up someone's voter information, their
12 citizenship status will be affirmative in those
13 terminals. Is that correct? Is that what you're
14 saying?

15 MICHAEL RYAN: If not on the data screen because
16 I don't sit at the public screen very often. If not
17 on the data screen, certainly on the copy of the
18 voter registration.

19 CHAIRPERSON LEVIN: Okay.

20 MICHAEL RYAN: Which somebody could also -

21 CHAIRPERSON LEVIN: It's publicly accessible
22 right?

23 MICHAEL RYAN: It's publicly accessible, whether
24 it is on that data screen or not, I don't know off
25 the top of my head. It's on the data screen that I

1
2 see but I haven't sat a public terminal to look it
3 up.

4 CHAIRPERSON LEVIN: It's not something that can
5 be withheld by the Board of Elections? You mentioned
6 the fax number?

7 MICHAEL RYAN: No, so what happens is the system
8 is programmed when we are printing something to
9 delete that information.

10 CHAIRPERSON LEVIN: To delete what information?
11 The fax number?

12 MICHAEL RYAN: Yeah, the fax number and the
13 social and the nondriver or driver ID number.

14 CHAIRPERSON LEVIN: But it does not delete the
15 citizenship question?

16 MICHAEL RYAN: No, because what will happen is
17 when a campaign goes - you'll see it more frequently
18 used in challenges to petitions. And one of the
19 things that campaigns use when they do challenges to
20 petitions are copies of the voter registration forms,
21 so that they can double check the signature to see if
22 somebody is eligible to vote. Does the signature
23 match? Does it not?

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2 CHAIRPERSON LEVIN: And on those forms, the last
3 four of the social gets redacted when a campaign asks
4 for the copy of the buff card?

5 MICHAEL RYAN: Correct and that certainly, that
6 happens as a matter of course without any questions
7 built into the system now.

8 CHAIRPERSON LEVIN: Uhm, okay. Uhm, if this bill
9 were enacted, what would happen if a poll worker
10 mistakenly gave a municipal voter a ballot with a
11 state or federal race on it? Would anything prevent
12 the voter from filling out or scanning an incorrect
13 ballot?

14 MICHAEL RYAN: No. Now for early voting, where
15 we use a ballot on demand system, the likelihood of
16 that occurring is much further down the road. It
17 probably wouldn't happen under those circumstances
18 but in paper ballot situations at a busy poll site,
19 if somebody gave the wrong ballot, it would be akin
20 to say a primary election. Where if a poll worker
21 mistakenly gave a republican a democratic ballot or a
22 democrat a republican ballot. Nothing in the system
23 would stop that ballot from being cast. And once
24 cast, cannot be backed up.

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2 CHAIRPERSON LEVIN: Okay, so then, what remedies
3 would the Board of Elections put into place should a
4 municipal voter fill out and scan the wrong ballot by
5 mistake and subsequently realize that they needed to
6 void the ballot? You're saying nothing can be done?

7 MICHAEL RYAN: Once the ballot is accepted into
8 the scanner, nothing can be done. That realization
9 would have to be made prior. And then if it was made
10 prior, then they would follow the void ballot
11 processes that are already in existence at the poll
12 site.

13 CHAIRPERSON LEVIN: And what would happen if a
14 noncitizen voter mistakenly attempted to vote in an
15 election where there were no local races on the
16 ballot? So, say on an even year election, no city
17 races on the ballot, would the poll worker be able to
18 identify that the individual is registered as a
19 noncitizen voter?

20 MICHAEL RYAN: So, we're taking a leap of faith
21 here that this already happened right? But we now
22 have electronic poll votes. But if we didn't have
23 electronic poll votes, let's say even in the old
24 paper poll vote days, this is more akin to primary
25 elections, right?

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CHAIRPERSON LEVIN: Hmm, hmm.

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MICHAEL RYAN: In this city, you'll have democratic primaries in areas where you don't have republican primaries, right? So, if you're not an eligible voter for that contest, your name will not appear in the poll list book, whether it be a paper book or whether it's the electronic poll votes now. We don't just distribute an entire unfettered list of voters. Only eligible voter names appear in the poll list book for a given contest.

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It could create confusion as it does in primary elections where people insist that they are registered and that they should be able to vote, when in fact, they may not be eligible for that contest. But that confusion is not the same as them appearing in a poll list book and getting a ballot when they shouldn't.

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CHAIRPERSON LEVIN: Now, is there — what's the penalty if a registered republican uhm, is given a democratic primary ballot and votes in a democratic primary, is there a penalty to that voter? Are they guilty of some criminal offense?

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2 MICHAEL RYAN: No, I mean, if it's a simple
3 mistake and somebody makes an honest error, then no
4 problem.

5 CHAIRPERSON LEVIN: Would that apply then if a,
6 someone that's a municipal noncitizen voter, voted in
7 a state election that they were not entitled to vote
8 in, would that same perspective apply then or would
9 they be guilty of some— or would they be you know,
10 liable for some criminal statute?

11 MICHAEL RYAN: When it comes to the Board of
12 Elections, there is no penalty. Honest mistakes
13 happen. No election is perfect. Uh, but I can't
14 speak to what other implications there might be. We
15 have had in the past inquiries from various federal
16 entities regarding noncitizens voting in elections or
17 representing under those circumstances, representing
18 that they were citizens in order to become voters in
19 the first place.

20 CHAIRPERSON LEVIN: Is that uh, is there any
21 state law to that effect or is this purely federal
22 law?

23 MICHAEL RYAN: Well, in order to register to vote
24 in New York State, you have to be a citizen. So, you
25 don't get on the voter roles unless you are A. a

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2 citizen or B. made some misrepresentation that later
3 turns out not to be true in order to get yourself
4 registered to vote.

5 CHAIRPERSON LEVIN: If this bill went into effect
6 as law, that would obviously change that.

7 MICHAEL RYAN: Well, I think Council Member,
8 that's where the rubber meets the road. And that's
9 what I was discussing earlier. There seems to be a
10 split between the administration and the City Council
11 and the legality of it and uh, although we haven't
12 been brief on the Law Departments position, they seem
13 to have one. As it came out over the weekend, I was
14 a little bit surprised quite frankly, that that was
15 made public and not told to perhaps the most
16 important entity that it would need to be told to.
17 But that's a conversation for another day and in
18 another setting.

19 CHAIRPERSON LEVIN: Uhm, okay, so I am going to
20 ask my colleagues once more if they have any
21 questions?

22 COMMITTEE COUNSEL: Chair, Council Member Yeger
23 has his hand up.

24 CHAIRPERSON LEVIN: Council Member Yeger.
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2 COUNCIL MEMBER YEGER: Thank you. Just real
3 quickly to the Chairs question. Illegal voting in
4 New York is not a status crime. It require knowledge
5 and willfulness, so if somebody accidentally casts the
6 wrong ballot, it's not per say a crime, uhm but if
7 they willfully show up at a poll site and they're not
8 entitled to vote and it's done with knowledge and
9 willfulness, it is a crime. But just to the board,
10 you know the gentleman's first question in this round
11 was a question about whether or not there is
12 currently a law in New York with regard to mandating
13 or not mandating the disclosure of the question of
14 citizenship and whether or not the law speaks to it.
15 I think and you know, I see the Chair is - you're
16 nodding your head or you're shaking your head?

17 CHAIRPERSON LEVIN: No, no, no, neither, neither
18 I'm reading something, don't worry about it.

19 COUNCIL MEMBER YEGER: Okay, I don't want to
20 mischaracterize the gentleman's question but again,
21 I'm going to refer back to what I referred to
22 earlier. It is not a statute. It is the
23 constitution of the State of New York, Article Two,
24 Section One, and it's in the first two words. Every
25 citizen immediately followed by the words shall be

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2 entitled to vote at every election for all officers
3 elected by the people. This is not a question of
4 semantics or what does a word mean or let's roll the
5 dice, or let's see what the Law Department feels
6 about it. This is a question of nothing because the
7 words are there and it's in the Constitution. So,
8 again, you know all these questions to the Board and
9 the Executive Director of being the expert that he
10 is, is able to answer most of them but again, you
11 know the Board doesn't defend itself in lawsuits, the
12 City Law Department does.

13 The question again is not a question. It's very
14 strict. It's very straight forward in the
15 Constitution of the State of New York and the
16 simplest way to do this is to the State Legislature
17 to address this question instead of having it in our
18 body. Much like it wouldn't be proper for the
19 Department of Sanitation to propose rules regarding
20 the building of a building. Because that's something
21 that the Department of Buildings proposes rules
22 about. It's literally the same topic. So, with that
23 again, it's not a question to the Board but I do turn
24 it back. Thank you very much.

25 MICHAEL RYAN: But and Council -

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COUNCIL MEMBER YEGER: Yes.

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MICHAEL RYAN: Council Member Yeger, we did check
4 and the citizens in question appears on that screen
5 that you can view. And your answer to that question
6 is visible to the public presently. And if I could
7 just and maybe it's just because of what I've been
8 through recently but if I can just piggyback on
9 something that you said. I would like to recommend
10 moving forward to everyone, that the State
11 Legislature and the City Council can work more
12 closely and more effectively when working hand and
13 glove, so that there isn't a tug of war in which the
14 Board of Elections becomes the rope that invariably
15 will split down the middle and it puts us in a
16 difficult position quite regularly, and it's not
17 comfortable.

18

I respect the institutions of the city and of the
19 state and I respect the individuals that serve.
20 Whether I agree with them or disagree with them on a
21 particular issue, often isn't even the case for me
22 because ultimately, we have to follow whatever rules
23 are set.

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But I just wish that with these issues of
importance and voter rights are so important that we

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2 just work together and work together for the city of
3 - the citizens of the City of New York and then we
4 can stop all of this. And then it becomes a much
5 easier process to deal with.

6 So, I'll try not to break my ankle jumping down
7 off my soap box but it's a plea. It really is just a
8 plea at this point. Let's work together and stop all
9 of this ranker back and forth. Not necessarily on
10 this particular issue but just in general.

11 CHAIRPERSON LEVIN: This is a very unrankerous
12 hearing. So, and that's the way I intend to keep it.
13 And with that, Mr. Ryan, I'm going to turn it back
14 over to bill sponsor Council Member Rodriguez for
15 questions.

16 SERGEANT AT ARMS: Time.

17 COUNCIL MEMBER RODRIGUEZ: Thank you. Thank you
18 Chair and as you know, you and I have worked on many
19 other initiatives and bills where we were told that
20 we were not allowed and we're not supposed to do it.
21 If we figure out how to do it and this is one of
22 those and I agree with the Board of New York City
23 Board Election, I think that you know this is about
24 us to figure out as the legislators to play our role.
25 We are not judge. If there is any challenge for

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2 something that we believe that you know the federal
3 law already states that the state and the city decide
4 – are the one's that have the right to decide who
5 vote in the state and municipal election. We need to
6 do our job. If it's a good thing to expand voting
7 rights, to expand democracy and then we let the court
8 to do the job.

9 We know that the Immigration Coalition is
10 surrounded by – and the members are more than
11 citywide institution. That cannot be wrong as I say.
12 You know, we need to revise like, as I, you know I
13 want to remind everyone, this is supported by the New
14 York State NWACP. By the House of Justice, by the
15 voting veto power members number that we have on the
16 Council.

17 So, there has to be something right and something
18 that makes sense and something that is legal.
19 Something that has been revised. Something that has
20 been disclosed by the coalition with many lawyers
21 from the Council, from the different parties to right
22 where we are today. But let's be clear, some of the
23 position is based on races. It's about some people,
24 they don't get it. That New York City today is not
25 the same New York City that we had in the 1900's when

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2 the population used to be made by 92 percent White,
3 two percent Black, Latino were no count.

4 Like, I'm one of those immigrants and I feel
5 again that again, a lot of the things that we've been
6 addressing as the Board of Election has said, you
7 know it's not for them to respond of the legality but
8 it's for us to work together as a legislature.

9 However, I want to you know, to bring to the
10 attention to the Board of Election is a question.

11 Have you looked at the City of Takoma Park in
12 Maryland in how they have been implementing this law
13 since 1990's and how they do not have any other
14 issues that have been addressed by some of the people
15 who are making any case on opposition on how to
16 organize, how to separate violence, how to be careful
17 that the noncitizen doesn't vote in the other
18 federal, the state elections? Have you by any chance
19 looked at that election at City of Takoma Park in
20 Maryland that have been implementing noncitizens to
21 vote since 1990's?

22 MICHAEL RYAN: As I said, we have - this came to
23 us kind of late. We haven't done a deep dive. The
24 only thing that I know about Takoma Park is the
25 present population is under 10,000. And so, I don't

1
2 know how many of the 20,000 residents at Takoma Park
3 poll into the category and we haven't had an
4 opportunity to pick up the phone and call them but I
5 would suspect that like we did with early voting,
6 when the state passed it, if this were implemented we
7 would reach out to other jurisdictions like we did to
8 the states that had implemented early voting and get
9 the benefit of their knowledge and their experience
10 on dealing with this you know for a long term – as a
11 long term issue.

12 COUNCIL MEMBER RODRIGUEZ: And if you can answer
13 the question fine. If you prefer not to answer, I'm
14 fine too because of the role that you are playing
15 here to be sure that you send the message to everyone
16 that the Board of Election is ready to execute. If
17 we decide to work to pass this bill and this is
18 something that we need to work between all the
19 Council. That with the number that we have, the veto
20 power in City Hall and everyone that had to do this
21 job from this side. But you know, with Jerry
22 Vattamala, Staff Attorney for the Asian American
23 Legal Defense and Education Fund, made an argument,
24 had made an argument saying that New York State

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2 Constitution established a baseline or floor, not a
3 ceiling.

4 So, for anyone that want to bring any issue,
5 basically because they wouldn't be voting against
6 this bill if we move forward. So, but if we want to
7 look at the New York State Constitution, then you say
8 constitution, whether it's in constitution those, is
9 that we establish a baseline not a ceiling. It
10 doesn't say that noncitizens cannot vote. Only the
11 citizen can but that's not a prohibition for
12 noncitizen voting.

13 So, if you would like to you know, if you have
14 anything to add on what the State Constitution say,
15 more than happy to hear.

16 MICHAEL RYAN: Right.

17 COUNCIL MEMBER RODRIGUEZ: But if not, I just want
18 it to be clear for any colleague that is making any
19 arguments about the right that we have as a city to
20 vote on this bill.

21 MICHAEL RYAN: So, I would say this. We have
22 gone through as a state an unprecedented time of
23 changes to the elections process. We got hit with a
24 lot of New York State Election law changes. And in
25 the lead up to those changes, there was disagreement

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2 on what was appropriate and what was inappropriate.
3 And we did then what we're doing now, which is to say
4 there are always going to be implementation
5 challenges. Let the period of disagreement come to a
6 period of agreement and once there's a finished
7 product and there's a specified set of rules that we
8 have to follow, we will do our very best to follow
9 those rules as they stated. And it's really not for
10 us to get involved in the small pea political back
11 and forth of these issues. You guys come to us with
12 a finished product and it's all good and legal, we're
13 ready to go.

14 COUNCIL MEMBER RODRIGUEZ: Thank you.

15 CHAIRPERSON LEVIN: That's actually very, that's
16 very helpful to know. So, I'm going to have that
17 last statement be my takeaway from the Board of
18 Elections. Okay, that's all I got for the Board of
19 Elections. Any other Council Members? Going once,
20 going twice, okay. We'll let our colleagues from the
21 Board of Elections get back to doing their jobs and
22 uhm, we'll call no the Administration for testimony
23 now. Thank you very much for your time.

24 MICHAEL RYAN: Thank you.

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2 COMMITTEE COUNSEL: Thank you Chair. The next
3 panel will consist of representatives from the
4 Administration. From the Mayor's DemocracyNYC
5 Initiative Chief Democracy Officer Laura Wood will be
6 providing testimony. From the Mayor's Office of
7 Immigration Affairs Commissioner Raquel Batista and
8 Eileen Reyes Arias will be available to answer
9 questions and from the Mayor's Office of City
10 Legislative Affairs, testimony will be provided by
11 Director Paul Ochoa.

12 I will now administer -

13 CHAIRPERSON LEVIN: Go ahead Counsel. Thank you.

14 COMMITTEE COUNSEL: I will now administer the
15 oath. Chief Democracy Officer Wood, Commissioner
16 Batista, Director Reyes Arias, Director Ochoa, please
17 raise your right hand. I will read the oath once and
18 then call on each of you individually for a response.

19 Do you affirm to tell the truth, the whole truth
20 and nothing but the truth before this Committee and
21 to respond honestly to Council Member questions?
22 Chief Democracy Officer Wood?

23 LAURA WOOD: I do.

24 COMMITTEE COUNSEL: Thank you. Commissioner
25 Batista?

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2 RAQUEL BATISTA: I do.

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3 COMMITTEE COUNSEL: Thank you. Director Reyes
4 Arias?

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5 RAQUEL BATISTA: She's logging on now.

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6 COMMITTEE COUNSEL: Okay, we'll come back to her.
7 Director Ochoa? Director Ochoa?

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8 PAUL OCHOA: I do.

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9 COMMITTEE COUNSEL: Thank you. Do we have Eileen
10 Reyes Arias on? That's okay, if she comes, I will
11 swear her in later. Chief Democracy Officer Wood,
12 you may begin your testimony now. Thank you.

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13 LAURA WOOD: Thank you very much. Thank you to
14 Acting Chair Levin, to Chair Cabrera and all the
15 members of the Government Operations Committee for
16 calling this hearing. My name is Laura Wood; I am
17 the Chief Democracy Officer at DemocracyNYC. Very
18 much appreciate your holding this hearing today and
19 for the opportunity to provide testimony and thank
20 you so much to the staff and the advocates who helped
21 work to make this happen.

22 With so much focus on local elections this year,
23 we really appreciate the Council's calling a hearing
24 on this important topic and as I think has been
25 mentioned earlier, if Intro. 1867 becomes law, New

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2 York will be the first large city, the largest city
3 in the U.S. to allow noncitizens to vote in municipal
4 elections.

5 As I think members of the Committee know,
6 DemocracyNYC and the Administration have worked hard
7 over the past several years to push for increased
8 civic participation and to make the process of voting
9 easier and more accessible. And I will just note
10 that the June primary we just had was nothing short
11 of historic. With over 350 candidates on the ballot,
12 repetitive municipal elections across the city and of
13 course, the first ever citywide election with this
14 new system of rank choice voting. Our work this past
15 spring was bolstered by an unprecedented investment
16 of \$15 million to inform all New Yorkers about the
17 new system of voting ahead of the June primary and I
18 think a lot of that was work that was done at the
19 behest of the Council. So, we very much appreciated
20 your support and encouragement in that effort. This
21 included a citywide advertising campaign in 25
22 languages. Investments in language access and
23 accessibility resources and direct outreach with
24 community groups, faith-based organizations, minority
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2 and women owned businesses and many other
3 stakeholders.

