

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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October 15, 2012  
Start: 2:13 p.m.  
Recess: 6:16 p.m.

HELD AT: 250 Broadway  
Committee Room, 14th Floor

B E F O R E:

GALE A. BREWER  
Chairperson

COUNCIL MEMBERS:

Domenic M. Recchia, Jr.  
Peter F. Vallone, Jr.  
Ruben Wills  
Brad Lander  
Mathieu Eugene  
David Greenfield  
Erik Martin Dilan  
Daniel Dromm  
Jumaane D. Williams  
Jessica S. Lappin  
Daniel J. Halloran  
Inez E. Dickens  
Letitia James

## A P P E A R A N C E S (CONTINUED)

Dawn Sandow  
Deputy Executive Director  
New York City Board of Elections

Pamela Perkins  
Administrative Manager  
New York City Board of Elections

Raphael Savino  
Enforcement Counsel  
New York City Board of Elections

Valerie Vazquez  
Director of Communications  
New York City Board of Elections

Steve Richmond

John Ward  
Finance Officer  
New York City Board of Elections

John O'Grady  
Chief Voting Machine Technician  
New York City Board of Elections

John Naudus  
Director of the Electronic Voting Systems  
New York City Board of Elections

Amy Loprest  
Executive Director  
New York City Campaign Finance Board

Sue Ellen Dodell  
General Counsel  
New York City Campaign Finance Board

Eric Friedman  
Director of External Affairs  
New York City Campaign Finance Board

## A P P E A R A N C E S (CONTINUED)

Alex Camarda  
Director for Public Policy and Advocacy  
Citizens Union

Neil Rosenstein  
Government Reform Coordinator  
New York Public Interest Research Group

Kate Doran  
Board Member  
League of Women Voters, New York City

Socheatta Meng  
Legislative Counsel  
New York Civil Liberties Union

Susan Lerner  
Executive Director  
Common Cause New York

Andrew Schlichter  
Election Protection

Jed Alpert  
CEO  
Mobile Commons

Brian Kavanagh  
New York State Assembly

CHAIRPERSON BREWER: Good

afternoon, I'm Gale Brewer, City Council, and Chair of Governmental Operations, and we're here to talk oversight of the New York City Board of Elections and then to talk about some specific bills.

I first want to welcome my colleagues: Council Member Recchia; Council Member Vallone, who is always on time; Council Member Wills; Council Member Lander; Council Member Eugene. All right, and I also want to thank the two people who make this committee possible: On the Speaker staff, counsel to the Committee Seth Grossman, policy analyst Tim Matusov, and Will Colgrove from my office. And I want to add Council Member Greenfield has just joined us from Brooklyn.

So we do have a busy agenda today. First we are conducting an oversight, as I indicated, on the Board of Elections and its preparedness for the 2012 General Election. Second, we are considering a package of legislation aimed at improving elections in our city. And finally, we are considering legislation

1  
2 to permit text message contributions in city  
3 elections, something that's now permitted on the  
4 federal level.

5 Today marks the fifth--number five--  
6 -oversight hearing this committee has held since  
7 the 2010 primary election, when New York City  
8 switched over from the lever voting machines to  
9 ballot scanners. As we all know, during that  
10 election, many poll sites experienced significant  
11 difficulties during that primary in 2010,  
12 including late openings, malfunctioning voting  
13 machines, inadequately trained poll workers, a  
14 lack of privacy when casting ballots, poll site  
15 accessibility problems, and other issues.

16 It is important to keep in mind  
17 that for many voters, perhaps the majority of us,  
18 the November presidential election will be the  
19 very first time they will be using the new voting  
20 machines because, unfortunately, so many folks--  
21 not us in this room, maybe not us watching on the  
22 webcast--and I want to thank the people who do the  
23 webcasting--but many people, unfortunately, don't  
24 vote in local, but they do vote on the national  
25 level. So we are devoting so much time and

1  
2 attention to this issue so that these voters do  
3 not experience the same problems that have taken  
4 place in the previous elections. And I know that  
5 the Board of Elections shares the same wish.

6           During the past two years, the  
7 Board of Elections has had many adjustments, and  
8 positive ones, in response to the problems and  
9 issues that have arisen during past election. It  
10 has taken steps to improve voter privacy, fixed  
11 mechanical glitches with the voting machines, and  
12 revised its poll worker training program.

13           Most recently, the board adopted  
14 new procedures for reporting unofficial election  
15 night results that we'll hear more about in a  
16 moment, and I personally went to the 2-0 precinct  
17 and saw the great way in which the count was done  
18 at the precinct and we're hopeful--and that worked  
19 during the September primary in general. But  
20 there were problems that persisted during this  
21 most recent election.

22           We, as Council Members--and I know  
23 my colleagues will discuss them in length--  
24 received many complaints from voters about their  
25 experience on primary day in September. We heard

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2 from voters who did not know their poll site had  
3 changed or received incorrect information about  
4 where their new poll site was located, or they  
5 were moved to a new poll site too far away for  
6 them to walk to or to get to, particularly for the  
7 seniors. Those voters that did manage to get the  
8 correct poll site then had to struggle to read  
9 ballots with seven point font, which I know the  
10 board is addressing.

11 To its credit, the board has  
12 already taken steps to address these issues by  
13 agreeing to send an additional information notice  
14 to voters prior to the general election--I believe  
15 it's going to go out October 19th--and by making  
16 adjustments to the ballot design. But goodness  
17 knows more needs to be done.