4 Our media placement vendor for that campaign
5 estimated that we reached over 90 percent of New
6 Yorkers with ads in 25 different languages. And I
7 mention this because we recognize that immigrants
8 make up a critical, crucial part of New York City and
9 we agree wholeheartedly with many of the sentiments
10 that have been expressed here today. And while we
11 understand and appreciate the goals of the bill, we
12 do have some concerns about it. Ultimately, it is
13 these questions that mean that the city is not taking
14 a position on the bill at this time.

15 Specifically, Intro. 1867 as written raises some
16 legal questions that require careful review. For
17 example, Article Two, Section One of the New York
18 State Constitution provides that "citizens have the
19 right to vote in New York State." This provisions
20 terms apply to our local offices, through Article
21 nine of the New York State Constitution, which
22 require local elective officers to be elected by
23 persons entitled to vote as provided in Section One
24 of Article Two of the Constitution.

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We believe that review of these issues with the city's lawyers and Council legal staff is appropriate to ensure a shared understanding of the legal context. In addition and as the Mayor and my office have said publicly, repeatedly, the Board of Elections is in urgent need of reform and allocating responsibility for noncitizen voting to an institution that is unreliable and unaccountable, raises serious concerns. Especially as it relates to privacy, discrimination and legal consequences.

Noncitizens who vote in federal elections, even inadvertently can face severe criminal and immigrant consequences. We simply do not feel confident today that the Board of Elections would be able to minimize the risk of error in this context.

While the city does not take a position on Intro. 1867 at this time, we do believe that noncitizen voting is absolutely an issue that must continue to be explored. And again, we think many, many good points have been raised already today and I'm sure will be raised later. This is an issue that is publicly before the Racial Justice Commission, and conversations are continuing citywide. So, once again, we thank the Chair of the Committee and the

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2 Members for participating in the hearing and we look
3 forward to hearing more throughout the day and
4 answering any questions you might have on this topic.
5 Thank you.

6 COMMITTEE COUNSEL: Thank you. Director Paul
7 Ochoa.

8 PAUL OCHOA: Okay, Good afternoon now, Chair
9 Levin, Chair Cabrera and the members of the
10 Committee. I am Paul Ochoa, Director of the Mayor's
11 Office of City Legislative Affairs. I'm here to
12 discuss Intro. 2316 by Council Member Salamanca.

13 As you know, one of the roles of the office of
14 City Legislative Affairs is to ensure that the
15 Administration is prepared to testify at all relevant
16 Council hearings. We take this responsibility
17 incredibly seriously, and we pride ourselves in
18 having a great relationship with all the Chairs of
19 the 30 plus committees at the City Council.

20 Every time there is a committee hearing, either
21 in person, or virtual, we always have people watching
22 and taking notes in order for the Administration to
23 follow up with the relevant Chairs if there's an
24 issue raised that merits a formal response. In fact,
25 if there is a special request, as there was today,

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2 letting members of the public testify first, we
3 coordinate with the Chairs and Committee staff, in
4 order to accommodate these special circumstances.

5 Intro. 2316 would mandate by law that an officer
6 or employee of the city must be in attendance for the
7 entirety of the hearing to listen to all the
8 questions and testimony presented at the hearing.

9 While we of course support the idea of having members
10 of the Administration stay for the whole hearing, as
11 we always do, legislating this would set a difficult
12 precedent to meet without much impact to the public.

13 As I mentioned at the beginning of the testimony,
14 we are always happy to coordinate with the relevant
15 Chairs in order to ensure that the Council and the
16 Public both feel like they are being listened to by
17 Administration officials at the Council hearings.

18 With that, I am now happy to answer any questions
19 you may have.

20 COMMITTEE COUNSEL: Thank you. Chair Levin, I
21 will now turn it to you for questions.

22 CHAIRPERSON LEVIN: Do we have any other members
23 of the Administration testifying?

24 COMMITTEE COUNSEL: The Mayor's Office of
25 Immigrations Affairs would be available for Q&A.

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2 CHAIRPERSON LEVIN: Okay. Uhm, okay, uh, let me
3 turn it over to my colleagues if they have any
4 questions.

5 COMMITTEE COUNSEL: Chair, I see Council Member
6 Rodriguez.

7 CHAIRPERSON LEVIN: Council Member Rodriguez for
8 questions.

9 SERGEANT AT ARMS: Time starts now.

10 COUNCIL MEMBER RODRIGUEZ: I am so disappointed
11 that City Hall is not testifying in favor of this
12 bill. Especially when we have leaders that promote
13 expansion of democracy to come here to say that we
14 need more time to talk about it. I hope that the
15 team are doing their homework.

16 When this bill was introduced under Council
17 Member Dromm, under Speaker Christine Quinn. The
18 bill that also being revised under Council Member
19 Margaret Chin. A bill that we have been working for
20 years and an administration that has a couple of
21 weeks left. To come here with the opportunity that
22 they have, to leave a legacy. A mayor that's been
23 progressive in many areas. Don't come and tell me
24 everything that we have done for immigrants. Because
25 what I can tell you that shouldn't happen in

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2 Washington Heights, in the Bronx, in Brooklyn, mainly
3 effect people effect people of color in many of those
4 communities.

5 Some people, they don't have a voice to elect
6 their Mayor. To elect the Public Advocate. To elect
7 the Council Member. Yet because we as a city have
8 decided that this city has changed the color of the
9 skin of people coming to this city, then we change it
10 who will be voting in this city.

11 So, this is my first thing and disappointing
12 hearing from those who have been testifying, still
13 asking for more time or asking the legal part. No
14 one here is a joke. The Mayor is not a joke.
15 Immigration Coalition has a great team of lawyers and
16 they've been meeting with the Council. They've been
17 meeting with City Hall. And they've been able to
18 make the case, this is legal. We can do it.

19 As I've said before, we have to remember that
20 what we have in the New York State Constitution is a
21 baseline or a floor, not a ceiling. This is
22 something that we agree with City Hall.

23 CHAIRPERSON LEVIN: Council Member, I believe we
24 lost your audio here. Sorry.

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2 COUNCIL MEMBER RODRIGUEZ: Is that something that
3 we can agree with City Hall that the New York State
4 Constitution when it comes to this matter, only has
5 to establish a baseline or a floor and not a ceiling?

6 PAUL OCHOA: I can take it. I think Laura is on
7 mute. Council Member, we're not ready to discuss uh,
8 legal concerns at a public hearing but we're happy to
9 review privately with you and members of the staff as
10 you deem fit.

11 COUNCIL MEMBER RODRIGUEZ: This is not a staff
12 director or legislation. This is about City Hall how
13 to decide to make it public. Let's make it public.
14 New York State Constitution has established that on
15 this issue, there is a baseline and there is a floor
16 and there is not a ceiling. We have decided that the
17 citizens have the right to vote. It doesn't say that
18 noncitizen, immigrants with working papers and green
19 cards cannot have the right to vote.

20 PAUL OCHOA: Again, Council Member, I completely
21 understand your position. I'm happy to have a
22 discussion with you and the lawyers in a nonpublic
23 setting. As you know, we tend not to discuss legal
24 matters in public settings but we're happy to do that
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2 for you, and any other Council Member for that
3 matter.

4 COUNCIL MEMBER RODRIGUEZ: I have taken a lot of
5 heat working with this Administration because I
6 believe in the progressive thoughts that this Mayor
7 stands for. And when a lot of people say that we
8 should not close Rikers Island, I say let's do it.
9 And we were told that we couldn't do it.

10 When we talk about space expansion on a basic
11 day, we were told that we couldn't do it; maternity
12 leave, UPK for all. The only reason someone can be
13 behind trying to stop this movement that already
14 started in Maryland and please, no one bring any
15 excuses about what can happen to someone who is a
16 citizen and non-citizen going to vote -

17 SERGEANT AT ARMS: Time expired.

18 COUNCIL MEMBER RODRIGUEZ: And give the wrong
19 ballots. Don't bring that. If you want to learn, go
20 to Maryland. You will hear from them directly. The
21 City of Takoma Park that have been working, allowing
22 noncitizens to vote since 1990. And if they can do
23 it in Maryland, we think that we cannot do it in New
24 York City? Look at the faces of all those leaders
25 here that are the ones that are in the body working

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2 for immigrant rights. They will do the job to
3 educate the voters. Knowing who have the right to
4 vote. How to navigate the process.

5 This is about being a role model for the nation,
6 when the right wing in the south and the mid-west and
7 some of those voices in the city, try to start voting
8 rights. We have that opportunity here.

9 So, Laura, from the Chief Democracy Office
10 perspective, have you looked on how the New York
11 State Constitution only has established a baseline
12 and a floor and not a ceiling?

13 PAUL OCHOA: She's, she's muted.

14 LAURA WOOD: Thank you. Thank you. I was not
15 able to unmute. Thank you so much Council Member
16 Rodriguez. I know, you know I hear the frustration
17 in your voice and I so appreciate your advocacy on
18 behalf of all New Yorkers.

19 As I explained in my testimony, the legal
20 question has to do with the fact that the word
21 citizen is actually used in the New York State
22 Constitution, specifically as for the right to vote.
23 And that is precisely, I don't know if you call that
24 a ceiling or a baseline but that's precisely the
25 question that I think we feel needs to be worked out

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2 you know as a preliminary matter to ensuring that
3 this could actually happen and be on solid legal
4 footing.

5 COUNCIL MEMBER RODRIGUEZ: Again, I have a lot of
6 respect for all of you as individuals and we know
7 that we have worked on many issues and we know that
8 we have been at some point, not necessarily, you
9 know, in the same place at some point. But at the
10 end of the day, this is about continuing to debate.
11 And I hope again that this is something that we can
12 work out. This is the only thing that I can do in my
13 life. From being in government that will be because
14 this is about me. This is about coming here and
15 living with green card from '83 to 2000, as I shared
16 before. You know myself right there, that's who I am
17 and when I was a student activist, I was told that I
18 could not be part of the movement and pursue Mayor
19 Cuomo, not to increase tuition and cut the budget.
20 And we won the battle.

21 And were told that we should not be able to stop
22 the police abusing the underserved community and we
23 were working in the '80's and the '90's and the
24 2000's and we been able to work in the administration
25 to seek criminal justice reform. So, my passion is

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2 because I am one of those close to one million New
3 Yorkers. I was there in the street when a lot of
4 people moved to help somebody. When they moved to
5 the Hampton. When they live in 5,000 square feet and
6 I was there living in the underserved community in
7 Northern Manhattan. Where people live in a three
8 generation children parents, grandparents. I saw my
9 people, Black, Latino and Asian, the poorest one die
10 in larger numbers because they didn't have the
11 resources. Because they were dealing with pre-health
12 condition. So, let's not deny a right of someone
13 that have been paying their taxes.

14 So, I just hope again that you know like, lets
15 leave the role of the Judge to do the job. Let's do
16 our job. We have great lawyers with the Immigration
17 Coalition and the team. And I hope that we have in
18 veto power. We have four borough presidents, except
19 the one in Staten Island supporting this bill.
20 Having the Comptroller and hopefully the new
21 Comptroller. Having the statement that you could see
22 as public by the new hopefully Mayor. We will do it
23 but this is our time to do it together.

24 PAUL OCHOA: Council Member, I just want to
25 acknowledge your partnership and advocacy on all the

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2 things that you mentioned. We of course agree with
3 you and we've been side by side working with you on
4 all the things you mentioned that we've done for our
5 frontline workers. Anything, everything from you
6 know providing legal services to undocumented
7 immigrants, to helping them fight in court, tenants.
8 So, we really appreciate your advocacy for that as
9 well.

10 CHAIRPERSON LEVIN: Okay, uhm, any other
11 colleagues for questions for the Administration?

12 COMMITTEE COUNSEL: Not seeing any hands raised
13 Chair.

14 CHAIRPERSON LEVIN: Excuse me?

15 COMMITTEE COUNSEL: No, no Council Member has his
16 hand raised.

17 CHAIRPERSON LEVIN: Okay, uh, this question is -
18 I have a few questions for Chief Democracy Officer
19 Wood. Uhm, if the bill were enacted, how would
20 DemocracyNYC propose to work with the Board, the BOE
21 and VAC and other agencies to conduct outreach and
22 inform eligible municipal workers about noncitizen
23 voting? What would that look like?

24 LAURA WOOD: Well, uhm, I would - I can't tell
25 you how much we would welcome the board as a true

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2 partner in that effort. Uhm, historically, you know
3 they administer elections. They don't historically
4 do a lot of outreach to actually register New Yorkers
5 and we would absolutely love to have them as partners
6 in that effort regardless of whether Intro. 1867
7 becomes law.

8 Uhm, but what I will say is that I think we would
9 continue doing what we've been doing these past
10 several years in close partnership with our friends
11 at the Campaign Finance Board, which of course is
12 closely affiliated with the VAC. And try to go out
13 into communities in New York where we think there
14 would be eligible residents and try to talk to them
15 about the importance of voting. And you know, we all
16 have drunk the Kool-Aid. I think we all know that
17 it's a great privilege but until we have higher
18 registration rates and higher participation rates,
19 you know our work is really never done.

20 So, it's a combination of outreach working with
21 community-based organizations. Uhm, conducting
22 forums, working with local elected leaders including
23 of course members of the Council uhm to, you know to
24 really get the word out and I'll just mention that
25 next Tuesday is actually National Voter Registration

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2 Day and that's exactly what our team will be doing on
3 the ground as we try to get as many New Yorkers
4 registered as we can this fall ahead of the general
5 election.

6 CHAIRPERSON LEVIN: This is a question that I
7 asked the Board of Elections that maybe you could
8 answer as well. No, I'm sorry, I asked this of
9 advocates before. Uhm, do you have a sense of uhm,
10 in jurisdictions that have implemented noncitizen
11 voting? Do noncitizens generally vote at similar
12 rates to citizens?

13 LAURA WOOD: Uhm, my understanding is that there
14 is not a clear comparison. I don't think we have
15 clear statistics on that. I am not sure if any of my
16 colleagues from MOIA have more to add on that but
17 it's certainly an interesting question and one I
18 would love to learn more about. Sorry, I'm not able
19 to shine light on that right now.

20 CHAIRPERSON LEVIN: I mean, I have a hypothesis
21 which is that they would probably vote in higher
22 rates than citizens that are registered to vote but I
23 don't have that - any comparable data to back that
24 up. That's just a hypothesis. Does anyone have any
25 data on that question from the Administration?

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2 RAQUEL BATISTA: Hi, this is Raquel, Commissioner
3 of MOIA, how are you?

4 CHAIRPERSON LEVIN: Good, how are you?

5 RAQUEL BATISTA: I'm doing good. Uhm, so, on the
6 question of data, we can absolutely help share more
7 information on data from other localities. But from
8 our understanding is that uhm, where there is
9 noncitizen voting. It's for school boards and school
10 board elections with the exception of Takoma Park.
11 And Takoma Park has about 18,000 noncitizens
12 registered to vote.

13 So, it wouldn't be anything in comparison to what
14 would happen in New York City. There is really
15 nothing to compare it to.

16 CHAIRPERSON LEVIN: Uhm, how would this bill
17 effect the city's efforts, education efforts around
18 rank choice voting? Would it have any impact on that
19 or how would you see these two initiatives or efforts
20 correlating?

21 LAURA WOOD: Thanks for unmuting. I think it
22 would actually be very similar to what we did this
23 past spring. Of course we're not going to have rank
24 choice voting in elections again for a couple years.
25 But I think you know assuming that things are more or

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2 less the same, what we would want to do is ensure
3 that we have educational materials, opportunities to
4 learn more in multiple languages.

5 As I mentioned before, our advertising and
6 education campaign last spring featured materials and
7 ads in up to 25 languages. Potentially, we could
8 even expand on that if resources are met. And we
9 also worked with a number of community-based
10 organizations to help do education and outreach on
11 the ground. I would like to see an even greater
12 investment in that going forward. We were so
13 grateful that we were able to do it at all but with
14 more time and more runway. You could really start
15 hammering that information home much earlier. And
16 that is something that we worked very closely with
17 the Mayor's Office of Immigrant Affairs on this past
18 year, just one piece of our work, which I'm
19 especially proud of was a We Speak video which is
20 actually geared towards New Yorkers who are learning
21 English. And it was a video about rank choice
22 voting, featuring an immigrant family and it's just
23 beautiful. I'd be happy to share it.

24 So, things like that. More, I think more of the
25 same, more partnership with CBO's. I mentioned our

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2 work with NYC Votes. The New York City Campaign
3 Finance Board and with them, we have a coalition or
4 consortium of more than 50 organizations that is
5 constantly growing. So, we would continue our work
6 with them to help get the word out to all New York
7 voters.

8 CHAIRPERSON LEVIN: Uhm, so, beings it's kind of
9 step back, taking a kind of a broader perspective
10 here, uhm, and following up on your testimony and
11 your response to Council Member Rodriguez's question.
12 You know, does and kind of in light of Council Member
13 Rodriguez's point, which is that you know we are in
14 the waning days of this you know, of this
15 administration and this Council. So, you know
16 January 1st, everything resets. New Administration,
17 new Council, bill has to get reintroduced, a new
18 sponsor. Council Member Rodriguez is gone, I'm gone,
19 Council Member Cabrera is gone. We're all out.
20 Council Member Yeger will still be here but the rest
21 of us are going to be long gone.

22 So, uhm, the question is does this Administration
23 - do you want to do this? This is a - this is a big
24 deal. This is a big bill that would have you know if
25 you just stop to think about it for a second. What

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2 this would mean for immigrant New Yorkers. You know,
3 possibly a million immigrant New Yorkers who are the
4 life blood of this city. You know, in every borough,
5 in every community uhm and is the future of this
6 city. The future of this city are immigrant New
7 Yorkers.

8 Uhm, and you know people that have come here from
9 nondemocratic countries, that may not have a real
10 functional vote in their countries that they are from
11 and they came here. Maybe some of them had a great
12 risk to themselves and their families uhm or you
13 know, left behind everything they knew. We think
14 about what some of the people that are escaping
15 Afghanistan over the last couple of months and what
16 they've had to give up. Everything in their lives.
17 Careers, you know people that were doctors then are
18 going to be coming here without any assurance of
19 being able to continue their professional careers.
20 Maybe coming here with nothing, nothing, the clothes
21 on their back. You know, the money in their wallet.

22 Does the Administration want to do this bill and
23 work with the Council to get this bill passed in the
24 remaining three months that we have here? Because
25 it's kind of now or never. I mean at least for us.

1
2 Maybe the next Council and the next Administration
3 could do it but if we're going to do it, it's now or
4 never.

5 LAURA WOOD: I do appreciate - it is September
6 20th; I am well aware of that date and you know we
7 have had a lot of challenges that we've faced in the
8 past 18 months. What I can say right now is that I
9 completely hear you. We are here today. We welcome
10 the conversation. There is still time left. It's
11 not you know, it's not December 31st. It's September
12 20th, so that's good and uhm, we think that this
13 deserves more conversation.

14 What I think we don't want is to set up a system
15 that is designed to fail. And we want to make sure
16 that we're on solid ground both from a policy
17 perspective but also from a legal one. And so,
18 that's why I can't really say more today on that
19 ultimate question.

20 CHAIRPERSON LEVIN: Okay, but that's a question
21 that's got to be answered soon. You know, I mean,
22 we're having the hearing today, so it's a live bill.
23 It could get passed before the end of the year and
24 the question is, I mean, if we're going to uhm, you
25 know if we're going to work on this bill between now

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2 and the end of the year, if we're going to work to
3 pass it, we got to kind of put our shoulders to the
4 grindstone and do some real work on it. So, that's
5 kind of the big question that I have coming out of
6 it.

7 I want to just actually just pass it over to MOIA
8 for a second and just talk about what MOIA sees in
9 terms of kind of the risks that have been talked
10 about today. Uhm, few immigrant New Yorkers if we
11 were to pass this legislation and this kind of idea
12 that people could be at risk for mistakenly voting in
13 a state or federal election and you know, who knows
14 you know maybe we have some very uhm, mean spirited
15 uh, federal or state administration that wants to go
16 after people and charge them criminally like they did
17 I think of a woman named Rita Ortega in Fort Worth
18 who was charged criminally for voting as a noncitizen
19 and by the Fort Worth District Attorney and the
20 Attorney General of Texas. I will look up their
21 names, so that I can call them out by name. She
22 served prison time and is now in the process of being
23 deported. An absolute travesty of justice. What
24 would MOIA be doing to make sure that we mitigate any
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1
2 of those risks in the worst case scenario that
3 something like that were to happen to a New York?

4 RAQUEL BATISTA: Sure, so thank you for that
5 question. I think that is of utmost concern for us
6 here at the Mayor's Office of Immigrant Affairs.
7 Uhm, if this bill were to pass, of course we would
8 work on making sure that there is privacy when it
9 comes to the issue of ones status of whether they are
10 a citizen or a legal permanent resident. And we
11 would take the upmost care with that information.

12 But that is something that is very much a concern
13 for us. As you just mentioned the example of that
14 case and we have seen you know, in you know in New
15 York City, the case of people whether they have
16 claimed and actually gotten citizenship. Some people
17 actually have gotten even into elected office and
18 then taken out because of issues like this.

19 And so, we just want to make sure that there is
20 that level of uhm, care when it comes to assuring
21 that someone is not going to get in trouble because
22 they are a registered voter and they you know vote in
23 the wrong election.

24 CHAIRPERSON LEVIN: By the way, the woman in Fort
25 Worth, Rosa Maria Ortega. The Attorney General in

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2 Texas is Ken Paxton who prosecuted her along with
3 Sharon Wilson who is the Tarrant County District
4 Attorney. I remember tweeting at the Tarrant County
5 District Attorney's Office at the time and them
6 passing the buck over to the Attorney General in
7 Texas. So, they didn't even have the courage to
8 stand up for their unscrupulous prosecution. It's a
9 travesty but something that you know, we would want
10 to be on guard against in the case of that happening.

11 Are there federal immigration risks that MOIA
12 would foresee in terms of peoples immigration status,
13 if they were to mistakenly vote in a federal
14 election? I mean, is that kind of thing that could
15 potentially lead to a risk of deportation?

16 RAQUEL BATISTA: I mean that could come up but as
17 you may know when one applies for a citizenship,
18 there is the question of if you've ever represented
19 yourself as a U.S. citizen and if you've ever voted
20 in a federal election. So, that it could potentially
21 become an issue for someone once then when they go
22 and apply for citizenship affirmatively.

23 CHAIRPERSON LEVIN: Uhm, okay. I don't know if
24 any of my colleagues have any further questions. If
25 Council Member Rodriguez has thought of any other

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2 questions he wants to ask before we let the
3 Administration go or Council Member Yeger?

4 COMMITTEE COUNSEL: Chair, it looks like Council
5 Member Rodriguez has his hand raised.

6 CHAIRPERSON LEVIN: Council Member Rodriguez.

7 COUNCIL MEMBER RODRIGUEZ: Yes. As everyone
8 knows, I have my personal interest because I am one
9 of those 100,000 New Yorkers who live in the shadow,
10 who pay their taxes, who contribute to the city, who
11 become teachers, lawyers, architects, elected
12 officials and their right has been denied.

13 So, one thing that I got to say is about nothing
14 prohibits anyone to try to vote without being a
15 citizen today because anyone can get a form at the
16 voter election, fill out a form and mark that they
17 are a citizen even though they are not, right? So,
18 that's a crime. So, as we as a city have been
19 educating all the voters, so that they know who has
20 the right to vote and people know that there's a
21 form. People know that I could go out and say, I
22 have my green card from as I say, '83 to 2000. It is
23 a crime to register to vote. I never thought about
24 it. I made my contributions a different way because
25 New York City through the Board of Elections and the

1
2 Immigrant Rights group, been doing their job.

3 Letting people know who have the right to vote.

4 So, our people are not stupid. That they are
5 saying, you have the right to vote in local election
6 if you have green card. So, we questioning the
7 smarts of people? Like, this institution that you
8 have seen in the screen right now, from the
9 Immigration Coalition and more than 65. As a
10 Commissioner for Immigration, she did it when she
11 used to run the Northern Manhattan Immigration
12 Coalition. We have been spending time, resources,
13 human capital, educating our people.

14 So, let's not get into like - this can be one or
15 two cases of someone that doesn't have the right to
16 vote in federal election and tried to do so. When
17 you do policy, you focus on the larger group. This
18 is about a million New Yorkers that pay their taxes,
19 that their right have been denied. This is about
20 restoring the right of people to vote in New York
21 City and they had the right before the 1900's when
22 this city was mainly White.

23 This is about addressing, giving a voice to
24 underserved community. That being infected and
25 dealing with a lot of pandemic besides COVID, because

1
2 they don't have a voice. Just look up. Look at it,
3 make sure that you have, every one say the same the
4 same thing. Before they made a decision recently to
5 allow the city to vote in the local election, their
6 constitution say that those that had the right to
7 vote were citizens. But they realize that it didn't
8 talk about the noncitizen and they passed a law.
9 We're going to behind Vermont? You want to bring
10 question about challenges? If someone tried to vote
11 in a different election, so to Maryland. Since 1990,
12 executing the same law that I know that we would pass
13 in New York City.

14 So, I think that when it comes to the case, the
15 case is very clear. And again, you know Laura, I
16 know where your heart is and I know that big
17 responsibility that you have. Because your life has
18 been dedicated to expand democracy in New York City.
19 But this is our new, a new discussion. That's my
20 only thing. This is not a new discussion. This is
21 something that we've been discussing for years and
22 years. And I leave my first four years serving on
23 the Council where we were not able to accomplish a
24 lot of things, I was only able to pass one Resolution
25 in my first four years.

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2 In the second term, I passed 36 laws, 36. And
3 most of the laws that I tried to pass, I was told
4 that I couldn't do it. So, come on, let's get it
5 done. A few weeks, a few months, those of you that
6 have not been a part of this discussion for a year,
7 let's get the briefing. But this is the time for us
8 to pass this bill.

9 CHAIRPERSON LEVIN: Okay, Council Member
10 Rodriguez, thank you very much. And with that, going
11 once, going twice, Council Members to ask questions
12 to the Administration. Seeing none, I thank you very
13 much for your time Ms. Wood, Ms. Batista, Mr. Ochoa.
14 As I said before, uhm, you know if we're going to do
15 this, you know time is of the essence. And uhm, we
16 should just as a parting thought to you. You know we
17 should not think that - we shouldn't take it for
18 granted that the next administration or Council will
19 you know, will do this if we don't. If we believe in
20 the policy, if we believe in advancing this, if we
21 believe in this legislation, uhm, then we should
22 actually put in the work to do it over the next three
23 months.

24 Uhm, and with that, I thank you and we'll, I'm
25 sure that you will be speaking closely with the real

1
2 Chair of this Committee Fernando Cabrera and uh, bill
3 sponsor Ydanis Rodriguez. Thank you.

4 COMMITTEE COUNSEL: Thank you Chair. We will now
5 move on to the next panel which will consist of
6 representatives from the New York City Campaign
7 Finance Board. Our panelists will include Assistant
8 Executive Director for Public Affairs Eric Friedman
9 and Deputy Director of Public Affairs Amanda Melillo.

10 Before we begin testimony -

11 CHAIRPERSON LEVIN: Oh, I'm sorry, excuse me, I'm
12 sorry Counsel, before we let them go, I'm sorry,
13 Council Member Rodriguez does have - I just got a
14 text from him, has one more question. Council Member
15 Rodriguez, do you have one more question before we
16 let everyone go here?

17 COUNCIL MEMBER RODRIGUEZ: I do Chair and you
18 know I just want to end reading - I want to end
19 reading this. New York City must allow permanent
20 residents and those of the right to work here to vote
21 in municipal elections. I was proud to be a part of
22 the kickoff of our city, our vote campaign and I
23 continue to support the passage of Intro. 1867.
24 Democracy should always be striving to be more
25 inclusive and more representative of their

1
2 constituents. Expanding the right to vote to people
3 who live here, work here, raising family here and
4 collectively pay billions of dollars in taxes here,
5 should not be controversial. It should be the vote
6 you take in your career on the City Council. When we
7 expand engagement in our democracy, our city is a
8 stronger, safer, and more responsive to the need and
9 dreams of its residents. I urge you to pass Intro.
10 1867 to give all New Yorkers a voice in the greatest
11 city in the world. This is the statement of the
12 Brooklyn Borough President and hopefully new Mayor
13 Eric Adams.

14 CHAIRPERSON LEVIN: Thank you very much Council
15 Member Rodriguez. Uhm, okay, I'll turn it back over
16 to Committee Counsel.

17 COMMITTEE COUNSEL: Thank you. We'll now move on
18 to the panel with the New York City Campaign Finance
19 Board. Before we begin, I'll administer the oath.
20 Assistant Executive Director Friedman, Deputy
21 Director Melillo, please raise your right hand. Do
22 you affirm to tell the truth, the whole truth and
23 nothing but the truth before this Committee and to
24 respond honestly to Council Member questions?
25 Assistant Executive Director Friedman?

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ERIC FRIEDMAN: Yes, I do.

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COMMITTEE COUNSEL: Deputy Director Melillo?

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AMANDA MELILLO: Yes, I do.

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COMMITTEE COUNSEL: Thank you. You may begin your testimony.

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ERIC FRIEDMAN: Thank you. I want to thank the Acting Chair Council Member Levin and members of the New York City Council Committee on Government, Governmental Operations for the opportunity today to testify on Intro. 1867. Which would allow certain city residents to vote in municipal elections. And Intro. Number 2316 which would require a representative of city agencies to be in attendance for the entirety of a hearing where they are required to testify.

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Again, I am Eric Friedman, Assistant Executive Director for Public Affairs at the New York City Campaign Finance Board and with me today is Amanda Melillo, Deputy Director for Public Affairs. As you know, the Campaign Finance Board is mandated by the New York City Charter to encourage and facilitate voter registration and voting by all eligible residents of New York City, but particularly among underrepresented populations. The CFB is often

1
2 called before the City Council to testify on relevant
3 campaign finance and voting legislation, and we are
4 happy to offer input on both bills today.

5 I want to briefly address Council Member
6 Salamanca's bill, Intro. 2316. We are supportive of
7 measures to increase transparency and hold government
8 officials accountable to the public they serve. It
9 is already our agency practice to stay for the
10 entirety of the committee meeting in case Council
11 Members who were not present at the reading of oral
12 testimony have questions for members of our staff.

13 We believe it is incredibly important to speak to
14 our work and provide information where it is needed
15 so the Council can conduct their oversight role
16 effectively and efficiently. Further, it is
17 important to hear from advocates and others who
18 provide useful information to the Council. We
19 strongly encourage everyone who is part of the
20 oversight process be present for the entire hearing.

21 We are also supportive of the principles
22 underlying Council Member Rodriguez's bill, Intro.
23 1867, which would allow lawful permanent residents
24 and those holding work authorizations to vote in
25 municipal elections. New York City is and always

1
2 will be a city of immigrants. Our door is always
3 open. It is what makes our city great. Every New
4 Yorker who lives and works in our city contributes to
5 the vitality of our communities. Every New Yorker
6 who lives and works here should have a say in who
7 represents them in government and have a voice on the
8 policy issues that impact their daily lives.

9 Likewise, elected officials should be held
10 accountable to represent all New Yorkers, regardless
11 of their citizenship status.

12 By our count, this bill would give a voice to
13 more than 825,000 people who are already part of our
14 city's civic life. We are prepared to do our part to
15 enact this bill should it be passed. We do want to
16 highlight several serious issues concerning potential
17 unintended consequences of this legislation that
18 could prove harmful if they are not addressed. The
19 bill should not move through the legislative process
20 before these certain questions can be asked, can be
21 answered excuse me, about the bill's implementation.

22 We have several questions related to immigration
23 law that are outside our scope of expertise but that
24 we believe should also be further researched by the
25 Council. Our first concern is the privacy and safety

1
2 of individuals with non-citizen immigration statuses.
3 In an era where immigration policy, as we've been
4 discussing today, is front and center. We want to
5 ensure this legislation does not make it easier for
6 any administration, at the local, state, or federal
7 level, to endanger the rights of vulnerable New
8 Yorkers. The voter file is public information, it
9 contains a person's name and address, which could be
10 used for individual or targeted harassment.

11 We urge the Council to consider this possible
12 consequence and take steps to ensure that the voter
13 file is not used with malicious intent. We are also
14 concerned that a municipal voter could inadvertently
15 commit a felony by voting a ballot that lists state
16 or federal races. A simple poll worker error like,
17 giving a municipal voter the wrong ballot at a poll
18 site, could potentially put that voter at risk.

19 Language within the State's Automatic Voter
20 Registration law provides legal cover for persons who
21 are inadvertently registered as voters, but we are
22 not certain that the same degree of protection can be
23 applied in a situation where a voter actively votes a
24 ballot, even if it is an inadvertent error. There
25 are other questions outside of our particular

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2 expertise about the bill's interaction with
3 immigration laws, such as: Could this bill impact a
4 person's citizenship status or their ability to vote
5 in their country of origin? To provide assurances to
6 the intended beneficiaries of this legislation? We
7 urge the Council to consult experts in immigration
8 law to ensure all possible scenarios are addressed.

9 We also have questions related, related questions
10 uhm, about how the bill would be implemented. How
11 would the Board of Elections confirm a person's
12 immigration status if it is valid, or be notified if
13 that status is revoked or expires? Would an entirely
14 separate set of ballot styles be required for
15 municipal voters? We heard from the Board of
16 Elections earlier on a few of these question and just
17 as a side note, I'm very happy to see Mike Ryan
18 healthy and back with us. We hope the Boards input
19 is taken into consideration, since they are the body
20 that administers elections and manages voter
21 registration. We defer to the Board to discuss
22 specific concerns related to implementation and how
23 this bill would interact with existing state and
24 federal election laws.

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2 We raise these questions in large part because
3 the details of implementation will drive how we
4 conduct the voter education component that support
5 it. From a programmatic perspective, this
6 legislation would have a significant impact on the
7 Campaign Finance Board's Charter mandate to engage
8 and register underrepresented voters. The scope of
9 our outreach will necessarily increase with the
10 prospect of adding nearly one million newly eligible
11 voters to the voter rolls for municipal elections.

12 To successfully reach this new population and
13 inform them of their rights, an extensive ground game
14 involving collaboration with community-based groups
15 would need to be paired with an investment in an
16 advertising campaign that would amplify the reach of
17 these education efforts. To achieve the anticipated
18 scale, together we should look to the Census effort
19 as a model for engaging the non-citizen population.
20 Different strategies are needed than those we have
21 traditionally used to reach currently registered
22 voters. A successful campaign would need to rely on
23 qualitative research, where we would hear from
24 noncitizens directly about potential barriers they
25 face, concerns they have, and what would help them to

1
2 overcome those concerns so they could register and
3 vote.

4 This research should drive an advertising
5 campaign that encompasses traditional advertising
6 through television, radio, newspapers, and digital
7 channels, but with a greater investment in community
8 and ethnic media to get the word out. This should
9 complement efforts across the city to engage people
10 in their communities, using tools such as
11 presentations and direct person-to-person contact.

12 We would also need to consider how to design the
13 voter experience to minimize confusion. This bill
14 would create a new type of voter that would register
15 with a different voter registration form. We would
16 need to retool our online resources to create a way
17 to ensure voters are served the right information,
18 without running the risk that a municipal only voter
19 would use a state registration form meant for
20 citizens, or vice versa. In addition to helping
21 voters locate the correct registration option, we
22 would also need to deliver different types of
23 information to each kind of voter. For example, we
24 would need to serve customized information to a
25 municipal only voter audience, on the website and in

1
2 the online Voter Guide, and email or text message
3 election alerts. We would also want to explore
4 providing more in-depth translation of information
5 that we put on our social media platforms.

6 In addition to the Voter Guide information on our
7 website, we mail a printed Voter Guide to every
8 registered voter in advance of municipal elections.
9 Our Voter Guide is printed in several editions,
10 targeted to each voter's specific district. It is
11 our goal to give every voter the information they
12 need to cast an informed ballot on Election Day.
13 Mailing print Voter Guides to more voters comes with
14 an additional printing and postage cost that depends
15 on how many new municipal voters register. To reduce
16 confusion for municipal voters around which offices
17 they are qualified to vote in, we anticipate the need
18 to create voting instructions specific to municipal
19 voters. We could provide a separate mailing for
20 those voters or create an entirely new set of printed
21 voter guides that cater specifically to this
22 population.

23 We are also the agency mandated to provide
24 education and outreach on ranked choice voting, which
25 will be used in the rapidly approaching 2023 City

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2 Council elections. In 2021, we accomplished our
3 education mandate through coordination with citywide
4 nonprofits, neighborhood and community groups, and
5 other government agencies. We heard from these
6 groups that our materials would be able to reach more
7 New Yorkers if they were translated into more
8 languages, which we did not have the capacity to
9 accommodate.

10 To meet the needs of more New Yorkers, we suggest
11 that the legislation include additional language
12 access requirements. The CFB currently translates
13 our website and voting materials into the four
14 federal Voting Rights Act languages: Spanish,
15 Chinese, Korean, and Bengali. In our experience
16 working with communities of naturalized citizens,
17 many voters prefer to receive election materials in
18 the language they feel most comfortable speaking in,
19 which may not be English. This means the diversity
20 of languages spoken by New Yorkers should be
21 represented in elections communications and should
22 include written translations and in-person
23 interpreters.

24 By expanding language translations of our voting
25 materials, we can also more effectively reach newly

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2 naturalized citizens who are also a historically
3 underrepresented group. Translating the Voter Guide,
4 website, and our social media accounts to additional
5 languages will come at an additional cost, but it
6 will be more than worthwhile to provide better
7 service to voters.