18 Today we will be hearing about six  
19 pieces of legislation that have been put forward  
20 to improve elections in New York City, at least  
21 we're here about things that we can do 'cause much  
22 of it has to be done on the state.

23 Voter turnout in New York City is  
24 far below national and state levels. We must do  
25 everything we can to encourage New Yorkers to go

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2 to the polls by arming them with the information  
3 they need. And once voters get to the polls, we  
4 need to make sure they have a positive voting  
5 experience.

6 Each of these election-related  
7 bills being considered today is aimed at either  
8 enhancing voter information or improving election  
9 day operations. And they are: Intro number 613  
10 sponsored by Council Member Inez Dickens which  
11 would establish a program for sending e-mail  
12 notification of election dates, registration  
13 deadlines, and affidavit ballot application and  
14 submission deadlines to voters who voluntarily  
15 sign up for these updates.

16 Intro number 721, sponsored by  
17 Council Member Jessica Lappin, which would  
18 establish a city employee poll worker program to  
19 help recruit and organize city employees to work  
20 as poll workers on election day in order to  
21 enhance the pool of competent and able poll  
22 workers. Apparently in LA, that's working very  
23 well.

24 Intro number 728, Council Member--  
25 sponsored by Council Member David Greenfield,



1  
2 who's here, which would require the Department of  
3 Education to provide voter registration forms to  
4 parents when enrolling their children in school.

5 Intro number 760, 7-60, sponsored  
6 by Council Member Jumaane Williams, which would  
7 require the Board of Elections to report for  
8 particular city agencies the number of individuals  
9 who completed voter registration forms while  
10 seeking city services in order to monitor and  
11 improve compliance with the city's pro-voter law,  
12 which is our version of the state's motor voter  
13 law. You have to be involved in all this to know  
14 what in the world we're talking about, but I hope  
15 most people understand.

16 Intro number 769, sponsored by  
17 Council Member Mathieu Eugene, who's also here  
18 today, which would expand the city's voter guide  
19 to include more city races and state and federal  
20 elections so voters are more informed about all  
21 contests on the ballot.

22 And number 778, sponsored by  
23 Council Member Brad Lander, who's here, which  
24 would require the board to provide performance  
25 data to the Council for inclusion in the Mayor's

1 Management Report.

2  
3 No one believes that this package  
4 of legislation is a silver bullet to solve all our  
5 election problems and we will surely hear today  
6 about ways in which these bills can be improved or  
7 made more effective, but obviously, we need to  
8 carefully consider every option to improve the  
9 elections in the city of New York.

10 Finally, we are considering number  
11 764 for which I am the prime sponsor. This bill  
12 would permit text message contributions in city  
13 elections. Consistent with the city's landmark  
14 Public Campaign Financing program, which amplifies  
15 the voice of everyday New Yorkers by matching  
16 small dollar contributions with public funds, text  
17 message contributions have the potential to  
18 increase participation in our city's elections and  
19 to enhance the influence of small dollar  
20 contributors. A few other jurisdictions have  
21 already authorized this innovative new means of  
22 fundraising, most notably, as I said earlier, the  
23 Federal Election Commission recently permitted  
24 text message contributions for federal elections  
25 and the Obama and Romney presidential campaigns, I

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2 think you've heard of them, have been accepting  
3 them. Today we will hear how this program might  
4 work for our city, but first we will hear from the  
5 Board of Elections.

6 Now because it's going to be a  
7 very, very long hearing, if any of the individuals  
8 who have bills want to make a quick opening  
9 statement, feel free, because we're going to be  
10 here for hours. So does anybody want to who's got  
11 a--sponsoring a bill? Brad, do you want to speak?  
12 Anybody else? I don't know, I'm just asking  
13 'cause we're going to be here for a long time so  
14 if you want to talk about your bill quickly before  
15 we go to the board, feel free.

16 [Off mic]

17 COUNCIL MEMBER LANDER: Thank you,  
18 Madam Chair, I'll be very brief and I plan to stay  
19 here because I'm interested in the oversight and  
20 all the other bills here as well, but as I'll try  
21 to explore in questions later, one basic thing  
22 that we need is just good baseline level annual  
23 data so that we can figure out whether--you know,  
24 how to understand the improvements we're making,  
25 where the areas who have work to do are, what we

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2 measures, what we're able to hold people  
3 accountable for, we use the Mayor's Management  
4 Report to do that.

5           The reporting and data we've been  
6 provided by the Board of Elections has been very  
7 inconsistent from year to year to year, we don't  
8 get the same thing in the same formats at the same  
9 time we need it. The Intro 778, I think, would  
10 provide that the BOE would provide the data to us,  
11 we would work in consultation with the Mayor, we  
12 put it in the Mayor's Management Report, we'd be  
13 able to have some real tracking data oversight and  
14 accountability to make sure our elections are  
15 where they need to be.

16           CHAIRPERSON BREWER: Okay.

17           COUNCIL MEMBER LANDER: Thank--

18           CHAIRPERSON BREWER: [Interposing]  
19 Anybody else, Council Member, go ahead, yep,  
20 Eugene.

21           COUNCIL MEMBER EUGENE: I'm going  
22 to very quickly, but I think that it is very  
23 important that we empower our people for them to  
24 get involved in the city, state, and federal, you  
25 know, election, and the way to do that and to make

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2 sure that they know exactly the issues and also  
3 the platform of the candidate and they would be in  
4 the better position to choose the candidate that  
5 believes that would represent best their  
6 interests, and I think that we should empower  
7 them. And no one should be, you know, prevented  
8 to be part of the election because they feel that  
9 they are not in a good position to make a well-  
10 instructed, wise decision. Thank you.

11 CHAIRPERSON BREWER: And, Council  
12 Member Greenfield, do you want to say anything now  
13 or...?

14 COUNCIL MEMBER GREENFIELD: I would  
15 just say that I think it's common sense  
16 legislation similar to the motor voter law, which  
17 allows folks to register to vote while they're  
18 applying for a driver's license. This legislation  
19 would allow parents to register to vote while they  
20 are registering their child to school, which means  
21 that parents who are moving, many of whom forget  
22 to change the registration, they would register.  
23 Also, it means that many parents, especially  
24 immigrant parents who are citizens and can vote  
25 and do not take advantage of it, they would do

1  
2 that. And it would empower parents to be involved  
3 in the electoral process when they have the most  
4 at stake, which is their children's education.

5 Thank you.

6 CHAIRPERSON BREWER: Thank you very  
7 much. And we've been joined by Council Member  
8 Dilan and Council Member Dromm.

9 And without further ado, we look  
10 forward to hearing from the New York City Board of  
11 Elections. Go right ahead.

12 [Pause]

13 DAWN SANDOW: Is it on? Okay.  
14 Good afternoon, I would like to begin by thanking  
15 the Committee chair, Council Member Brewer, and  
16 all the members of the New York City Council  
17 Committee on Governmental Operations for giving  
18 the Board of Elections in the city of New York the  
19 opportunity to briefly review with you the  
20 September primary and to share with you our plans  
21 for the general election on November 6th.

22 My name is Dawn Sandow and I am the  
23 Deputy Executive Director of the Board of  
24 Elections in the City of New York. Joining me  
25 here today are commissioners from the New York

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2 City Board of Elections. Maria Guastella,  
3 President 2012 Democratic Commissioner, Richmond  
4 County; Juan Carlos Polanco, Republican  
5 Commissioner, Bronx County; Julie Dent, Democratic  
6 Commissioner, Kings County. In addition, our  
7 Administrative Manager, Pamela Perkins; our  
8 general counsel, Steven H. Richman, who should be  
9 here shortly, he's at a hearing, and our  
10 enforcement counsel, Raphael Savino, join me at  
11 this table.

12 Finally, I want to acknowledge the  
13 presence of several additional staff members who  
14 are in attendance to answer any questions  
15 regarding their units: John Naudus, Director of  
16 Electronic Voting Systems; Steven Ferguson,  
17 Director of Management Information Systems;  
18 Valerie Vazquez, Director of Communications; Tom  
19 Sattie, Ballot Coordinator; Daniel Lavelle, Phone  
20 Bank Coordinator; John O'Grady, Chief Voting  
21 Machine Technician; Stephen Thompson, Poll Worker  
22 Training Coordinator; Rachel Knipel, Coordinator,  
23 Language Assistance Program; John Ward, Finance  
24 Officer; Robert Hornack [phonetic], Director of  
25 Equipment; and John Luisi [phonetic], Agency Chief

1 Contracting Officer.

2  
3 On primary day, September 13th,  
4 2012, the board operated 1,047 poll sites in the  
5 five boroughs of the city. We deployed 2,429  
6 scanners; 1,061 ballot marking devices; 3,814  
7 election district supply cards; 8,398 privacy  
8 booths; 22,408 chairs; and 5,107 tables; 43,217  
9 pieces of equipment in total. The combining of  
10 election districts by the board reduced the number  
11 of poll worker positions to 25,447, of which  
12 11,324 were assigned by the county organizations  
13 and 12,594 were assigned for recruitment efforts  
14 by the board and other organizations. Of the  
15 22,010 poll workers who reported to work for on  
16 election day, 3,552 were working for the first  
17 time.

18 Of the poll workers assigned to  
19 work the primary election, 92% reported for work,  
20 leaving an 8% vacancy rate. And of those  
21 assigned, 99.73% were trained and passed the  
22 required exam. The board assigned 2,030 poll  
23 workers to its standby pool, of which 1,404  
24 reported for work, all of whom were trained and  
25 passed the required exam.



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2                   The board's call center ensured  
3 prompt issue resolution on election day and  
4 accurate data analysis. A total of 2,834 calls  
5 were received citywide. Of the 94 calls relating  
6 to problems with poll workers, 49 were related to  
7 poll worker behavioral issues and 45 were in  
8 response to poll workers not following proper  
9 procedures. Our AD and executive office  
10 monitoring teams were dispatched to these sites to  
11 inform the poll workers of the proper procedures  
12 and to address any behavioral issues. Some poll  
13 workers were immediately dismissed from their  
14 duties.

15                   Following the state and local  
16 primary on September 13, 2012, each borough  
17 reviewed all poll worker issues encountered by the  
18 voting public, board staff, and community  
19 organizations. This review is conducted after  
20 each election so staff can identify and address  
21 poll worker problems. Poll workers are called  
22 into the board's office to review any issues and  
23 they are given additional training in specific  
24 areas. This practice has been implemented on a  
25 larger scale since 2010 as part of the board's

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2 continuing effort to increase the level of  
3 performance of our poll workers, as well as assist  
4 the board in identifying specific topics in the  
5 board's training curriculum that may require  
6 modifications.