8 Lastly, we would also suggest that the Council
9 consider making the implementation date for the
10 legislation effective January 1, 2023. A policy
11 measure with so much at stake requires adequate time
12 to implement and ample time to educate newly
13 registered voters. This date will also coincide with
14 the 2023 City Council redistricting elections. New
15 York City would be the largest jurisdiction by far to
16 expand the franchise for local elections to lawful
17 permanent residents. Per our responsibilities to
18 inform New Yorkers about their elections, we hope to
19 remain engaged with the Council as this bill goes
20 through the legislative process.

21 Specifically, as part of our Charter mandated
22 Voter Analysis Report, we hope to include information
23 in next year's report due in April, should Intro.
24 1867 be signed into law. Through our matching funds
25 program, and our NYC Votes initiative, the Campaign

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2 Finance Board is and continues to be dedicated to
3 ensuring all New Yorkers have a say in our democracy.

4 We thank the Council for considering the issues
5 we have raised here today and for the opportunity to
6 testify and be part of this conversation. We are
7 happy to answer any questions you might have.

8 CHAIRPERSON LEVIN: Thank you so much. Do any of
9 my colleague have questions for the CFB? Okay, I
10 just have a handful of questions here. Uhm, and if
11 this is redundant to your testimony, just feel free
12 to say that. If this bill were enacted, how would it
13 effect CFB's distribution of Voter Guide? Would a
14 separate guide for noncitizens be required,
15 noncitizen voters? How would this effect the cost of
16 producing and distributing the Voter Guide? And if
17 possible, if you can give a breakdown of the cost
18 impact in terms of printing, mailing, translation,
19 etc.?

20 I think here for the Council, if we can move
21 forward and we need to produce a fact statement, we
22 want to take that information right now.

23 ERIC FRIEDMAN: For certain and so, I think as I
24 continue the testimony, you know we certainly
25 anticipate additional costs and we're not here

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2 prepared with particular dollar amounts today but
3 happy to consult further with the Council as the bill
4 moves through the legislative process.

5 Uhm, you know, as I outlined, it's certainly
6 possible that we would consider a separate addition
7 of the Voter Guide for this new class of voters in
8 order for the bill to go forward. You know I think
9 those decisions you know have to require a little bit
10 more conversation on our side but I think you know,
11 what is clear to us from the legislation is that and
12 from the nationwide discussion around immigration.
13 We need to work really hard to make sure that the
14 folks that are effected by this bill, have the
15 information they need to be able to vote safely. And
16 to exercise their rights further and ensure that they
17 are not caught up in sort of inadvertently dangerous
18 behavior.

19 And so, again, if the bill goes forward, we are
20 ready and committed to making sure that that
21 information gets to voters.

22 CHAIRPERSON LEVIN: Do you have any suggestions
23 for improving the confidentiality provisions in the
24 bill?

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2 ERIC FRIEDMAN: You know that we're in an area
3 that's a little bit beyond the scope of our expertise
4 and we would you know, for the Board of Elections, as
5 they are the keepers of the voter rolls, you know we
6 can defer to them on some of those operational
7 considerations.

8 I think you know there's this tension here where
9 uhm, you know not just the CFB and other groups but
10 you know campaigns depends on having access to those
11 voter rolls. So, that they can do voter outreach and
12 ask voters for their votes. And so, whether you're
13 talking about a list of municipal voters or a list of
14 voters who are eligible to vote in state and federal
15 elections, those are going to be public.

16 And so, I think again, a lot I think there's some
17 more discussion needed about how we can best protect
18 the people who register as municipal voters. You
19 know, we've said and we've committed as a city you
20 know, that our city is a sanctuary, right? We're
21 dedicated to protecting people from all over the
22 world to come to New York and want to be a part of
23 the city life. You know, we were supportive of what
24 this bill is able to do and we want to make sure that
25 that promise is carried out.

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2 CHAIRPERSON LEVIN: Great. Are there any other
3 implementation challenges that you would like to
4 bring to our attention as you see that?

5 ERIC FRIEDMAN: Uhm, you know I think we've tried
6 to include as much as we can in our written testimony
7 but you know I'll kind of hand over to Amanda also to
8 see if there is anything else that she would like to
9 add to that question.

10 AMANDA MELILLO: I mean, yeah, I think we went
11 over that in our written testimony just in terms of
12 how we would want to think about designing the voter
13 experience to make sure that people are using the
14 right registration forms, they're getting the
15 information. I think this would just require some
16 research and some working with design experts to
17 think about how we can retool our existing materials
18 in order to really help people you know participate
19 in the correct ways and minimize confusion because I
20 think there's high potential for confusion here.

21 You know, I think one of the things that we've
22 been discussing a lot internally is about language
23 access specifically. And that's certainly something
24 that we would want to think about in terms of
25 expanding the languages that we translate into and

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2 also, what materials we translate into and that's
3 something we would want to work with the Council on.

4 CHAIRPERSON LEVIN: Right, okay, no, I greatly
5 appreciate it. I will just that you know, with 12
6 years of experience now working with the CFB, and I'm
7 saying this as somebody who is not running for
8 anything anymore. I don't have an open CFB account.
9 I'm not trying to create favor with CFB but I just
10 want to express my appreciation for CFB's commitment
11 to expanding democracy in New York City. You've been
12 an important player in that and in my book, you guys
13 are alright and I just want to thank you for all that
14 you do.

15 ERIC FRIEDMAN: Much appreciated. Thank you for
16 your service on the Council and sorry to see you go.

17 CHAIRPERSON LEVIN: Yeah, running off into the
18 sunset. Uhm, okay, if my colleagues don't have any
19 questions, Council Member Rodriguez? Council Member
20 Yeger? Questions for CFB?

21 COMMITTEE COUNSEL: Council Member Rodriguez has
22 his hand up Chair.

23 CHAIRPERSON LEVIN: Okay. Council Member
24 Rodriguez. You're up or do you need to unmute
25 yourself?

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COUNCIL MEMBER RODRIGUEZ: Okay, now it's fine. Thank you Chair and thank you to both to Eric and Amanda for you know giving your testimony based on your own experience. And of course like, you know we know that we have one of the best Campaign Finance Board in the whole nation. And certainly, that makes all of us that run to office being accountable, as it should be. And to protect also you know the taxpayer and to be sure that you know they educate, the investment is made to do the education or work. Can we agree that in New York City, we have a very low turnout when it comes to election?

AMANDA MELILLO: Yes.

COUNCIL MEMBER RODRIGUEZ: And that it doesn't hurt right to add a new group of voters that will expand the level of participation? Is that something that we can agree? And of course, I'm not asking you the legal part. You know this is something that we have to figure out but assuming that we pass it, that you know, we heard from you guys. You know you had the capacity, the men and women and the expertise who you know, to address new challenges, to address with new investment you know, any challenges that we can have?

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2 In fact, isn't that - couldn't that be a good
3 thing for democracy if we are able to add new voters
4 to participate in the decision on how we elect
5 elected officials?

6 ERIC FRIEDMAN: Uhm, certainly. You know, look,
7 again, I'll kind of call back to what we said in the
8 testimony. You know our specific mandate is to
9 ensure that New Yorkers were under represented. You
10 know increase in our democracy in New York City. We
11 are required to find ways to help under represented
12 be better represented among those who are registered
13 to vote and those who vote.

14 So, yes, you know extending opportunity, join the
15 electorate. Making sure that we are communicating
16 with people to play an active role in the electorate.
17 All these are good you know and I think we have
18 again, we have questions about and just making sure
19 that we are doing it in a way that honors our
20 participation and doesn't put people at risk. But
21 you know we all serve better when government is most
22 representative of the people who live here. And so,
23 those are values that we would govern through and
24 through. Amanda, do you have anything to add?
25

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2 AMANDA MELILLO: I would love to add to that
3 because I think one thing for the Council to consider
4 is, you know we're talking about large numbers. You
5 know, 825,000 people who could potentially be
6 impacted by this bill and suddenly be able to
7 register to vote. You know, one of the things we've
8 been discussing internally is that this would really
9 need to be paired with an investment in making sure
10 that they know that they can get registered, that
11 they can participate. You know, this came up earlier
12 in the hearing, when people were asking about usage
13 rates in other cities that allow noncitizens to vote.
14 So, Takoma Park Maryland is one of I believe 12
15 jurisdictions around the country that allow
16 noncitizens to vote in all municipal elections. Not
17 just school board elections.

18 Uhm, we did get in touch, not with Takoma Park
19 with Hyattsville Maryland, which is about a similarly
20 size city. They have about 12,000 registered voters
21 and they only have 250 voters who are noncitizens but
22 legal permanent residents. So, that really speaks to
23 the scale of even if you make this available to
24 people, that doesn't mean that they know about it
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2 without that sort of investment by the city and
3 making sure that they do.

4 You know, San Francisco, which is the city we
5 often look to as another example, uhm, they have
6 500,000 registered voters in San Francisco. They
7 allow noncitizens to participate in school board
8 elections. They only have 36 noncitizen residents
9 signed up to participate in school board elections.

10 So, when we're talking about opening the doors
11 and allowing all these people to vote, I think it is
12 going to take a real effort to make sure that there
13 is significant public education around it.

14 COUNCIL MEMBER RODRIGUEZ: Yeah, and of course
15 like, when I used to be a college student, I thought
16 that I would be able to make the revolution of
17 changing this society and be able to bring other
18 changes that I believe on when it comes to social
19 justice, but now in my grey hair, the age of 56, now
20 I see that pilot project has its merit.

21 So, I think that even though we look at those two
22 Maryland- or more important, we have to be looking
23 about that could be pilot project. Because the
24 question is, you know, how can we restore the right
25 and that's my thing that I even tried to make my case

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2 to my colleagues, you can be on the different side of
3 this moment. This is a bipartisan. It's not about
4 democrats, it's not about the progressives, it's not
5 about the socialists. It's about giving the voice of
6 people that came from their journey. I have many of
7 them who live in Bennett Avenue.

8 So, this is about you know when I used to be
9 teaching at high school, the school that I was a co-
10 founder, there was a teacher Ms. Vatino(SP?). I
11 never saw Ms. Vatino as an immigrant because when we
12 look about this particular crew that will benefit, we
13 think about Latino's, Asian and Black. And Black, we
14 are thinking about the recent group, the recent
15 African that Council [INAUDIBLE 3:14:45] or that come
16 from Nigeria.

17 But this is about people that are Italian that
18 are Irish, that are Poland. They know that they are
19 from other places but that they are here in the City
20 of New York. That they are working - they have a
21 work permit to do the job that they pay the taxes.
22 We will be given those individuals a voice. And I
23 think that you know, when we already at the federal
24 law already has established. The state and the city
25

1
2 have the right to decide who vote in the local
3 election.

4 New York City didn't require for people to be
5 citizens in the early voting process that we have.
6 Here we have this opportunity. Here we have voting
7 power 34 Council Members. Here we have four Borough
8 Presidents except the one from Staten Island. Here
9 we have the Public Advocate. Here we have the
10 Comptroller. Here we have what we hope is going to
11 be the new Comptroller and the new Mayor.

12 So, I hope again that working among all of us, we
13 can be able to figure out any piece that is related
14 to how we still can make it better. And I think that
15 adding nearly one million voters, doesn't necessarily
16 mean all will come out to vote. That falls on us to
17 educate and get people out to vote. But I want to
18 emphasize that adding voters, it never [INAUDIBLE
19 3:16:08] our democracy. And I don't know, how do you
20 see from the Campaign Finance Board role if we are
21 able to pass this bill; that I hope that we will.
22 How do we see it as an opportunity, as we should be
23 adding more resources for you guys to work with all
24 institutions that are here and others who are not.
25 That have been the voice of immigrants to educating.

1
2 Because I want to bring back and I said before, I
3 hope that nobody bring the question about but will
4 happen if someone register to voting in the federal
5 election.

6 Like, Campaign Finance Board right now, you know,
7 if anyone decide to run say, who can contribute to a
8 candidate? The only thing that the person have to do
9 is to sign it. They don't have to submit any proof.
10 The Campaign Finance Board run the audit and they
11 find out if there is any question or anything, then
12 they call candidates whatever.

13 When anyone register today to vote, not anyone
14 can go out and try to register even though they are
15 green card holder, but people are educated. New York
16 City is doing a great job to be sure that New Yorkers
17 know that in order to be very sure today, they have
18 to be citizens. Because the constitution of New York
19 State say that you have to a citizen to vote. And I
20 said again, while the constitution provide
21 opportunity for us, it doesn't say if noncitizen why
22 can't be registered to vote beside the citizens. And
23 again, this is like a legal part that we hope that we
24 will you know deal with but I want to bring to the
25 attention of everyone that I know that if we move

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2 this bill, you guys from the Campaign Finance Board,
3 we have a major role to play when it comes to work
4 with the rest of New Yorkers to educate the voters.

5 ERIC FRIEDMAN: I'm sorry, I'm not sure if there
6 was a question in there but I'll agree that you know
7 I think as we've said and I think we do have a lot of
8 work ahead of us if and once this bill passes to
9 prepare this new community to you know, fully take
10 advantage of the rights that we'd be offering for
11 sure. And we absolutely stand ready to participate.

12 COUNCIL MEMBER RODRIGUEZ: Thank you.

13 CHAIRPERSON LEVIN: Okay, uhm, okay seeing no
14 other questions for CFB, I will let you guys go.
15 Thank you very much for your time.

16 AMANDA MELILLO: Thank you.

17 COMMITTEE COUNSEL: Thank you Chair. We'll now
18 turn to public testimony. Please be advised that for
19 this portion of the hearing, we will be calling on
20 individuals one by one to testify. Each panelist
21 will be given three minutes to speak. Please begin
22 once the Sergeant has started the timer.

23 Council Members who have questions for a
24 particular panelist should use the Zoom raise hand
25 function and I will call on you after the panelist

1
2 has completed their testimony. For panelists, once
3 your name is called, the Sergeant will unmute you and
4 start the timer. Please wait for the Sergeant to
5 start the timer before you begin.

6 I'd now like to welcome Felicia Singh to testify
7 followed by Molly Sellner and then Rodrigo Camarena.
8 Felicia Singh, you may begin upon the Sergeants
9 announcement.

10 SERGEANT AT ARMS: Time starts now.

11 FELICIA SINGH: Good morning Chair and members of
12 the committee. I am Felicia Singh, Democratic
13 Nominee for the 32nd City Council District. It is an
14 honor to testify on behalf of Intro. 1867, to expand
15 voting rights in New York City elections to nearly
16 one million noncitizen New Yorkers.

17 Voting rights are very much tied to the wellness
18 and healing of our communities. The
19 intersectionality between who can and cannot vote is
20 directly correlated to who progresses and who is left
21 behind in our communities. We are the greatest city
22 in the world, a sanctuary city, a city of dreams and
23 also a place where we leave behind nearly one million
24 people. It's time we close this gap of exclusivity.

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2 I was raised in South Queens, home of Little
3 Guyana, Punjab Ave and my own neighborhood of Ozone
4 Park where residents immigrate from places like
5 Sylhet, Bangladesh with hopes of a better life.
6 Indo-Caribbeans, Punjabis, and Bangladeshis have
7 contributed to our city for decades and still
8 struggle to have equal opportunities for
9 representation. Over the years, I've done voter
10 registration, led a civic association, and helped
11 folks apply for their citizenship. I cannot forget
12 the disappointment on our neighbors faces when they
13 talk about how it feels to be unable to participate
14 in democracy. Noncitizen New Yorkers count for the
15 Census every ten years and then they are cut into or
16 out of gerrymandered districts.

17 The hardship of being an immigrant is felt
18 devalued by the inability to vote for who makes
19 decisions about their livelihoods and their lives.
20 There is no such thing as immigration reform without
21 the ability to vote. Noncitizens clean our streets,
22 they drive us around, they mow our lawns, serve us
23 our breakfast, wash our clothes, own 52 percent of
24 our local businesses and pay taxes. The pandemic has
25

1
2 shown us that our immigrant community members are the
3 backbone of the city and essential.

4 Expanding voting rights is crucial in moving
5 towards a post-pandemic New York City. While voting
6 rights are being threatened by racism and bigotry
7 across this country, it's time for New York to set an
8 example, take a stand to finally give the power of
9 the vote to all New Yorkers. Thank you.

10 CHAIRPERSON LEVIN: Thank you so much Ms. Singh.

11 COMMITTEE COUNSEL: And now, I'd like to welcome
12 Molly Sellner Harris to testify. After that, I will
13 be calling on Rodrigo Camarena and then Olivia
14 Adechi. Molly Sellner Harris, you may begin upon the
15 Sergeants announcement.

16 SERGEANT AT ARMS: Starting time.

17 MOLLY SELLNER HARRIS: Thank you. We are
18 submitting this testimony on behalf of the New York
19 Chapter of the American Immigration Lawyers
20 Association AILA, the nation's largest professional
21 organization of immigration attorney's.

22 My name is Molly Sellner Harris and I am the Co-
23 Chair of the Committee on Media & Advocacy Committee
24 for the New York Chapter of AILA and I thank you for
25 the opportunity to address the Committee on

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2 Governmental Operations regarding the proposed
3 legislation, Intro. 1867, a bill allowing for lawful
4 permanent residents in New York City to vote in
5 municipal elections.

6 AILA has over 17,000 members nationwide, with
7 more than 1,700 members in New York whose practices
8 span the entire scope of immigration law.

9 I am reducing my oral testimony and I have
10 written, it's a little bit longer. Because of our
11 knowledge, experience and expertise in immigration
12 law including dealing with adjudications of
13 naturalization applications by the United States
14 Citizenship and Immigration Services CIS, we want to
15 share our thoughts on this proposed legislation. I
16 know people mentioned the 12 other municipalities in
17 the United States that allow noncitizens to vote but
18 as far as I understand, San Francisco being the
19 largest of them all, they are not allowing school
20 board elections - they have not implemented them
21 until November 2022, which will be the first time.
22 That is my understanding.

23 Council Member Ydanis Rodriguez, when he
24 introduced the bill back in January 2020, spoke
25 passionately about his own journey as a long time

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2 lawful permanent resident, paying his taxes and
3 helping out on many local political campaigns. That
4 same day Council Member Carlos Menchaca also spoke in
5 support of this bill, stating, "This is gonna be a
6 complicated conversation to restore those rights and
7 to allow for our city to embed that voice into our
8 municipal elections." Yes, it's a complicated
9 conversation. We wholeheartedly agree at the
10 enfranchisement of legal immigrants on local matters
11 gives them an inclusive voice in their communities on
12 issues that most affect their day to day lives. It
13 provides a more equitable representation of those who
14 live in New York City. But at the same time, we have
15 serious concerns that the actual practice of
16 noncitizens voting locally could lead to the
17 deniability of the ability to natural - their denial
18 of their ability to naturalize and potentially make
19 them vulnerable to removal from the United States.

20 And as we - its been addressed before, the
21 question on the naturalization application, have you
22 ever claimed to be a United States Citizen? Have you
23 ever registered to vote in a federal, state or local
24 election in the United States? Have you ever voted
25 in a federal, state or local election?

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2 Also, I want to address that Section 237 A6A of
3 the Immigration Nationality Act, 8 USC 1227 states,
4 any alien who votes in violation of any Federal,
5 State, or local constitutional provision, statute,
6 ordinance, or regulation is deportable.

7 SERGEANT AT ARMS: Time expired.

8 MOLLY SELLNER HARRIS: Yeah, I'll be quick and
9 I'll just say the challenge before this Council and
10 subsequently for the New York City Board of Elections
11 is twofold. First, you have to provide enough
12 budgetary, uhm, budget to train and educate everyone.

13 Let me just say one more thing that's really,
14 really important that has not been addressed and that
15 there must be addressing CIS staff and training for
16 the judicators who will get these questions and they
17 will be the ones deciding and where they'll be
18 providing - I'm just throwing off the - They'll be
19 sending these denials to the legal department at the
20 ICE, Immigration and Customs Enforcement and putting
21 them into proceedings for deportation and there needs
22 to be some addressing of that. Because I do think
23 it's not going to be just a few, I think it's going
24 to be a large number of immigrants who could be
25

1 subject to uhm, criminal immigrant consequences.

2 Thank you.

3 CHAIRPERSON LEVIN: Council Member Rodriguez, do
4 you want to say something?

5 COUNCIL MEMBER RODRIGUEZ: Yes, I do.

6 CHAIRPERSON LEVIN: Okay.

7 COUNCIL MEMBER RODRIGUEZ: Yes, first of all no
8 one is alien. We have people that are citizens. We
9 have people that have green card holders and we have
10 people that are undocumented. And the second thing
11 is someone that has green card, I am smart enough as
12 my brothers and sisters are to know where they can be
13 registered to vote.
14

15 So, as I have been careful in '83 to 2000, when I
16 became a citizen in 2000, I also knew that I couldn't
17 register to vote in any federal election or in any
18 election because I was not allowed to do it. So, our
19 people are smart. Our group, those in voting rights
20 and immigrant right, they will do the job and that's
21 all I wanted to add.

22 CHAIRPERSON LEVIN: Okay, uhm, I have a few
23 questions if I may for Ms. Harris. Uhm, First of
24 all, to what extent do current visa backlogs delay
25 U.S. citizenship for those who wish to naturalize?

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2 MOLLY HARRIS: You can hear me? I don't know.

3 CHAIRPERSON LEVIN: Yes.

4 MOLLY HARRIS: Really good question. It's
5 serious right now because of the pandemic has really
6 set everything back. I can't tell you. You can go
7 online I think it's uhm - to apply for citizenship
8 right now, it's probably over a year if not up to two
9 years just to get your interview and to get sworn in.

10 So, it's pretty significant. I would say uhm,
11 you probably won't - if you apply now, you probably
12 won't - you may not be able to vote in the next
13 federal election. But definitely not in 2022 but who
14 knows for next presidential.

15 CHAIRPERSON LEVIN: Are there any groups of
16 noncitizen individuals who you think should have the
17 right to vote in local elections who do not qualify
18 under this bill as municipal voters or conversely,
19 are there any groups who do qualify as municipal
20 voters under this bill that in your opinion should
21 not be voting in a local election?

22 MOLLY HARRIS: You know it's funny, I wasn't able
23 to really give my full testimony and I hope you all
24 get a chance to read it. I really, in my other life,
25 I am a very much a member of a giving circle who does

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a lot of like voter protection. I was actually in the Dearborn Michigan in 2020 being a voter, you know, making sure people can vote. So, I'm extremely supportive of that and I also did mention that you know, I want to make it clear that my effort, even we want to state our testimony is not an effort to marginalize the voices of noncitizens but a request to protect the ability of them to become U.S. Citizens in the future.

I don't want to speak to whether or not undocumented versus documented. I think you know obviously in municipal elections have been their voice for you know - pay taxes, everything. I super support it. I just think the roll out will cause so many more immigrants to actually lose their voice. They'll lose their voice by not being able to become citizens and they'll be deported. But it won't be just one or two.

CHAIRPERSON LEVIN: So, uhm, I mean, so I understand kind of your perspective. Uhm, is there - what's the solution then as you see it? I mean, like if you, if you and the AILA had uhm - could stamp your fingers and address the issue of noncitizens

1
2 being able to vote in municipal elections, how would
3 you do it?

4 MOLLY HARRIS: Well, I mean, there's got to be -

5 CHAIRPERSON LEVIN: But what would you do?

6 MOLLY HARRIS: Okay, I would like the CFB said,
7 we have to in other organizations, which the Mayor's
8 Office also addressed this. There has to be a
9 continuous funding stream that allows for training,
10 not just of the general public but election workers.
11 There has to be a full level, comprehensive
12 regulatory oversight that has to be pretty regular.
13 You know, has to be really on top of the
14 implementation. An effective monitoring of polling
15 locations.

16 Just a matter of anecdotal story, when I was in
17 Dearborn Michigan, there was one polling location,
18 two election districts. So, we had about it was six
19 total poll workers there. And as we know, there was
20 a huge need for new poll workers under the 2020
21 election because of the pandemic. Two of the six
22 were over the age of 20. So, we had four election
23 workers were 16, 17, 18 years old and yes, they were
24 trained and yes, they are educated. Yes, just
25 watching what was happening and it ended up being a

1
2 noncitizen voted in the federal in 2020. Someone
3 told me as I was there that a young woman had come in
4 and voted in that election and it was not a citizen.

5 So, you know it happened in my one brief moment,
6 so and no one knew.

7 CHAIRPERSON LEVIN: Hmm, hmm, and were you
8 concerned that it kind of gives like a lifeline to
9 like this like – or that the potential of having a
10 noncitizen voting in an election where they are not
11 authorized to vote in a federal election. Like, that
12 that is a uhm, that that's like you know, a gift to
13 the wingnut ecosystem that is obsessed with you know
14 the Trumpian big lie of voter you know great big
15 voter fraud. I mean, are you worried? I mean is one
16 of your concerns that like this would play into that
17 wacko ecosystem that our former president pours
18 gasoline all over all the time?

19 MOLLY HARRIS: The former guy, I mean obviously
20 that's part of all the miss information that's going
21 out there and obviously that could be definitely
22 great for Tucker and all them. I'm sorry, Lauren
23 Grim. I get them two confused. But you know, it's
24 more of a practical matter. It's not a matter of a
25 choice by a prosecutor. I know Ken Paxton aside and

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2 let's not get into that. You are going to have it at
3 any level and any place could prosecute for sure but
4 I mean, you know, that's a different issue. It's
5 more like ICE will put proceedings against person but
6 even in the least, you are going to be denied
7 citizenship and that's not discretionary. This is
8 not a discretionary matter. You know, we talk about
9 discretion, there is no discretion. An adjudicator
10 at the uhm you know, I mean Citizenship and
11 Immigration Service will deny that person
12 citizenship. That's it, done, never getting it
13 again. There is no discretion and it doesn't mean I
14 did it by mistake. There's case law and I didn't
15 really address it because again, didn't have time.
16 Board of Immigration Affairs 2015 decision matter
17 Fitzpatrick found that an offense is a general not a
18 specific intent. Which means that even if a
19 noncitizen voted by mistake without intent, they are
20 still removable. So, like it's across the board.

21 CHAIRPERSON LEVIN: And that's like an
22 administrative thing. That is not a judicial?

23 MOLLY HARRIS: It's a categorical conversation.
24 You can't - a lot of immigration law and let me try
25 to put it in perspective. A lot of immigration law

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2 when it comes to adjudication and it comes to it's
3 not about your specific story. Whether you have a
4 really sympathetic case. You have you know, were a
5 citizen children. You've never been back at your
6 home country. All these stories, all these
7 situations, it doesn't even come into play. The
8 judges don't have any jurisdiction to consider your
9 specific story. They are going to have the law that
10 has to be implemented because there is no discretion.
11 Because it's at the first level of the analysis of
12 it.

13 And so, at the first level of analysis, they say
14 did you do this? Yes.

15 CHAIRPERSON LEVIN: And what is specifically the
16 question that's asked?

17 MOLLY HARRIS: The question would be would you -
18 did you ever vote in a federal, state or local
19 election? First, did you ever register? Obviously
20 if they voted only in the local election, then the
21 CIS hopefully understands the difference between
22 voting in a local election. They have to say yes to
23 that answer and so, the yes is a red flag and during
24 that adjudication of their citizenship application,
25

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2 you hope that the CIS officer and their supervisors
3 understand yes is okay, right?

4 CHAIRPERSON LEVIN: For the local – in this case,
5 like in Takoma Park?

6 MOLLY HARRIS: Right, let me give you an example
7 as a way of analogy. There is a question on the
8 citizenship application, it asks if you ever had
9 military training, okay? Which causes people to
10 think like and there is a whole lot of questions
11 about paramilitary, military, terrorist
12 organizations, all this stuff but if you're an
13 Israeli citizen, it is likely you've had military
14 training also, Korean citizen.

15 So, CIS is knowledgeable. I've never had a
16 problem with my Israeli or my Korean client apply for
17 citizenship. They have to say yes to that and I'm
18 sure there are others, I don't know but that's where
19 my experience is. You can imagine and they say, okay
20 great, no problem, they obviously get you know
21 mandatory – right? They're educated in that way.
22 It's probably in the adjudicators manual, field
23 manual.

24 CHAIRPERSON LEVIN: Uhm, okay.
25

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2 MOLLY HARRIS: But in this area, it is completely
3 new and uhm, you know you're looking at CIS officers
4 who are overworked. They try to adjudicate loads of
5 cases and they are you know you know I can't tell you
6 how many times I've had to educate them on the law
7 all the time.

8 CHAIRPERSON LEVIN: Sure, I mean presumably
9 right, if they are an adjudicator or a case field
10 officer in the City of New York you know, then they
11 will know the local laws of the City of New York. I
12 mean, in other words, if they are not location
13 specific, they're getting cases from all over the
14 United States. Or if you're a field officer, you're
15 like working in the city, you're just going to be
16 working in the city.

17 MOLLY HARRIS: Well, they're getting moved
18 around. The retention rate isn't great. You know
19 there's a lot of new adjudicators coming in. So, I
20 don't know - yeah, the season ones will know. They
21 live in New York City; they may know the law. And
22 let me just you know, address Council Member
23 Rodriguez claim. I am not here to say that you know
24 noncitizen immigrants aren't intelligent enough to
25 understand the laws.

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I was very involved in politics from a young age and I understand that but I can't tell you how many very educated immigrants come into my office on issues and I have to explain things. But they heard this and they heard that. We all do this. This is not about immigrants, it's about America, this is about human nature. We hear all sorts of things. Look at the vaccine information. Let's just go there. A lot of intelligent people making not such informed decisions right on whether to get the vaccine.

So, this is not you know, it's about you know, anyway, I just want to address that that's - and let me also say, the fact that they are coming to me means they have the financial ability to retain me. And even if uhm, you have lots of nonprofit organizations, you've got this CUNY citizenship now, which is an amazing citywide effort that helps people and I'm always sending my clients who are really struggling to even pay me in the previous. I am a low bono; I don't even charge that much. But like, you don't have so many who can really afford it.

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2 CHAIRPERSON LEVIN: I will give a shout out to
3 Central American Legal Assistance, which is in my
4 district.

5 MOLLY HARRIS: There are many others, yes.

6 CHAIRPERSON LEVIN: Wonderful.

7 MOLLY HARRIS: I used to work in the other part
8 of the world, so I know.

9 CHAIRPERSON LEVIN: Just CALA is one of the most
10 wonderful organizations in the city.

11 MOLLY HARRIS: Yes, I used to work at NYANA too,
12 so. You know, yeah.

13 CHAIRPERSON LEVIN: Uhm, okay, uh, any of my
14 colleagues have any further questions? Ydanis?

15 COUNCIL MEMBER RODRIGUEZ: Yeah, I promised
16 myself to only hear the testimony because I think
17 that you know, the great public, the great members of
18 the public that will be testifying, a group of people
19 that we've been working for so many years. But I
20 just want to call Molly Harris or anybody else.
21 Please don't call the documented people alien.
22 That's a term already we have irradiated from the
23 city and for the whole nation. And the second thing
24 is about Immigration Coalition, the CUNY Immigration,
25 the many other Northern Manhattan, the Asian

1
2 community, everyone been doing their job. And I can
3 tell you that again, I want to focus ourself about
4 please, don't bring the piece related to about what
5 happened if someone tried to register for the federal
6 election because people are not doing that. This is
7 New York City. How many cases are CUNY Immigration
8 problem working on it? Those of you that are doing
9 free services to immigrants, how many cases do you
10 have? Or someone decided to be deported because he
11 or she tried to register in election. Bring the case
12 down and then we'll talk.

13 That's to be happening in other places but that
14 doesn't happen in New York City. So, let's focus
15 about the merit. We, our people, are not dumb. Our
16 people are smart. They will make the right decision
17 and then we have past group that care for our
18 brothers and sisters in a bipartisan effort to be
19 sure that only those who have green card, that have
20 working paper, will be only registered in local
21 elections. Thank you.

22 MOLLY HARRIS: I don't know if you can hear me. I
23 just want to clarify, I didn't use the word alien,
24 only when I was referring to the statute.
25 Unfortunately, the immigration and nationality, I can

1
2 still use that term. I agree, I don't think we
3 should use the term. There is a lot of bad language
4 in our statutes but that's the only time I think I
5 used it, which was I was referring to the statute. I
6 was quoting the statute.

7 COMMITTEE COUNSEL: Thank you unless Council
8 Member Rodriguez and the Chair have any further
9 questions, we'll move on? Okay great, next we'll
10 hear from Rodrigo Camarena followed by Olivia Adechi
11 and then Monica Bartley. Rodrigo Camarena, you may
12 begin upon the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 RODRIGO CAMARENA: Good day members of the
15 Committee. My name is Rodrigo Camarena; I am the
16 Director of the Immigration Advocates Network or IAN.
17 We are the largest network of nonprofit legal
18 advocates dedicated to protecting immigrants.

19 Thank you for the opportunity to testify today on
20 behalf of the introduction of Intro. 1867. As you
21 all know, New York City is home to 3.1 million
22 immigrants and immigrants represent over one-third of
23 our city's population and nearly half of its workers
24 and small business owners. The city is powered by
25 immigrants and yet over one million immigrant New

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2 Yorkers don't have a voice in choosing their local
3 representatives.

4 These New Yorkers have been contributing for our
5 city. They've been paying taxes and started almost
6 half of all the small businesses in our city. They
7 are active in their communities and yet, back in
8 June, over one million of them weren't able to vote
9 for their elected officials. That's not right.

10 As we work to undo the damage caused by the Trump
11 administration and ensure that President Biden
12 upholds his commitment centered in justice, New York
13 City needs to account for its own role in
14 criminalizing disempowering immigrants. From housing
15 to policing, accessing health care and the treatment
16 of the street vendors, our city has chronically
17 harmed the very same people that the Trump
18 Administration so violently targeted. It is our duty
19 as a city, a fairer future along the very groups that
20 we historically marginalized and barred from spaces
21 of decision making.

22 Empowering our immigrant and noncitizen neighbors
23 with the right to vote in municipal elections is core
24 to doing just that. The COVID-19 crisis hit hardest
25 in low income communities of color and neighborhoods

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2 home to some of New York's largest immigrant yet
3 diasporas. Decades of disinvestment in health care,
4 affordable housing, protections for workers
5 contributed to the high infection rates and
6 disproportionate loss of life that we saw in outer
7 borough and immigrant communities.

8 Knowing this, we must ask ourselves whether the
9 outcomes would have been different if elected
10 officials were forced to be more responsive to the
11 needs of immigrant voters. As a naturalized U.S.
12 citizen and resident of Sunset Park Brooklyn, an
13 immigrant rich community, this issue is personal to
14 me. We have a generation of damage to undo and an
15 obligation to act boldly to pursue justice where its
16 been delayed or denied. We shouldn't be afraid of
17 letting more New Yorkers participate in our
18 democracy. We should be leading the fight to expand
19 voting rights and be a model for the rest of the
20 country.

21 I urge the New York City Council to do the right
22 thing and pass this legislation immediately. Thank
23 you so much for the time.

24 COMMITTEE COUNSEL: Thank you. I'd now like to
25 welcome Olivia Adechi to testify followed by Monica

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2 Bartley and then Shruti Banerjee. Olivia Adechi, you
3 may begin upon the Sergeants announcement.

4 SERGEANT AT ARMS: Time starts now.

5 OLIVIA ADECHI: Thank you Council. Good
6 afternoon everyone. My name is Olivia Adechi and I'm
7 one of New York City's over three million immigrants.
8 I am also a Paralegal Case Handler with the
9 Immigration Law Unit at the Legal Aid Society and the
10 Immigration Law Unit assists low income New Yorkers
11 fighting unlawful deportations and those seeking or
12 trying to maintain lawful status. Over the most
13 recent year, the unit assisted around 4,500
14 individuals with immigration matters.

15 The Legal Aid Society supports non-U.S. citizen
16 suffrage in New York City because if our city is to
17 call itself a democracy, it cannot do so without
18 franchising all adults who call it home regardless of
19 their immigration status. We believe that Intro.
20 1867 is an important step towards that. Immigrant
21 New Yorkers are integral to the fabric functioning in
22 tax space of this city and always have been. Yet,
23 they do not have a meaningful way to participate in
24 local or electoral politics and that have huge
25 impacts on their lives.

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2 Their lack of access to voting is particularly
3 problematic now because during the pandemic,
4 immigrants represented over half of the one million
5 essential workers that kept the city going as the
6 rest of us worked safely from our homes. In fact,
7 according to the Mayor's Office, foreign born workers
8 represent approximately 56 percent of the workforce
9 in essential industries and 58 percent of the
10 workforce in essential occupations. It's also
11 important to note as others have said, that during
12 the pandemic, the zip codes with high immigrant
13 populations had the highest mortality rates and loss
14 of income.

15 Federal law does not preclude noncitizen voting
16 in state or municipal elections, as long as it is
17 lawful for them to do so under state or municipal
18 law. Of greater concern, however, is that is one
19 claiming, falsely claiming U.S. citizenship, which is
20 a federal crime and a ground of deportability. For
21 this reason, the Legal Aid Society recommends the
22 Council write municipal laws that enfranchise
23 noncitizen voters but also do all that is possible to
24 protect them.

1
2 For example, voter registration errors
3 inevitable, many people have mentioned it already
4 today. We recommend the use of a voter registration
5 form that does not give voters the option of choosing
6 their citizenship but instead, solely relies on the
7 affidavit affirming that the applicant is either a
8 lawful permanent resident or is authorized to work in
9 the United States. We recommend that for individuals
10 who have registered on the basis of employment
11 eligibility, the city verify their employment
12 eligibility during the voting period and
13 automatically suspend their ability to vote if that
14 person becomes ineligible during the voting period.

15 We also recommend and encourage the strongest
16 possible confidentiality laws that would prohibit the
17 city from sharing noncitizen voter registration forms
18 with the federal government.