7           For the September primary, the  
8 board implemented additional measures in an effort  
9 to ensure that all poll sites were fully  
10 accessible to all voters. Special instructions  
11 were given to all coordinators to regularly check  
12 their poll sites and document their findings.  
13 Additional signage indicating the path to the  
14 accessible entrance, as well as a measuring tool  
15 to verify the proper placement of voting equipment  
16 were provided at each poll site.

17           In addition, letters were mailed to  
18 all voters at sites determined not to be fully  
19 compliant with America's with Disabilities Act  
20 requirements, giving them the option of  
21 transferring their registration to a nearby poll  
22 site with the same ballot that meets all  
23 accessibility requirements.

24           To provide the required notice to  
25 voters under New York State Election law for the

1  
2 September primary, the board placed four  
3 advertisements in the New York Daily News, El  
4 Diario, Sing Tao Daily, World Journal, Korea  
5 Times, and the Weekly Thikana. I can also report  
6 to you today that the board had a very successful  
7 effort implementing its new unofficial election  
8 night return process in the September primary  
9 election. After many months of debating the best  
10 way to utilize the electronic data gathered by the  
11 approximately 3,000 scanners deployed for a  
12 citywide election, the board approved a system  
13 this past summer. I cannot be more proud of how  
14 quickly the board staff took this project from the  
15 drawing board and made it into a reality with  
16 seamlessly gathered electronic results from the  
17 1,047 poll sites throughout all five boroughs and  
18 made it available within hours of the polls  
19 closing. On election day, 2,419 primary portable  
20 memory devices--primary portable memory devices  
21 were used in scanners throughout the city, of  
22 which 2,350, or 97%, had its data remotely  
23 uploaded to the executive office on election  
24 night.

25 The old process of compiling

1  
2 unofficial results using the return of canvas form  
3 was also performed. Compared to the old process,  
4 there was an average increase of 10.34% in votes  
5 reported in the unofficial tally for each  
6 candidate in the new process. This success could  
7 not have been accomplished without the support and  
8 cooperation of the NYPD, who acted as our partner  
9 throughout the planning and implementation of this  
10 new procedure and I want to acknowledge their  
11 critical role in the success of this endeavor.

12 This election night reporting  
13 system for unofficial results will be used again  
14 for the upcoming general election and we are  
15 confident it will again be a success. We have  
16 conducted a full debriefing and review of the  
17 activity from the primary and have identified ways  
18 to improve the reporting process. The plan's  
19 improvements include: All election night  
20 reporting, ENR staff will be brought in for  
21 additional training; all poll site coordinators  
22 will be brought in for additional training  
23 focusing on the ENR process and other election day  
24 procedural issues; ENR laptop software will be  
25 upgraded to improve performance; ENR server

1 software will be upgraded to improve performance;  
2 a second Internet connection was put into  
3 operation for the ENR FTP server to add redundancy  
4 in the event of a connection failure; police  
5 precincts that had connection issues during the  
6 primary election will be resurveyed to determine a  
7 better location for the ENR process.  
8

9 Go ahead.

10 PAMELA PERKINS: I'm going to be  
11 reading the remaining of the testimony. My name  
12 is Pamela Perkins, I'm the Administrative Manager  
13 for the Board of Elections.

14 In addition to election night  
15 reporting, we have a few other initiatives that we  
16 were pleased to share with you today. The board  
17 recognized that educating the public about  
18 registration and voting is a critical element of a  
19 successful electoral system and a necessary  
20 component for a relatively new voting system.  
21 Therefore, the board has a ongoing public  
22 education effort to ensure that the voting public  
23 is informed, poll workers are properly trained,  
24 and voter registration efforts continue, albeit by  
25 severely--albeit limited by severe budgetary

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2 constraint. The board developed a highly  
3 successful mobile outreach program where we deploy  
4 staff and voting equipment for demonstration  
5 throughout the five boroughs. This program, which  
6 will continue through the general election, allows  
7 us to connect with the city's voters to provide  
8 them with hands-on demonstration of the new voting  
9 system prior to election.

10 The board looks forward to  
11 continuing to work with elected officials, good  
12 government groups and organizations, and community  
13 groups throughout the city.

14 Since the introductions of the new  
15 voting system in 2010, the public demand for a  
16 demonstration continues undiminished. Our current  
17 dedicated staff of three is insufficient to meet  
18 the ongoing need. Providing funding for  
19 additional outreach staff will assist the board in  
20 meeting the overwhelming number of requests.

21 With respect to voter registration,  
22 the board distributes registration forms in all  
23 required languages to all the libraries and postal  
24 offices in New York City. Along with registration  
25 forms, the board provides posters, a display box,

1  
2 and order forms for which can be faxed to the  
3 board when replacement supplies are needed. In  
4 addition, the board distributes forms to the  
5 Department of Education, the City University of  
6 New York, and 29 different city agencies.  
7 Registration forms are also available on our  
8 website.

9           In a effort to reach out to all  
10 eligible voters in the city of New York and to  
11 make them aware of the importance of being a  
12 registered voter and how much their vote counts,  
13 the board conducts registration drives at various  
14 community events, such as street fairs, community  
15 organization meetings, and senior centers. Last  
16 year, we participated in over 30 such events.  
17 Material that helped explain the process of voting  
18 are also provided at the registration drives. The  
19 board has processed over 250,000 new registration  
20 so far this year and they continue to pour in by  
21 the thousand every day.

22           The board is taking full advantage  
23 of the newest technology and recently unveiled a  
24 redesigned website with easy to use tools and  
25 resources that emphasize some of the boards top

1  
2 priorities. The website includes a poll site  
3 locator, sample ballots, and information on voter  
4 registration, absentee voting, poll worker  
5 employment, and voting with the optical scanners.  
6 It also highlights our increasingly popular social  
7 media pages and enables voters who voluntarily  
8 provide their e-mail addresses to the board so  
9 they can receive various updates, including the  
10 dates of future elections, announcements, and  
11 notifications. This new, more user friendly site  
12 allows voters to easily track their registration  
13 status and, with a click of a mouse, to translate  
14 the text in the voter section into Spanish,  
15 Chinese, Russian, Korean, or Bengali. Users can  
16 change the size of the text, share the entire page  
17 with a friend, and even print a copy of the sample  
18 ballot to use as they cast their vote. The site  
19 also features sections with important resources  
20 for candidates and poll workers.

21 Just prior to the September  
22 primary, the board launched our new New York City  
23 poll site application for Android and Blackberry  
24 mobile phone users, and now for the November  
25 election, the app is available for Apple users.



1 Supported languages include English, Spanish,  
2 Chinese, Korean, and Bengali. The app's friendly  
3 and intuitive interface allows voters to easily  
4 find poll site information, map directions from  
5 any New York City address to their poll site,  
6 check for dates for upcoming elections, view and  
7 share their sample ballots, stay updated with  
8 alerts from the Board of Elections.  
9

10 For those voters who do not have  
11 access to the website, the board encourages them  
12 to call our phone bank toll free at 866-VoteNYC.  
13 Our trained operators are fluent in English,  
14 Spanish, Chinese, Korean, and Bengali, and can  
15 answer all election related questions, including  
16 where is my poll site, do I have a primary, and am  
17 I registered to vote. The board completely  
18 redesigned and transformed the legally required  
19 information notice into a 24-page booklet which  
20 allows us to enlarge the font and include Bengali  
21 text. This newly designed five language notice  
22 included the dates of the primary and general  
23 election, educational components on the use of the  
24 ballot marking device and the poll site voting  
25 system, frequently asked questions, and a

1  
2 prominent display cover informing voters that  
3 their poll site may have changed.

4           The board designed the cover to  
5 serve as an enlarged personalized voter card that  
6 contains their individual information, such as  
7 their poll site address, assembly, and election  
8 district. The board also included a note in our  
9 mailing asking the voters to call our phone bank  
10 to see if there was a primary in their district.  
11 The board met its legal obligation by mailing this  
12 notice to every registered voter in the city  
13 between August 1st and 5th, as mandated by Section  
14 4-117 of New York State Election law.

15           The board mailed these information  
16 notices using USPS mail track, which allows the  
17 city board to track the mail as it moves through  
18 the postal system. Citywide, over 290,000 notices  
19 were returned to us, including more than 175  
20 notices that were returned as undeliverable  
21 because the voter moved and had no forwarding  
22 address was available.

23           On November 6, the board is  
24 administering a pilot program which will allow  
25 executive office monitoring teams to remotely

1  
2 complete a poll site survey and ADA journal using  
3 a wireless digital tablet that will upload the  
4 reports to the board's main server in real time  
5 for every site they visit. Monitoring teams will  
6 also have the option to submit accompanying photos  
7 of any poll site issues they encounter.

8           The board also created a poster  
9 informing voters that everything they need to know  
10 about voting can be found in the palm of their  
11 hand either by calling our phone bank or scanning  
12 our new QR code with their smartphone or their  
13 tablet which takes them directly to the BOE  
14 website. Working with the city of New York, we  
15 were able to secure free space on public telephone  
16 kiosk display panels throughout all five boroughs  
17 to help advertise this message.

18           In addition, we are working with  
19 the City's Housing Authority, public libraries,  
20 schools, and elected officials to help share this  
21 informational poster with the public. The QR code  
22 will now be included in all future board  
23 advertising and communications along with the  
24 phone bank number to make accessing the board's  
25 information and resources as easy as possible.

1  
2 For the general election, the board  
3 prepared and has an aggressive media campaign  
4 which is set to kick off this week. Two half-page  
5 advertisements are scheduled to run during the  
6 weeks of October 15th and October 22nd, and one  
7 full-page advertisement is scheduled to run the  
8 week of October 29th in ethnic and community  
9 publications. One full type advertisement is set  
10 to run in the New York Times, the New York Daily  
11 News, and the New York Post the day before  
12 election day to serve as an additional reminder to  
13 voters above and beyond our legally required  
14 notices. All ads are in color and will feature  
15 our QR code that directs voters to the board's  
16 website where they can access our poll site  
17 locator. The campaign will deliver 94 total ad  
18 insertions, three in the major New York dailies,  
19 19 ethnic, and 72 community papers, all--in all  
20 five boroughs. The estimated circulation is 6.7  
21 million impressions throughout the campaign.

22 I would also like to inform you  
23 that the Commissioners of Election, although not  
24 legally required to do so, voted to send an  
25 additional mailing to all registered voters in

1  
2 advance of the November elections. This will  
3 serve as a further reminder of the upcoming  
4 election and provide voters with their current  
5 poll site address and other important information.  
6 This mailing was made possible by the funding the  
7 board requested and received from the City of New  
8 York. I want to thank the City Council for their  
9 support and especially Council Member Brewer for  
10 her critical role in helping us secure this  
11 funding and making this additional outreach effort  
12 possible.