19 Growing up, I always had some sort of legal
20 immigrant status. I had the best case scenario for
21 someone who moved here at a young age because I had a
22 pathway citizenship. Still, it took 14 long years
23 and thousands of dollars for me to get citizenship
24 and for me to now be able to vote in the city I've
25 called home my whole life. The Legal Aid Society

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2 urges the city to recognize the importance and
3 equality of immigrants and the importance of –

4 SERGEANT AT ARMS: Time expired.

5 OLIVIA ADECHI: Enfranchising them. Uhm, I'll
6 just finish this point. But we also stress the
7 importance of carefully crafting the process to
8 prevent the kind of human error that could hurt them.
9 I want to emphasize that because something maybe
10 complicated, it does not mean it is not democratic,
11 necessary or morally right. Thank you so much for
12 the time.

13 COMMITTEE COUNSEL: Thank you. I'd now like to
14 welcome Monica Bartley to testify followed by Shruti
15 Banerjee and then Maria Lizardo. Monica Bartley, you
16 may begin upon the Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 MONICA BARTLEY: Good afternoon. Thank you Chair
19 Levin, Acting Chair Levin and Committee members for
20 affording me the opportunity to testify. My name is
21 Monica Bartley and I am a Community Organizer at the
22 Center for Independence of the Disabled New York.
23 The Center for Independence of the Disabled or CIDNY,
24 is a leading advocate for all New Yorkers of all ages
25 and with all types of disabilities.

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2 We serve all New Yorkers regardless of their
3 immigration status. Part of CIDNY's mission is to
4 ensure the full participation of individuals with in
5 the electoral process and to encourage those who are
6 eligible to do so. New York City has always been a
7 city of immigrants who come here seeking a better
8 life. They pay taxes, they put their lives on the
9 line as seen during this pandemic. Immigrants have
10 the right to contribute to bettering our city through
11 participation in voting and elections.

12 People with disabilities must be included in this
13 process so that they can help to determine the
14 necessary accommodations required for involvement at
15 all levels of civic life. Our city will be improved
16 when all New York City residents that have committed
17 to living here can participate in shaping it by
18 helping to choose its elected leaders.

19 The passing of Intro 1867 will allow all
20 permanent residents with disabilities to contribute
21 to the civic affairs of New York City so that they
22 can represent themselves on issues that affect them.
23 CIDNY seeks that the New York City Council sign this
24 bill into law. Thank you.

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2 COMMITTEE COUNSEL: Thank you. I'd now like to
3 welcome Shruti Banerjee to testify followed by Maria
4 Lizardo and then Judy Lei. Shruti Banerjee, you may
5 begin upon the Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 SHRUTI BANERJEE: Thank you. I'm grateful for
8 the opportunity to testify here today. My name is
9 Shruti Banerjee, and I am a Senior Policy Analyst at
10 Demos. We are an action-oriented think tank that
11 addresses the most pressing issues related to our
12 democracy and economy through litigation and policy
13 analysis. I previously served as a Policy Analyst in
14 the New York City Mayor's Office of Immigrant
15 Affairs, so it's great to see a lot of familiar faces
16 here. And on a personal note, I am the daughter of
17 immigrants who taught me the importance of getting
18 involved in local politics to ensure that my
19 community has equal access to public services.

20 For our democracy to be truly inclusive and
21 equitable, everyone's voice must be heard.
22 Unfortunately, our current democratic system denies
23 nearly one million of our fellow New Yorkers the
24 right to participate in local elections. This
25 includes over 480,000 essential workers in New York

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who have risked their lives to serve as our health care specialists, as well as keeping our grocery stores and our pharmacies open during this ongoing pandemic. This has prevented these noncitizen New Yorkers from having any power to determine the policies that will benefit their communities. This includes everything from access to public education, transportation, food security programs, community safety and health care.

Passing this bill and restoring voting rights to non-citizens in New York for local elections would be a vital step towards building a more representative and inclusive democracy. And I want to note that our written testimony includes a lot of data and historic analysis that reenforce many of the incredible points made here today by our Council Members and previous panelists about the importance of passing this bill and restoring voting rights to noncitizens. This includes analysis of other jurisdictions that have restored voting rights to noncitizens, as well as the incredible contributions that noncitizen New Yorkers have made to our communities.

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2 But in the interest of time, I want to focus on
3 the importance of why we must pass this bill now.
4 During this hearing, there has been discussion about
5 the urgency of passing this bill and one of the main
6 reasons that it's important is the complex
7 naturalization process and the backlog, the growing
8 backlog that has hit record highs, that is preventing
9 millions of people across the country from
10 participating in elections.

11 Opponents of this bill argue that noncitizens in
12 New York should just naturalize if they want to vote,
13 but the naturalization process is incredibly
14 expensive and lengthy. The application fee alone is
15 \$725. This includes just a filing fee and processing
16 fee of \$640 plus a mandatory \$85 biometric fee, and
17 this is just to submit the naturalization
18 application.

19 As we've heard panelists before, if when the cost
20 of legal fees come into it, this costs upwards of
21 thousands of dollars for an immigrant to naturalize
22 whose been here for decades. The application fee
23 along can make the process unaffordable and it serves
24 as a barrier to the ballot box for many immigrants.
25 And the argument that a noncitizen New Yorker should

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2 naturalize before they can vote is essentially the
3 same thing as supporting a \$725 poll tax for
4 immigrants.

5 The application fee – additionally sorry,
6 naturalizing can take up to six to eight years, but
7 the backlog of applications and delays due to the
8 pandemic, have further exacerbated the long
9 application processing times.

10 SERGEANT AT ARMS: Time expired.

11 SHRUTI BANERJEE: And as we've heard people –
12 sorry, I just would like to add that the backlog has
13 been well over one million according to USCIS data
14 and that's over 30,000 in the New York City regional
15 office alone. These are 30,000 New Yorkers who are
16 unable to participate in our elections due to a
17 backlog. They've done everything right in the system
18 together. I apologize, as you can hear, I live on a
19 busy New York City block and there is a lot of noise
20 around.

21 But I just want to say this bill is vital to
22 ensure that 30,000 New Yorkers, upwards of 30,000 New
23 Yorkers have the ability, who are waiting in the
24 naturalization process, to vote immediately and have
25 a say in the policies that govern their daily lives.

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2 Thank you and I apologize again for all that
3 background New York City noise. I felt like we
4 needed that to make it more authentic.

5 COMMITTEE COUNSEL: Thank you. I'd now like to
6 welcome Maria Lizardo to testify followed by Judy Lei
7 and then Caroline Scrown. Maria Lizardo, you may
8 begin upon the Sergeants announcement.

9 SERGEANT AT ARMS: Time starts now.

10 MARIA LIZARDO: Yes, good afternoon. I am Maria
11 Lizardo, the Executive Director of a Settlement House
12 called NMIC, Northern Manhattan Improvement
13 Corporation and we serve community members in upper
14 Manhattan and in the Bronx. Thank you for allowing
15 me to testify today and Council Member Rodriguez for
16 your staunch support of 1867. There are many false
17 narratives when it comes to immigrant communities.
18 We don't contribute to the economy, false. We don't
19 pay taxes, false. We don't get involved in our local
20 communities because we're so worried about our home
21 countries, false. We are very active and very
22 engaged when it comes to our local communities. We
23 pay taxes and during the pandemic, we saw who was on
24 the forefront providing essential services to New
25 York City. Half of all frontline essential workers

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2 are immigrants and one in five are noncitizens. As
3 involved as our immigrant communities are in local
4 and civic engaged activities, we have every right to
5 vote and to elect vote who represent our interests
6 and who will be our voices when it comes to
7 government. Making sure that budgets invest in
8 communities and making sure that the policies that
9 are passed in our great city support our immigrant
10 New Yorkers.

11 I am the daughter of undocumented immigrants who
12 came to this country in 1965 from the Dominican
13 Republic. My mom was involved in everything when it
14 came to her local community but one thing she
15 couldn't do when she was a documented immigrant was
16 vote. It is the one thing that she wanted to make
17 sure that she got involved with and she had to wait
18 until she became a citizen in order to be able to do
19 that.

20 We need to stop that now and we need to restore
21 1867. We need to restore the ability for our
22 community members to vote. Please, I encourage you
23 to do that today. Let the Board of Elections figure
24 out how it will be done. Let the nonprofits on the
25 ground do the work and the leg work and to educate

1
2 folks on how to get this done but please, let's make
3 this happen. Thank you.

4 COMMITTEE COUNSEL: Thank you. I'd now like to
5 welcome Judy Lei to testify followed by Caroline
6 Scown and then Win-Sie Tow. Judy Lei, you may begin
7 on the Sergeants announcement.

8 SERGEANT AT ARMS: Time starts now.

9 JUDY LEI: Hi everyone. Before I begin my
10 testimony, I just want to commend Council Member
11 Rodriguez for your passion and for fighting so hard
12 and for so long. And also, special shoutout to
13 Councilman Yeger, you are my Councilman and I'm
14 thankful that you are here today and I really
15 appreciate your openness.

16 Hi everyone, good afternoon. My name is Judy Lei
17 and I am the Voting Rights Organizer at the Asian
18 American Legal Defense and Education Fund's Democracy
19 Team. AALDEF is a 47-year-old New York-based
20 national civil rights organization that protects and
21 promotes the civil rights of Asian Americans across
22 this country through litigation, advocacy, education,
23 organizing. And AALDEF works with communities across
24 the America to secure human rights for all. Thank you

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2 for all again for the opportunity to testify on
3 behalf of Intro 1867.

4 As the Voting Rights Organizer for AALDEF, I
5 organize along attorneys and community organizations
6 in 14 states and Washington D.C. on the nation's
7 largest Asian American exit poll to advocate for
8 language access and to spot voting problem. I also
9 register newly sworn citizens every Friday at the New
10 York Southern District Courthouse, in which people
11 have told me that they have waited years, sometimes
12 more than a decade, just to have a chance to
13 participate in our country's democracy. I am
14 constantly blown away by their enthusiasm for voting.
15 However, I am here today to speak for the working
16 class, Chinese immigrant women like my mother's
17 colleagues at the Chinatown Bakery, who have been in
18 this century - city sorry, for more than two
19 decades, who are green card holders, and who have
20 contributed their tax dollars and their labor to this
21 city but cannot vote for their City Council members
22 and Mayor.

23 And we've spoken about noncitizen municipal
24 voting in San Francisco and in Maryland, so I'm not
25 going to go into that. I also just want to add that

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2 in Vermont, as recently as June 2021, Montpelier and
3 Winooski allowed noncitizens to vote in municipal
4 elections. And now, it's New York's turn to make
5 noncitizen municipal voting a reality.

6 I just want to bring it back that for 34 years,
7 from 1969 through 2003, New York allowed noncitizen
8 residents to vote in school board elections without
9 incident. This created the most diverse group of
10 parents elected to have a say in their child's
11 education. Although this initiative was done through
12 state authority, the initiative we're proposing does
13 not require the state's permission and we hope voters
14 get a chance to do the same.

15 Since there is a precedent here with no issues,
16 it's time for New York to allow green card holders
17 and those who have work authorization to be
18 incorporated into our vibrant New York City community
19 and allow them to vote in municipal elections. Thank
20 you all so much.

21 COMMITTEE COUNSEL: Thank you. I'd now like to
22 welcome Caroline Scown to testify followed by Win-Sie
23 Tow and then Farah Salam. Caroline Scown, you may
24 begin on the Sergeants announcement.

25 SERGEANT AT ARMS: Time starts now.

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2 CAROLINE SCOWN: Good afternoon Chair Levin and
3 members of the committee. Thank you so much for the
4 opportunity to testify today on behalf of
5 Introduction 1867. I am Caroline Scown, an Adult
6 Literacy Instructor at the Chinese-American Planning
7 Council.

8 The mission of CPC is to promote the social and
9 economic empowerment of Chinese American, immigrant,
10 and low-income communities. CPC is also a member of
11 the Our City Our Vote Coalition. Intro 1867 would
12 expand voting rights in New York City elections to
13 nearly one million noncitizen New Yorkers, many of
14 whom have been long-time community members, leaders
15 and contribute to the strength of our city in
16 countless ways. They have a right to decide who
17 represents them in municipal offices like the City
18 Council or Mayor as the decisions made on the city
19 level directly impact them and their communities.

20 The concept of noncitizen voting is not new and
21 many municipalities across the country have
22 successfully implemented it. In fact, until school
23 boards were disbanded in 2002, New York City allowed
24 noncitizens to vote in school board elections for
25 over 40 years. I work with many New Yorkers through

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2 our Adult Literacy program at CPC and I'd like to
3 share what this legislation will mean to them and
4 their families.

5 So, I recently finished teaching a class to
6 prepare community members to take the citizenship
7 exam. And more than half of my students weren't even
8 eligible yet to apply for citizenship, but they were
9 taking the class, many for the second or third time
10 already, because they were so interested in learning
11 about American history and government and getting
12 involved. When I talked with one of these students,
13 Todd, about the ideas behind Intro 1867, he told me
14 why Our City Our Vote is such a powerful proposal to
15 him, saying, "Noncitizens are living and working in
16 the city just as everyone else. Their voices should
17 be heard. Their rights and ideas should be
18 considered by the government, too."

19 Our community members do more than talk about
20 civic engagement, they are committed to action. This
21 spring, two of my students actually met with city
22 lawmakers to advocate for adult literacy funding.
23 Neither of them are citizens, but they're so invested
24 in supporting adult literacy programs for their
25 community that they were moved to testify.

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2 Over the years of the adult literacy program,
3 dozens of our students have joined us to protest,
4 testify, and speak up for what they believe in. Even
5 though these New Yorkers are not citizens, they want
6 a say in how our city is run.

7 During this ongoing pandemic, half of all
8 frontline, essential workers are immigrants and one
9 in five are noncitizen New Yorkers. These are our
10 neighbors and colleagues who risked their lives over
11 the last 18 months to keep our hospitals, groceries,
12 and other essential services running. They deserve a
13 voice in government and a way to hold that government
14 accountable to them and their communities. We
15 shouldn't be wary of letting more New Yorkers
16 participate in our democracy and our city should
17 continue to lead the fight to expand voting rights
18 and be a model for the rest of the country.

19 Currently, Intro 1867 has 33 Co-Sponsors totaling
20 more than enough votes to pass. Now is the time to
21 empower our immigrant communities and uplift their
22 voices. I urge the City Council to do the right
23 thing and pass this legislation immediately. Thank
24 you.

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2 COMMITTEE COUNSEL: Thank you. I would now like
3 to welcome Win-Sie Tow to testify followed by Farah
4 Salam and then Sara El Sebai. Win-Sie Tow, you may
5 begin upon the Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 WIN-SIE TOW: Acting Chair Levin and members of
8 the Government Operations Committee, thank you for
9 hosting this hearing today on Intro. 1867. My name
10 is Win-Sie Tow, the Civic Engagement Organizer for
11 the Chinese Progressive Association. We are a
12 nonprofit organization based in Manhattan's Chinatown
13 and the lower east side and we offer educational
14 advocacy service and organizing programs. Such as
15 ESL and citizenship classes, voter registration and
16 civic engagement education that raise the communities
17 living and working standards.

18 If living in a democracy means that every voice
19 counts, we need everyone to participate. As a
20 daughter of immigrants and as the civic engagement
21 organizer in Chinatown in the lower east side, I'm
22 regularly tasked with registering people to vote. A
23 common refrain I hear is, I'm not eligible or I'm
24 just a green card holder. And even though many are
25 interested and would vote if given the right to do

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2 so, many are home health aides, construction workers,
3 restaurant staff, the so-called essential workers.

4 They are all part of the forgotten group that
5 have no say in the direction of our city. We must
6 restore the right to vote for these nearly one
7 million taxpaying noncitizens in New York City and if
8 this were to become a reality, the Chinese
9 Progressive Association would be more than willing to
10 do the education and outreach needed for our
11 community. Every voice must truly count. Thank you
12 for your time.

13 COMMITTEE COUNSEL: Thank you. I'd now like to
14 welcome Farah Salam to testify followed by Sara El
15 Sebai and then Gbenga Awonusi. Farah Salam, you may
16 begin upon the Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 FARAH SALAM: Good afternoon all and thank you to
19 Chair Cabrera and members of the Committee. Uhm, I
20 want to thank everyone for allowing and inviting
21 community-based organizations to testify on behalf of
22 Introduction 1867, to expand voting rights in New
23 York City elections to help one million noncitizen
24 New Yorkers vote municipally within New York City.

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2 My name is Farah Salam, and I am the Priority
3 Areas Specialist for the Arab-American Family Support
4 Center. I am honored to testify today. So, our
5 communities have been disproportionately impacted by
6 the pandemic, since suffering from the lack of
7 linguistically accessible resources and information
8 needed to keep them safe. At the Arab-American
9 Family Support Center, we have been providing
10 information, resources and other essential PPE to our
11 immigrant and refugee essential workers throughout
12 New York City during the last 18 months.

13 However, because of working conditions
14 overcrowding and overextended health care services
15 that have left families especially vulnerable to
16 COVID-19 infection and fatalities, it's been very
17 difficult for our community members to get what they
18 need and to have their voices heard.

19 Our organization has also been tasked with
20 empowering the voices of our community by involving
21 them in census work and involving them in providing
22 benefits that they may not be able to receive
23 federally. Such as through NYC Care or other city-
24 based programs. Uhm, however despite the roles that
25 our community members have played over the last 18

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2 months as essential workers and more visibly during
3 the pandemic, they cannot vote. They are excluded
4 from the opportunities that would allow them to
5 contribute to civic society and to decide who
6 represents them in City Council.

7 Voting will promote a sense of civic duty,
8 harness the vital contributions of immigrant New
9 Yorkers into changeable political power and ensure
10 that all community members can participate in
11 decisions that impact their everyday lives.

12 Giving an example, my husband he has been living
13 in New York City longer than I have. He has been
14 here for about ten years but he can't vote. He is
15 here on a Work Visa and has been working for a pretty
16 large company based out of New York and in order to
17 gain a sense of civic duty, he's been working in
18 mutual aid networks over the course of the last 18
19 months during the pandemic especially during the peak
20 and beyond that, he's been volunteering in campaigns
21 for City Council for uhm, congress and other
22 campaigns.

23 However, despite all of this activity, he is
24 unable to vote. And it would definitely make such a
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1
2 big difference to see the amount of work that our
3 community members put in to -

4 SERGEANT AT ARMS: Time expired.

5 FARAH SALAM: To vote. I am going to end off
6 with this. We joined Our City Our Vote respectfully
7 requesting the city to expand voting rights and be a
8 model for the rest of the country while other states
9 and municipalities suppress voting rights for many
10 living in vulnerable and low-income areas. And we
11 support the 33 Council Members who have signed on to
12 support this policy by expanding voting rights for
13 all New Yorkers.

14 Thank you for this opportunity to testify. I
15 hope you all have a wonderful afternoon. Thank you.

16 COMMITTEE COUNSEL: Thank you. I'd now like to
17 welcome Sara El Sebai to testify followed by Gbenga
18 Awonusi and then Yesenia Mata. Sara El Sebai, you
19 may begin upon the Sergeants announcement.