13 I must remind the members of this  
14 committee that in our March 16th, 2011, testimony  
15 for the fiscal year 2012 preliminary budget we  
16 requested 104 new positions in preparation for  
17 what we knew would be the busiest year in the  
18 history of the Board of Elections. Included in  
19 those newly requested positions, we outlined the  
20 need to create a dedicated electronic voting  
21 system unit in each borough to carry out the new  
22 duties required as a result of updated methods of  
23 canvassing the votes cast, mandated audit  
24 equipment upgrades and modifications, and to  
25 ensure accurate and timely analysis after each

1  
2 election. Regrettably, that urgent need has not  
3 been addressed but the needs still exist. The  
4 upcoming post-election period requires this board  
5 to complete many significant tasks. In order to  
6 meet our current obligations, the board has and  
7 will continue to incur significant overtime  
8 expenses while pushing our dedicated staff to  
9 their limits. There are already a number of  
10 possible special elections looming ahead of us in  
11 the second half of the fiscal year.

12 In addition, next year we expect to  
13 conduct a primary election, a runoff primary for  
14 citywide offices, and a general election, in  
15 addition to implementing City Council  
16 redistricting and conducting any additional  
17 special elections that may come as a result of the  
18 election on November 6. Without additional staff,  
19 significant and potentially insurmountable  
20 challenges lie ahead.

21 At this time, I would like to  
22 introduce Raphael Savino, the board's enforcement  
23 counsel, and he will review the council  
24 legislation being considered and our comments.

25 RAPHAEL SAVINO: Good afternoon.

1  
2 CHAIRPERSON BREWER: I'm supposed  
3 to thank you, and those Council Members--I think  
4 Council Member Williams, Council Member Lappin  
5 have joined us, along with Council Member  
6 Halloran. And after this gentleman speaks, then I  
7 think Council Member Williams and Lappin have  
8 bills that they want to make some statements, that  
9 will be great. Go ahead.

10 RAPHAEL SAVINO: Good afternoon.  
11 You have also asked the board to provide comments  
12 on several legislative items you are currently  
13 considering. The commissioners have authorized us  
14 to share with you the following: Intro 613, this  
15 Intro impacts the Campaign Finance Board, as such,  
16 the Board of Elections does not take any position  
17 on the merits of this Intro; however, the board  
18 wishes to call to the attention of the committee  
19 the possible contradictory provisions of sections  
20 8(d) and 8(e) in the Intro. Subdivision E directs  
21 the Campaign Finance Board not to share this  
22 information, specifically referring to e-mails.  
23 Subdivision D directs the Campaign Finance Board  
24 to share their information with the Board of  
25 Elections. The board recommends that if this

1  
2 Intro is enacted, the Campaign Finance Board  
3 provide an explicit authorization on its website  
4 and sign up that the data will be provided to the  
5 Board of Elections.

6 Intro 721. This Intro is an effort  
7 to enact modifications of this board's proposal to  
8 authorize city employees to serve as poll workers.  
9 As we have testified before this committee on  
10 prior occasions, a form of this Intro is being  
11 used in Los Angeles, California. The board  
12 recommends that this Intro be modified to apply to  
13 all elections, specifically the general election,  
14 primary elections, and special elections. As it  
15 is written, it only applies to general elections.  
16 We'd like that it provide for mandatory for leave  
17 with pay for any city employee who qualifies to  
18 serve as a poll worker and provide mandated time  
19 off for the required training as a poll worker  
20 under the New York State Election law.

21 Intro 728. This Intro, if enacted,  
22 would create an unfunded mandate on the Board of  
23 Elections. The board believes that this Intro  
24 should explicitly provide that the Board of  
25 Education of the city, school district of the city



1  
2 of New York be responsible for the production of  
3 the voter registration forms called for in this  
4 Intro. The board uses a city requirements  
5 contract to print voter registration forms and the  
6 Board of Education can order directly from the  
7 vendor the number of forms in the appropriate  
8 languages that it needs to effectuate this Intro  
9 if enacted into law.

10 The board notes the following  
11 technical corrections: The title of the  
12 respective agencies should reflect the correct  
13 state statutory designations, the Board of  
14 Education of the city school district of the city  
15 of New York, and the Board of Elections in the  
16 city of New York. One other note to that is not  
17 actually in the testimony that was discussed with  
18 staff and general counsel is that it requires a  
19 registration form to be provided to families each  
20 time they, I believe, register their child. This  
21 could result in multiple forms being provided to  
22 families who may have more than one child.

23 Intro 760. This Intro, if enacted,  
24 would create an unfunded mandate on the Board of  
25 Elections, it would require the Board of Elections

1  
2 to prepare hundreds of versions of the voter  
3 registration form for use by each covered city  
4 agency. For example, under Local Law 29, there  
5 are 29 covered agencies, we must provide voter  
6 registration forms in all--in five different  
7 languages as mandated by federal law so this Intro  
8 would require the board to code and track 145  
9 different versions of the registration form. In  
10 addition to the administrative tasks that are  
11 considerable under this Intro, the board would  
12 have to ensure that the correctly coded forms are  
13 distributed to the appropriate agency. Currently,  
14 the board has only one staff member managing the  
15 distribution of voter registration forms citywide.  
16 The board's voter registration system will have to  
17 be modified to create a tracking system for each  
18 agency's forms, board staff will have to manually  
19 enter each code in the voter registration system  
20 to track each form as it is being processed.

21           Particularly when the registration  
22 cutoff date approaches, the board, with  
23 insufficient staff and resources, manages to meet  
24 its legal obligations but with great difficulty.  
25 Existing staff is already pushed beyond its limit

1  
2 and overtime hours to meet these obligations.  
3 With a substantial increase in the number--I'm  
4 sorry, without a substantial increase in the  
5 number of permanent full-time positions, adding  
6 these reporting requirements will significantly  
7 delay the timely processing of new registrations.

8           The board recommends that if this  
9 Intro is to be enacted, the responsibility for  
10 printing and tracking these forms be assigned to  
11 the respective agencies. The board projects that  
12 to print 10,000 registration forms in five  
13 languages for each agency, the cost would be  
14 approximately \$100,000.

15           Finally, the proposed section two  
16 of the Intro is potentially preempted by the New  
17 York State Election law, specifically section 3-  
18 212 of the election law is clear and precise, the  
19 City Council is without the authority to modify or  
20 amend such provision and that power rests with the  
21 governor and the legislature.

22           The board would like to note the  
23 following technical corrections. The title of the  
24 Board of Elections should reflect the correct  
25 state statutory designation Board of Elections in

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the city of New York.

Intro 764. This Intro relates to modifications in the city campaign finance program and has no impact on the Board of Elections, therefore, the board takes no position on this Intro.

Intro 769. This Intro imposes new responsibilities on the Campaign Finance Board and, again, has no impact on the Board of Elections, therefore, the Board of Elections takes no position.

The board notes the following technical corrections: The county and judicial officers listed as state officers--are listed as state officers. The positions of district attorney, justice of the Supreme Court, and judge of the Surrogates Court are created by the state constitution and the judge of the Civil Court is established by state law. Also, the date for the Campaign Finance Board to promulgate rules has already passed, that being July 1st of 2012.

Finally, Intro 778. This Intro seeks to change the duties of the Board of Elections as it is prescribed by state law in

1 section 3-212 of the New York State Election law.  
2  
3 As such, it is preempted by the New York State  
4 Election law and the power to modify or amend such  
5 provision, again, rests with the governor or the  
6 legislator.

7           Again, although not in the  
8 testimony, another concern that was expressed in  
9 the past was if such information is included in  
10 the Mayoral's Management Report, it would take  
11 away the appearance of our agency being an  
12 independent body, and that is something that we  
13 strive to continue in reality and in the public  
14 perception.

15           As always, my colleagues and I are  
16 available to answer any questions that you may  
17 have. Thank you.

18           CHAIRPERSON BREWER: Thank you very  
19 much. We've been joined by Council Member  
20 Dickens. And I'd like to call on Council Member  
21 Williams and then Council Member Lappin, and then  
22 Council Member Dickens 'cause they each have bills  
23 coming before us today if they want to make any  
24 statements. Council Member Williams.

25           COUNCIL MEMBER WILLIAMS: Thank

1  
2 you, Chairman Brewer, and thank you for coming to  
3 testify. I also want to thank you and I think in  
4 response to some of the things that we said  
5 before, the board has actually increased the font  
6 size on the ballot, so thank you for that, and  
7 hopefully we can increase and do even more.

8 I think the government has a  
9 responsibility to try to maximize the potential of  
10 voters coming out and voters registering and I  
11 think right now, for whatever reason, we are kind  
12 of--we're definitely not maximizing and it seems  
13 like we're doing the minimum amount. And as my  
14 colleague Greenfield pointed out, we're 47th in  
15 the nation, New York is, in terms of  
16 participation, so we need to definitely do more in  
17 the administration. We're so rooted in data and  
18 making things better based on the data in  
19 response, it's just crazy to me because my bill  
20 addresses something that the data says is a huge  
21 problem--150,000 registration forms were given to  
22 agencies last year, 2,300 came back, that's an  
23 infinitesimal amount and that's a huge problem.

24 And also that information was not  
25 broken up by agency, so we don't even know which

1  
2 agency is doing good and so we can use best  
3 practices. So this bill would basically say let's  
4 get a better accounting of which agencies are  
5 giving out the forms and which agencies are  
6 getting a great amount back so we can increase  
7 participation. Thank you very much. I look  
8 forward to asking questions when my time comes.

9 CHAIRPERSON BREWER: No problem,  
10 you got a long group ahead of you. Council Member  
11 Lappin.

12 [Pause]

13 COUNCIL MEMBER LAPPIN: Great. I  
14 want to thank the chair for holding this very  
15 important hearing. Sorry, Jumaane.

16 I did also want to thank you for  
17 the font size, I'm not sure why for so long we  
18 were told it couldn't be done, but you found a way  
19 to get it done and I think that's something that--  
20 I know it's something people will appreciate,  
21 particularly seniors.

22 I wanted to ask about your  
23 testimony, and I appreciate that you testified in  
24 support of my bill which would hopefully increase  
25 the number of people who would participate as poll

1  
2 workers since we aren't recruiting enough people  
3 and it would be nice to tap into people who are  
4 city employees and are public servants, and so  
5 hopefully, like-minded, civic-minded people who  
6 would see the value in wanting to help on election  
7 day.