20 SERGEANT AT ARMS: Time starts now.

21 SARA EL SEBAI: Members of the Committee, thank
22 you for the opportunity to testify before you today
23 on behalf of Intro. 1867 to expand voting rights in
24 New York City. My Name is Sara El Sebai, and I work
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1
2 with the Arab American Association of New York's
3 Immigration team in Bay Ridge, Brooklyn.

4 The work our organization does in our community
5 to promote democracy and voter engagement is unique.
6 We serve immigrants from all over the Arab world who,
7 before coming to the United States, lived in a place
8 where the freedom to vote and to choose their own
9 elected officials was something they simply had never
10 experienced. It is an incredible rewarding part of
11 the work we do to introduce new Americans to
12 democracy and to help them join in on participating
13 in their government in a way they've never have been
14 able to before.

15 Even among those who have citizenship, a
16 dishearteningly high proportion of our population
17 remains skeptical of the electoral system in New
18 York. And many of the immigrants we serve are coming
19 from places where elections, if they are held at all,
20 are often little more than shams to enable those in
21 power. On top of this, there is a distrust held by
22 many in the Arab American community towards the
23 federal, state, and city governments as a result of
24 discriminatory surveillance and policing practices
25 our community has experienced over the last 20 years.

1
2 The result of this is that our community has a
3 shockingly low rate of Democratic participation and
4 engagement.

5 Today as you've already heard from countless
6 organizations talking about how Our City Our Vote
7 would empower countless immigrants from all over the
8 world to participate in their government and make New
9 York one of the most Democratic cities in the
10 country. But one of the most impactful things this
11 law would do would be to create buy in not just in
12 the city government but in all levels of electoral
13 government among immigrants who may not otherwise be
14 inclined to do so.

15 Building trust in America's democratic
16 institutions is more important now than ever, and by
17 taking a sledgehammer to the walls which separate
18 immigrants from their municipal government, will be
19 doing exactly that. So, with one City Council vote
20 and a stroke of the pen from Mayor de Blasio, we can
21 empower a new generation of Arab Americans, Muslim
22 Americans, and immigrants from all over the world to
23 fully become a part of the governance of the city
24 they call home. We can take a stand against the
25 disturbing anti-democratic trends we're seeing in

1
2 states and cities across the country. And we can
3 build trust between long excluded communities and the
4 city governments they have long felt separated and
5 divided from.

6 We urge the City Council to pass Our City Our
7 Vote into law and empower New York's democracy for
8 the 21st century. Thank you.

9 COMMITTEE COUNSEL: Thank you. I'd now like to
10 welcome Gbenga Awonusi to testify followed by Yesenia
11 Mata and then Celine Yip. Gbenga Awonusi, you may
12 begin upon the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 GBENGA AWONUSI: Good afternoon everyone. My
15 name is Gbenga Awonusi, I am here this afternoon
16 representing DSI International. A community-based
17 organization in Queens area of New York City. We aim
18 to immigration integration focusing on empowerment.
19 I am here this afternoon representing the community
20 we serve. We joined our voice with the voices of
21 other Coalition group in Support of the exciting
22 legislation that expands democracy in New Your City,
23 so that new green card holders and those with work
24 authorization will be allowed to vote in election for
25 city level offices.

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2 Our community have been disenfranchised from
3 performing their civic responsibilities in the areas
4 of housing, street safety, policy and so on. They do
5 not even have a say on issues that affect the
6 education of their children. As it stands today, we
7 have close to a million green card holder and those
8 with work authorization who pay their taxes regularly
9 but have been denied the opportunity to vote at the
10 municipal elections. Some of these people are
11 essential workers. We have the nurses, the doctors,
12 the caregivers, the teachers, the food vendors who
13 put their lives on the line during the pandemic to
14 make sure that lives are saved.

15 I am proud to be one of them. We are an
16 essential part of everyday life and an asset to the
17 survival of the economy yet, we have been completely
18 shut out of the political life of our city by not
19 been able to be part of the decision that impact our
20 daily lives. We do not have a say in the decision
21 that affect the future of our children, the
22 cleanliness of our environment, and our local
23 democracy.

24 Passing of the bill will allow this close to one
25 million souls to be able to exercise their civic

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2 responsibilities and elect candidate of their choice
3 that will represent them and make their choice heard.

4 I therefore plead that the government of our time
5 look into this area critically and let this
6 individual out of the bag by allowing them to perform
7 their civic responsibility without discrimination,
8 fear or intimidation. Thank you very much.

9 COMMITTEE COUNSEL: Thank you and now let's
10 welcome Yesenia Mata to testify followed by Celine
11 Yip and then MJ Okma. Yesenia Mata, you may begin
12 upon the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 YESENIA MATA: My name is Yesenia Mata, I am the
15 Executive Director of La Colmena, a daily labor and
16 American rights organization here in Staten Island.
17 Throughout the entire pandemic, we have seen how the
18 immigrant community set up like they always have to
19 ensure that the City of New York can continue
20 running. This is why throughout the entire pandemic
21 the immigrant worker must was called a hero.

22 As someone who also serves in the U.S. Army
23 Reserves as a 31 Bravo Military Police, I further
24 have seen the heroism of the immigrant community.
25 Currently, there are many soldiers who are serving in

1
2 uniform who are not citizens but they serve because
3 they love this country. Which only one percent of
4 the population serve. So, let that sink in,
5 especially for those that are against Intro. 1867.

6 My question is what else does the immigrant
7 community need to do to show certain elected
8 officials that they care about the City of New York?
9 And New York City, that New York City is their home.
10 If New York City prides itself of being one of the
11 most diversities in the world, one of the most
12 inclusive cities in the world, well, it is time to
13 show it and to lead by example. We have some of the
14 top attorney's, some of the top CBO's and some of the
15 best organizers. We can get Intro. 1867 to pass and
16 implement it. It is time that we give the immigrant
17 community the respect and the right that they
18 deserve. Thank you for letting me testify.

19 COMMITTEE COUNSEL: Thank you. I'd now like to
20 welcome Celine Yip to testify followed by MJ Okma and
21 then Eva Santos Veloz. Celine Yip, you may begin
22 upon the Sergeants announcement.

23 SERGEANT AT ARMS: Time starts now.

24 COMMITTEE COUNSEL: I believe the Chair has -
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2 CHAIRPERSON LEVIN: Sorry, Yesenia, I just want
3 to thank you for your service for our country. Thank
4 you.

5 COMMITTEE COUNSEL: Thank you. Celine Yip.

6 SERGEANT AT ARMS: Time starts now.

7 CELINE YIP: Thank you so much for the
8 opportunity to speak. I am Celine Yip of Nonprofit
9 New York. Uhm, I am here to speak in support of
10 passing Intro 1867, to expand voting rights in New
11 York City elections to nearly one million noncitizen
12 New Yorkers.

13 Nearly one million of our fellow New Yorkers are
14 denied the right to vote. And these New Yorkers
15 contribute to our city. They have been paying taxes
16 and have started almost half of all the small
17 businesses and during this ongoing pandemic,
18 continued working as essential workers. Yet back in
19 June, nearly one million of these New Yorkers were
20 unable to choose the elected officials who would go
21 on to make decisions that affect their lives every
22 day. These New Yorkers are barred from being able to
23 hold the powerful accountable.

24 At Nonprofit New York we recognize the past year
25 has provided powerful illustrations of why we must

1
2 not take our democracy for granted. Making sure that
3 all New Yorkers have their voices heard, it's not
4 partisan or political, these are responsibilities.
5 This issue is important to Nonprofit New York and
6 personal to me. I am the daughter of a Cambodian
7 refugee. I grew up in a household so poor we could
8 not afford heating and had recurring bouts of housing
9 instability.

10 Because of this, at times, my mother was forced
11 to work two full time jobs. My mother worked hard.
12 She contributed to our economy. She was engaged in
13 our community and she deserves her right to vote.
14 Luckily, because of her refugee status, my mother
15 received U.S. citizenship, but she is not the norm.
16 The naturalization process can take years to complete
17 and is expensive. Foreign born residents like my
18 mother deserve and need the right to elect someone to
19 represent their needs.

20 33 Council Members have put their names on this
21 bill. That is more than enough to pass. I urge the
22 City Council to do the right thing and pass this
23 legislation immediately. Thank you for your time.

24 CHAIRPERSON LEVIN: Thank you Celine.
25

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2 COMMITTEE COUNSEL: I'd now like to welcome MJ
3 Okma to testify followed by Eva Santos Veloz and then
4 Adeel Ahmed. MJ Okma, you may begin upon the
5 Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 MJ OKMA: Hi, good afternoon Acting Chair Levin
8 and Members of the Committee on Governmental
9 Operations. My name is MJ Okma with the Human
10 Services Council, a membership organization
11 representing 170 New York human services nonprofits
12 and a proud member of the Our City Our Vote
13 Coalition. Thank you so much for the opportunity to
14 testify in support of Intro. 1867.

15 As mentioned by both the Administration and the
16 Campaign Finance Board earlier, our city often turns
17 to human services CBO's to promote civic engagement
18 and quickly spread breaking information about new and
19 evolving government policies, due to our sectors deep
20 roots in our communities. Yet, at the same time,
21 there are many human services advocates, workers,
22 clients, neighbors and supporters who are completely
23 left out about these critical decisions that effect
24 their community by being barred from voting in local
25 elections. It is time to change that.

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2 We know that politically engaged communities lead
3 to more positive outcomes. In city government and
4 human services organizations must work together to
5 break down the barriers that prevent engagement.
6 Intro. 1867 is a vital step forward in ensuring
7 people who live here and who make our city and
8 neighborhoods who they are. What they are, are able
9 to choose their elected leadership. Passing this
10 bill has already expanded the right to decision in
11 order to restore it, expand voting rights to nearly
12 one million New Yorkers who live here and pay taxes
13 will have a no say in how that money is being spent.
14 But in the wake of COVID-19, this bill is even more
15 urgent.

16 Passing and implementing this bill will mean New
17 Yorkers who have been disproportionately impacted by
18 this pandemic while at the same time being excluded
19 from many COVID-19 relief programs will have a voice
20 in our city rebuilds. The path involved frontline
21 workers and frontline essential workers are
22 immigrants and one in five are noncitizens. We
23 cannot ask these New Yorkers to risk their lives to
24 keep us happy and keep our city running while also
25 denying them the right to vote. We cannot have a

1
2 truly fair and equitable recovery while denying these
3 communities that have been among the most impacted.
4 A voice in how the city budget will be spend and who
5 represents them.

6 As of this morning, 34 Council Members have put
7 their names on this bill. That is more than enough
8 to pass. We urge the Speaker to quickly schedule
9 this bill to a vote after today's hearing at the
10 Council to pass this bill as quickly as possible.
11 Human Services providers are ready to our part to
12 ensure that impacted community members will have the
13 information and resources they need to participate in
14 local elections once this bill is implemented. Thank
15 you so much for the opportunity to testify.

16 CHAIRPERSON LEVIN: Thank you so much MJ. Thank
17 you.

18 COMMITTEE COUNSEL: I would now like to welcome
19 Eva Santos Veloz to testify, followed by Adeel Ahmed
20 and then Enan Nasim. Eva Santos Veloz, you may begin
21 at the Sergeants announcement.

22 SERGEANT AT ARMS: Time starts now.

23 EVA SANTOS VELOZ: Hi everyone. My name is Eva
24 Santos Veloz and I am a Dominican DACA recipient.
25 I've been residing in this city since I was nine

1 years old. This is the city that I went to school.

2 This is the city that I grew up. When I first became
3 a DACA recipient, this is the city that I first
4 started doing my contribution economically.
5

6 The first city that I pay my share of taxes has
7 been New York City and the only one for the last
8 eight years that I have been a DACA recipient.

9 During the pandemic, there were many, many of out
10 there protecting the city that we have known since we
11 were children, including myself. Not also just being
12 an undocumented immigrant, I feel like I deserve the
13 voting rights to choose who is in Chair, being a mom
14 of three U.S. children. U.S. citizen that were born
15 in the city, I feel like I should have a right as a
16 parent to have a say who in the future is elected on
17 those chairs on their education, how safe the streets
18 are going to be. I have the right to like, to say
19 like uhm, just like every other parent out there on
20 how the future of my children are and many other TPS
21 holders and DACA recipients just like me.

22 I was raised in this city and I contribute daily.
23 I work for the city. I am a volunteer for United We
24 Dream Action. I am fighting and advocating for so
25 many things out there in the city that I grew up. My

1
2 mom has been here since the '80's and she has never
3 had a right and has never had a say to decide and
4 make those changes for me and I want to have in the
5 future the right to be able to have a say in my kids
6 future.

7 Uhm, that were born in this city and they are
8 U.S. citizens like why not? Why are we not deserving
9 of that? And many others out there. I grew up here,
10 I am just as New Yorkers as many others out there. I
11 have - all my taxes have been paid here. All my - I
12 went to school, to middle school, to high school, to
13 college here. Every single one of us have
14 contributed to the city some way, somehow and I just
15 feel like uhm, we are deserving of this and I want to
16 thank Councilman Cabrera who is also a Dominican for
17 bringing this uhm, Intro. 1867. I feel really,
18 really happy and proud of being a Dominican and he
19 representative of this matter and I really hope that
20 me as a New Yorkers, just a DACA recipient, I am that
21 person that person that you guys are fighting for
22 this bill for. Uhm, and I'm we do deserve this. We
23 have worked very hard and my children and this is the
24 future of our children who is on the line for this.
25 And thank you very much for having me here today.

1
2 CHAIRPERSON LEVIN: Thank you very much Eva,
3 thank you.

4 COMMITTEE COUNSEL: Thank you. I'd now like to
5 welcome Adeel Ahmed to testify followed by Nasum and
6 then Lea Giddins. Adeel Ahmed, you may begin upon
7 the Sergeants announcements.

8 SERGEANT AT ARMS: Time starts now.

9 ADEEL AHMED: Good afternoon everybody. My name
10 is Adeel Ahmed, I'm a Community Organizer for the
11 Black Institute. We are a thinktank that does
12 research and action on issues through the lens of
13 people of color. I am going to be reading the
14 testimony of Mr. Victor Babathemy(SP?) who could not
15 make it here today because he is a hard working New
16 Yorker.

17 So, good afternoon members of the Committee. I
18 am Mr. Victor Babathemy, thank you for this
19 opportunity to testify on behalf of Intro. 1867 to
20 expand voting rights of New York City elections to
21 nearly one million noncitizen New Yorkers.

22 We live in a democracy yet one million of our
23 fellow New Yorkers are denied the right to vote.
24 These are our coworkers, neighbors and friends. Many
25 of them have lived in this city for a long time. I

1
2 am one of these one million. We are New Yorkers who
3 have been contributing to our city. We've been
4 paying taxes and have started almost half of the
5 small businesses in our city. Many are active in our
6 communities and yet back in June, one million of us
7 were not able to choose the elected officials that
8 make decisions effecting our day to day lives. This
9 is not right.

10 I live in East New York Flatbush neighborhood of
11 Brooklyn New York represented by Councilwoman Farah
12 Louis who is a sponsor of this bill. I am a
13 Behavioral Health Associate and work with the NYC
14 Health Hospital. I have lived in my neighborhood for
15 five years. I live in a democracy and yet nearly one
16 million immigrant New Yorkers like me can vote in
17 local elections. I am a resident of the city and I
18 live here, work here, go to school here, raise
19 families here and pay taxes here and deserve on
20 issues that affect us and the direction of our city.

21 Half of all frontline essential workers are
22 immigrants and one in five are noncitizens. We are
23 New Yorkers who literally risk our lives to keep
24 ourselves healthy and keep this city running and we
25 are denied participation to vote and our taxes are

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2 spent in who represents us in government. I support
3 the Introduction 1867-2020 because it will strengthen
4 our democracy by allowing nearly one million of us
5 New Yorkers who are green card holders or valid work
6 authorizations to vote in New York City local
7 elections.

8 Once again, during this ongoing pandemic, half of
9 all frontline essential workers are immigrants and
10 one in five are noncitizen New Yorkers. We ask them
11 to risk their lives serving as medical professionals,
12 keeping pharmacies and grocery stores open and
13 keeping our buildings clean. How can we tell them
14 thanks for making sure the city kept running while
15 the rest of us worked from home and then also tell
16 them that they don't care and they don't have a real
17 voice in government?

18 They have no real way of holding the powerful
19 accountable. We shouldn't be afraid of letting more
20 New Yorkers participate in our democracy. We should
21 be leading the fight to expand voting rights and be a
22 model for the rest of the country. So many other
23 places are taking away peoples voting rights. We
24 have to stand up and fight back against voter
25 suppression disenfranchisement.

1
2 New York City has to lead the country and say
3 that people who live here who make New York City what
4 it is, should be able to choose their elected
5 leadership. 34 Council Members have already put
6 their names on this bill. That is more than enough
7 votes to pass. I urge the City Council to do the
8 right thing and pass this legislation immediately.
9 Thank you.

10 CHAIRPERSON LEVIN: Thank you very much. Thank
11 you.

12 COMMITTEE COUNSEL: Thank you. I'd now like to
13 welcome Enan Nasim to testify followed by Lea Giddins
14 and then Mama Sama. Iman Nassum, you may begin upon
15 the Sergeants announcement.

16 SERGEANT AT ARMS: Time starts now.

17 COMMITTEE COUNSEL: We can come back to Iman
18 Nassum. It sounds like there is an audio issue.
19 We'll come back. I'd now like to welcome Lea Giddins
20 to testify followed by Mama Sama and then Towaki
21 Komatsu. Lea Giddins, you may begin upon the
22 Sergeants announcement.

23 SERGEANT AT ARMS: Time starts now.

24 LEA GIDDINS: Hello, thank you to Chair Cabrera,
25 Council Member Levin and members of the New York City

1
2 Council Committee on Governmental Operations for the
3 opportunity to testify today. My name is Lea Giddins
4 and I am the Senior Program and Policy Manager at
5 Women Creating Change, which is a nonprofit that
6 increases civic engagement for women in New York
7 City, specifically for those who have systemically
8 excluded from civic processes.

9 I am testifying today in support of Intro. 1867
10 to expand voting rights to nearly one million New
11 Yorkers with work authorizations, and green cards.
12 At WCC, we have been advocating for voting rights and
13 civic engagement for more than 100 years. Having
14 been directly involved in the women's suffrage
15 movement, WCC is proud to raise our voices once again
16 to expand democracy as part of the Our City Our Vote
17 Coalition.

18 As many others have shared today, immigrants have
19 always been vital to our city and never has that been
20 more true than during the pandemic. As other have
21 shared, half of all frontline essential workers are
22 immigrants and one in five are noncitizens. New York
23 City cannot have a fair and just COVID-19 recovery
24 plan if the New Yorkers who are most effected by the
25 pandemic cannot vote for the people who will make

1
2 these recovery decisions. We owe it to our frontline
3 heroes to finally include their voices and their
4 votes as our city moves forward.

5 In New York City, the city of immigrants,
6 democracy should be inclusive of and accountable to
7 everyone who calls it home. The city should be
8 encouraging greater civic engagement and mobilizing
9 our communities to advocate for good public policies
10 that invest in and enhance our city. Expanding the
11 right to vote in city elections provides more New
12 Yorkers to have the opportunity to have a say on
13 issues that affect them and will strengthen the
14 voices of all our communities.

15 On a personal note, I was born and raised in New
16 York City and I've lived here most of my life. I
17 want all my neighbors to have the right to
18 participate in this core civic process. Passing
19 Intro. 1867 is the right thing to do and it would
20 make me even prouder to be a lifelong New Yorker.

21 Thank you to the more than 34 City Council
22 members who already support this bill and especially
23 to thank you to Council Member Rodriguez. I urge the
24 Council to immediately put this bill to a vote to
25 realize a more just and equitable democracy. WCC

1
2 looks forward to partnering with the City Council to
3 create the fully enfranchised, just, and
4 representative city that we know is possible. Thank
5 you so much for your time today.

6 COMMITTEE COUNSEL: Thank you. I'd now like to
7 welcome Mama Sama to testify followed by Towaki
8 Komatsu. Mama Sama, you may begin upon the Sergeants
9 announcement.

10 SERGEANT AT ARMS: Time starts now.

11 MAMA SAMA: Good evening everyone and members of
12 the Committee. My name is Mama Sama, I'm the Civic
13 Education Program Coordinator for the Muslim
14 Community Network, MCN.

15 As a citywide organization, MCN strive to double
16 up leadership, social and political participation of
17 Muslim by providing them with skills and the ability
18 to change the public narrative around Muslim in our
19 city. Thank you for the opportunity to testify on
20 behalf of the Introduction of 1867.

21 First, I'm here first speaking as a New Yorker
22 but also a New Yorker who experienced what it is like
23 to be an immigrant in our city. I want to start off
24 by sharing a snap chat of my story. I moved from one
25 of the least democratic and poorest African country

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2 on the face of the earth to the Bronx in 2013.
3 Despite language barriers and my very limited
4 education background, I was given the opportunity to
5 start over and attend high school to a noncitizen
6 education program like the partnership of the New
7 York City Department of Education and International
8 Network.

9 There I was eventually awarded a scholarship of
10 \$220,000 to one of the top liberal arts school of the
11 state. I graduated last year with a bachelor's
12 degree in economics and I'm currently working to give
13 back to the community that welcomed me and nurtured
14 me. I share my story because I want to acknowledge
15 and thank those who paved the way for me as a young
16 immigrant and my peers to come into this city and be
17 given a voice to educate myself and participate.
18 Which eventually led to the first step of my academic
19 success.

20 To me and the rest of the immigrant community,
21 Introduction 1867 isn't any different. This bill
22 allows the opportunity for our democracy to give a
23 voice for almost one million fellow New Yorker in
24 fully contributing and deciding what is right for
25 them in their city.

1
2 Council Members, I urge you all to put your name
3 on this bill, as it is not only the right thing to do
4 but also, we would be proud to say that you have a
5 lot more New Yorkers to participate in the democratic
6 process of the city. Thank you so much.

7 COMMITTEE COUNSEL: Thank you. I'd now like to
8 welcome Towaki Komatsu to testify followed by Nicole
9 Rojas and then Leticia Reyes. Towaki Komatsu, you
10 may begin upon the Sergeants announcement.

11 SERGEANT AT ARMS: Time starts now.

12 TOWAKI KOMATSU: Can you hear me?

13 COMMITTEE COUNSEL: Yes, we can hear you.

14 CHAIRPERSON LEVIN: Yes, we can hear you.

15 TOWAKI KOMATSU: Hi, this is Towaki Komatsu. Mr.
16 Levin, I've testified in numerous meetings that
17 you've demounted. I've testified to you about the
18 fact that I was legally prevented from attending
19 public meetings. This meeting today, this hearing
20 today is about voters rights, voters suppression.

21 Uhm, I've got some audio recordings from the CCRB
22 about complaints I filed against NYPD Inspector
23 Howard Redmond, the Mayor's Head of Security. So,
24 with regards to the audience for this meeting, uhm,
25 this is what he had to say to Judith Le of the CCRB

1
2 about why he was excluding me from public meetings
3 that were public forums.

4 [PLAYING RECORDING 4:36:00-4:37:01].

5 Anyway, uhm, so yeah, this meeting today is about
6 voting rights, voter suppression. In three days the
7 Mayor is going to have a public meeting in Kew
8 Gardens. That was the first time on July 18, 2017,
9 where Michael Garlin and Gloria Pastino(SP?) in
10 journalism, they were standing right in front of us
11 while I was talking to the Mayor. I told the Mayor
12 that Mr. Redmond kept me out of his April 27, 2017,
13 Townhall before Mr. Levin.

14 I called you on October 2017 that was being
15 illegally kept out of your public townhall meeting in
16 St. Francis College in Brooklyn. You told me that
17 there was nothing that you could do in spite of the
18 fact that you were the moderator of the meeting and
19 you had a duty to New York City Charter 1116 to
20 intervene.

21 So, currently I've got federal litigation and I'm
22 going to be filing a brief in that lawsuit basically
23 against most of the City Council Members. I'm going
24 to also submit written testimony for further details
25 but for the members of the audience, if they want to

1
2 intervene, take a look at the case of Komatsu vs.
3 City of New York. The case number is 20CV7046. It's
4 assigned to the Southern District, assigned to
5 Federal Judge Edgardo Ramos. If you are looking to
6 intervene in that case, I would love to have you.
7 That's the end of my testimony.

8 COMMITTEE COUNSEL: Thank you. Thank you Mr.
9 Komatsu, thank you. I'd now like to welcome Nicole
10 Rojas to testify followed by Leticia Reyes and then
11 Steven Espinoza. Nicole Rojas, you may begin upon
12 the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 NICOLE ROJAS: Thank you. Good evening everyone.
15 Thank you for holding this hearing and for allowing
16 me to testify. My name is Nicole Rojas and I am the
17 Community Organizer at Mixteca Organization.

18 Mixteca Organization is a community-based
19 organization located in Sunset Park Brooklyn that
20 addresses the critical needs in health, education,
21 social and legal issues of facing the burdening
22 Mexican and Latin American immigrant community.

23 Over the years, our space has become a second
24 home to community members. It's a safe space to
25 receive services free of cost in their language. We

1
2 are asking for your support for Intro. 1867 to allow
3 immigrants the right to vote in municipal elections.
4 What attracts immigrants to the country? It is the
5 opportunity and the freedom yet, every day they are
6 being denied of their basic rights to use their voice
7 and vote for decisions and decision makers that
8 impact their every day lives.

9 We often have community members who seek support
10 in applying for citizenship in Spanish. To qualify
11 to take the citizenship test in Spanish, one must be
12 over 50 and have been a resident for at least 20
13 years or over 55 and be a resident for at least 15
14 years.

15 And you may ask, why can't they just learn
16 English? For some community members we serve, who
17 seek to become citizens, learning English would be
18 their third language as they come from indigenous
19 communities. Language barriers is just one of the
20 many barriers that our community faces to become
21 citizens. They spend most of their lives as New York
22 residents contributing to New York yet have no say in
23 their local government. Our Latin American and
24 indigenous communities is made up of essential
25 workers who are on the frontlines and continue to be

1
2 to keep the city going. They were one of the most
3 affected communities and continue to be to this day.
4 We will see the long lasting effects of this pandemic
5 and we need the immigrant community involved in
6 democracy to be able to actually heal and recover in
7 community. We cannot keep excluding our community,
8 especially in these difficult moments. They need to
9 have a say in the decision making process in order
10 for New York to recover. Not for some but for all.
11 Thank you.

12 COMMITTEE COUNSEL: Thank you. I'd now like to
13 welcome Leticia Reyes to testify followed by Steven
14 Espinoza and then Shola Oyelohunnu. Leticia Reyes,
15 you may begin upon the Sergeants announcement.

16 SERGEANT AT ARMS: Time starts now.

17 LETICIA REYES: Thank you very much. Sorry for
18 the noise [INAUDIBLE 4:41:15]. My name is Leticia
19 Reyes, I am 48-years-old, mother of six children and
20 I am originally from Mexico. As a Mexican immigrant,
21 I know the challenges we had to face with a new
22 language but that's no matter for us because we are
23 here learning.

24 Can you see us? We are coworkers, neighbors and
25 friends. Many of us had employment authorization,

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2 but we are and we are working here. We are watching
3 our children grow and many of us have lived in the
4 city for a long time. We are here making our city
5 grow more and more. We are working very hard because
6 New York is our city, is our home. We live here with
7 our families and for this reason we want to have the
8 right to vote for our city leaders.

9 I am here and I want to vote. I am living here
10 and I want to vote. I want to be accounted for and I
11 deserve the right to vote like everyone else. We
12 live in democracy and almost one million New Yorkers
13 are denied their rights. We want to make the
14 decisions that effect our lives every single day. I
15 lived in Brooklyn for more than 15 years and I serve
16 my community as PTA President at my daughters school
17 for four years. A School Safety Member for four
18 years at PS 157. I was a member of CC for two years
19 and New York Department of Job and Community
20 Development District 14 as uhm, Chair for two terms
21 and secretary for one term. And the last year, I
22 [INAUDIBLE 4:43:19]. But I want to be accounted for
23 more and I have the right to vote. Thank you very
24 much for the opportunity to be here.

25 COMMITTEE COUNSEL: Thank you.

1 CHAIRPERSON LEVIN: Thank you very much Leticia.

2 COMMITTEE COUNSEL: I'd now like to welcome
3 Steven Espinoza to testify followed by Shola
4 Oyelohunnu followed by Enan Nasim. Steven Espinoza,
5 you may begin upon the Sergeants announcement.
6

7 SERGEANT AT ARMS: Time starts now.

8 STEVEN ESPINOZA: Good morning members of the
9 Committee. My name is Steven Espinoza. Thank you
10 for the opportunity to testify on such a critical
11 bill. A bill designed to expand voting rights in New
12 York City elections to nearly one million noncitizen
13 New Yorkers. I am here today in support of the
14 undercounted voters to demand their voices be heard.

15 In every election, the future of our city is put
16 at stake. Our elections attempt to tackle issues New
17 Yorkers face from economic uncertainty, racial
18 injustice to proving quality health care and public
19 education. Yet, there are nearly one million
20 noncitizen New Yorkers who are left out of the voting
21 process. A 2019 voter report concluded that minority
22 turnout is consistently lower than turnout among
23 White voters. And that, this pattern can be
24 attributed to the longstanding historical barriers to
25 participation for minorities.

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2 There are consequences to this. I've seen it
3 first hand within my own community Sunset Park
4 Brooklyn. A dire housing crisis where families are
5 being forced out to move out of their home because of
6 rent they can no longer afford. How can we fully
7 address an issue like this if we are baring the right
8 to vote to those struggling the most?

9 There are an estimated 16,000 noncitizens in
10 community district 7, which includes Sunset Park.
11 These 16,000 immigrants are families, students and
12 workers of our community. But we don't account them
13 for them in our elections, yet we do hold them
14 accountable to paying taxes and obeying our laws. I
15 am privileged to have the right to vote but these
16 thousands upon thousands of noncitizens deserve that
17 right as much as I do.

18 The noncitizens who we deny the vote are the same
19 New Yorkers who are teachers and students, physicians
20 and nurses and transit and construction workers.
21 They are the working class of our city but we are
22 saying no to the immigrant Mexican mother who wants
23 to improve a child's education. Or to the 75-year-
24 old Chinese immigrant who has lived here for 25 years
25 who just wants quality health care.

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2 We say no to them simply because they are not
3 citizens. But it is time to change it. It is long
4 overdue to change our undemocratic voting laws and
5 pass Introduction 1867. We are demanding with the
6 almost million undercounted voters in New York City
7 to urge you all to pass this bill. We are just
8 asking for the bare minimum. Let their voices be
9 heard. Thank you and thank you for your time.

10 COMMITTEE COUNSEL: Thank you. I'd now like to
11 welcome Shola Oyelohunnu to testify followed by Enan
12 Nasim. Shola Oyelohunnu, you may begin upon the
13 Sergeants announcement.

14 SERGEANT AT ARMS: Time starts now.

15 SHOLA OYELOHUNNU: Good afternoon everybody. My
16 name is Shola Oyelohunnu, I am a Member of African
17 Communities Together, ACT. It is one of the
18 coalition members of our city vote.

19 I want to thank the Committee for giving me the
20 opportunity to testify on behalf of Introduction 1867
21 to expand voting rights in New York City elections to
22 nearly one million noncitizen New Yorkers. We live
23 in a democratic society, nearly one million of fellow
24 New Yorkers are denied the right to vote, this,

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2 coworkers, neighbors, and friends. Many of them have
3 lived in this city for a very long time.

4 These New Yorkers have been contributing to our
5 city and have been paying taxes and started almost
6 half of all the small businesses in the city. Many
7 are active in their communities and yet, back in
8 June, one million of these people were unable to
9 choose the elected officials who make decisions that
10 effect their lives every day. And I am one of such
11 immigrants. I am one of such essential worker and I
12 was not able to vote.

13 During the ongoing pandemic, half of all the
14 frontline essential workers are immigrants and one in
15 five are noncitizen New Yorkers. We ask them to
16 reach the lives serving as medical professionals,
17 keeping pharmacies and grocery stores open and
18 keeping our buildings clean. There's no better way
19 to tell them thank you for doing all this for us if
20 we don't allow them the right to vote.

21 Or do we say that we don't care? That they don't
22 have a real voice in government? That they have no
23 real way to hold the powerful accountable? So much
24 has already been said by other testifiers but I just
25 want to say quickly that uhm, we shouldn't be afraid

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of letting more New Yorkers participate in our democracy. We should be leading the fight to expand voting rights and be a model for the rest of the country. Other places are taking away peoples voting rights. They are standing up and fighting back against voter suppression and disenfranchisement. New York City has to lead the country and see that people who live here, who make New York City what it is should be able to choose their elected leadership.

33 Council Members have put their names on this bill. We feel that that is more than enough for us to pass. So, we urge the city to do the right thing and pass this legislation immediately. Thank you for giving me this opportunity. Bye, Bye.

COMMITTEE COUNSEL: Thank you. I'd now like to welcome Enan Nasim to testify. Enan Nasim.

SERGEANT AT ARMS: Time starts now.

SERGEANT PEREZ: Uhm, we can't hear Ms. Nasim.

SERGEANT AT ARMS: I think you're having audio connectivity issues.

SERGEANT AT ARMS: Ms. Nasim, you can try logging out of the meeting and then logging back in if you want to try that.

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2 SERGEANT AT ARMS: This is Chief Sergeant at
3 Arms, Counsel to the Committee, we have more people
4 on the list. Call the next one while Ms. Nasim logs
5 back in please. Thank you.

6 COMMITTEE COUNSEL: I don't believe there is
7 anyone else on the list Sergeant.

8 SERGEANT AT ARMS: Got it.

9 SERGEANT AT ARMS: She is coming back in now.

10 SERGEANT AT ARMS: Yeah, sorry, we still have no
11 audio on you Ms. Nasim. No, we still don't hear you.
12 Unless you have a headset you could plug in, maybe
13 that would work.

14 ENAN NASIM: Can you hear me now?

15 SERGEANT AT ARMS: Alright, we got you now.

16 CHAIRPERSON LEVIN: Okay.

17 SERGEANT AT ARMS: Starting time.

18 ENAN NASIM: Sorry about the voice. I wasn't
19 sure why my computers not working. My name is Enan
20 Nasim. Thank you so much for giving me this
21 opportunity. I am a DACA Recipient. I want to say
22 on behalf of all noncitizens, that we all deserve to
23 work or vote because we've been working here for a
24 long time. We live in the U.S. and we pay taxes. We
25 need the system to change. We need a better, uhm, a

1
2 better candidate to represent New York and the whole
3 USA that will improve the city. Will do better every
4 ones live because all the issues that matter and make
5 everyone's life living easier.

6 That's why I want to vote, I want to have the
7 legal right to vote, so that way everyone else in
8 this country living can vote and we all have all the
9 equal rights like everyone else living in the U.S.

10 And yeah, I just wanted to make it short and
11 simple. All I am trying to say is that we all
12 deserve to vote for New York City. Everyone works
13 hard over here. We've been living for too many years
14 in here. We all pay taxes. Because of COVID, a lot
15 of people have lost jobs and stuff and a lot of
16 people who were essential workers were immigrants.

17 Voting will change the way our equality people
18 get in this state. We'd like to choose the right
19 candidate. Who will actually do things better for
20 this country. Like, fix all the issues that matter
21 that goes on, that goes years and years and change
22 the law. The laws are very outdated and very old,
23 that doesn't even improve and this is like 21st
24 Century and we've been stuck with the same issues
25 that never get fixed. The power of some people who

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2 doesn't want to change the system and we are in the
3 same circle of the same kind of people who have been
4 doing the same thing and the country hasn't improved.
5 The world is changing. A lot of countries have
6 improved in so many ways but I don't see that
7 improvement in the U.S.. I want to see that
8 improvement. Like, we live in such a big country but
9 there are so many things, so many matters, so many
10 issues, it's still so outdated that doesn't get
11 improved. And we have really ourself with the same
12 circle of people running the politics who doesn't
13 want to change the system.

14 So, I want to know, why can't we change that?
15 Why do we have to be stuck with the same old repeated
16 and repeated things that are not even getting
17 changed? Like, why don't, everybody has a right in
18 this country equally to improve the country? That's
19 all. Thank you.

20 CHAIRPERSON LEVIN: Thank you so much Enan.
21 Thank you.

22 COMMITTEE COUNSEL: Thank you. I believe that
23 concludes the witnesses who have registered and are
24 on the Zoom call. So, at this time, if your name has
25

1
2 not been called and you wish to testify, please raise
3 your hand using the Zoom raise hand function.

4 Seeing no hands raised, I'll now turn it over to
5 Chair Levin for closing remarks.

6 CHAIRPERSON LEVIN: Uhm, thank you so much to
7 all, sorry, I apologize if you hear my son in the
8 background. I want to thank all Committee Staff CJ
9 Murray, Emily Forgione, Elizabeth Kronk and Sebastian
10 Bacchi for their work on this hearing. I want to
11 thank all the members of the public that came to
12 testify. Uhm, experts in the field of immigration
13 law, the Board of Elections, the representatives from
14 the de Blasio Administration, Campaign Finance Board.
15 I greatly appreciate everybody's testimony and work
16 on this issue. Uhm, it's my hope that we can all
17 work collaboratively and collectively over the coming
18 months to advance this piece of legislation. And I
19 want to thank especially Council Member Ydanis
20 Rodriguez for his steadfast advocacy in this bill and
21 stewardship in the legislative process.

22 And with that, at 3:26 p.m., this hearing is
23 adjourned. [GAVEL]

24 COMMITTEE COUNSEL: Thank you.
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 23, 2021