8                   But there are reasons why we  
9 crafted the bill as we did, and I was, sort of,  
10 intrigued by your suggestion that we require--I  
11 want to make sure I'm reading your testimony  
12 right--that we provide mandatory leave with pay  
13 for any city employee who qualifies and as a poll  
14 worker. 'Cause I don't see how--and it's  
15 something that we were discussing with counsel--we  
16 could require city employees to be poll workers, I  
17 think we'd have collective bargaining issues, I  
18 think there'd be a whole host of other issues that  
19 would come up, but is that what you're suggesting,  
20 we require city employees to do this?

21                   DAWN SANDOW: Raph, correct me if  
22 I'm wrong, but I think the discussion was not that  
23 we would force anyone, but that they would receive  
24 pay.

25                   [Crosstalk]



1  
2                   RAPHAEL SAVINO: For the general  
3 election, there would not be working, but as a  
4 suggestion as proposed amendment to the bill,  
5 we're saying it would be very beneficial to us if  
6 they could also work on special elections and  
7 primaries. Those particular days, they would not  
8 be off of work and, without any modification to  
9 the bill, may be required to use a vacation day to  
10 work.

11                   COUNCIL MEMBER LAPPIN:

12 [Interposing] Well that's exactly right, we did  
13 that on purpose because general election day, when  
14 government offices are closed, it's less legally  
15 problematic than people who wanted to take a  
16 vacation day and then be double dipping, I think  
17 there are actually some legal problems with that  
18 approach. So we can investigate that further, but  
19 you do say mandatory leave, so I just want to--  
20 mandatory, to me, means requiring, so I want to  
21 understand, are you suggesting that we require  
22 employees to do this?

23                   RAPHAEL SAVINO: No, what we're  
24 working towards and we'd like to suggest, again,  
25 is that they be able to also work the primary and

1  
2 special elections. Now, no one would be mandated  
3 to work such a day, but we feel it will be  
4 beneficial if they're going to be trained and  
5 participating in the process if we could also have  
6 those resources for special elections and the  
7 primary election as well, not that it'd be a  
8 mandatory requirement.

9 COUNCIL MEMBER LAPPIN: I don't  
10 know that we can do that, but--

11 RAPHAEL SAVINO: [Interposing] With  
12 comp time.

13 COUNCIL MEMBER LAPPIN: --we  
14 discussed that when we crafted it, but it's  
15 something we can continue to look at.

16 CHAIRPERSON BREWER: Thank you.  
17 Council Member Dickens, did you want to talk about  
18 your bill? And I'm sorry, you're going to have to  
19 use this--

20 [Off mic]

21 CHAIRPERSON BREWER: --right here.  
22 I just put it on.

23 COUNCIL MEMBER DICKENS: That's  
24 right. Thank you, and I want to thank--excuse my  
25 back, everyone. I want to also thank the chair

1  
2 for holding this, and to my colleagues on this  
3 important legislation, which in my case Intro 613,  
4 which require e-mail notification of election  
5 days, registration deadlines, and sample ballots  
6 to registered voters who voluntarily sign up for  
7 such updates.

8 I received numerous complaints from  
9 constituents in my district about not knowing  
10 changes to primary dates or registration  
11 deadlines. Many individuals work more than one  
12 job and cannot keep tabs with the political  
13 headlines, like, supposedly, the Council does.  
14 This bill would ensure that the residents of this  
15 city will be informed voters and, therefore, bring  
16 us a step closer to fully eradicating voter  
17 disenfranchisement. Now I see in your testimony  
18 and I want--would you pardon me for just a minute?

19 [Pause]

20 COUNCIL MEMBER DICKENS: In your  
21 testimony, you said that you wanted to bring to  
22 our attention the contradiction that you feel of  
23 section 8(d) and 8(e)--

24 RAPHAEL SAVINO: Okay.

25 COUNCIL MEMBER DICKENS: --in Intro

1  
2 613, of which 8(d) refers to the database--access  
3 to the database and in 8(e) without permission or  
4 a court order. You see a contradiction, I don't,  
5 in that we're saying provide access, but access  
6 provided that you do have permission or a court  
7 order. So I disagree with you on the  
8 contradiction of that, that you mentioned in  
9 your...

10 [Off mic]

11 COUNCIL MEMBER DICKENS: Thank you.  
12 Thank you so much. And I thank you for coming and  
13 providing testimony, even though you disagree with  
14 many of it.

15 RAPHAEL SAVINO: We actually agree  
16 with the Intro--

17 COUNCIL MEMBER DICKENS: Because I  
18 think the Board of Elections workers do great  
19 work, you know, nothing's perfect, we have to keep  
20 working on this and that's part of what we're  
21 doing today. Can you please explain to me why you  
22 feel it's a contradiction when we put in it that  
23 providing access, providing access providing that  
24 you have written permission? And that's done all  
25 the time, that's nothing new.

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DAWN SANDOW: We stand corrected.

RAPHAEL SAVINO: You know, we support the Intro as mentioned, I'd like to point out as well that the redesigned website actually has the ability for voters to put in there-- subscribe and put their e-mail address in--

COUNCIL MEMBER DICKENS:

[Interposing] Yes, you do.

RAPHAEL SAVINO: --and we can--

COUNCIL MEMBER DICKENS: Yes, you do.

RAPHAEL SAVINO: --capture that information and intend to use it to provide the information that you're suggesting. Again, we support the bill, we just wanted to make sure that it was clear that they are allowed to turn the information over to us. And that there wouldn't be a problem with us obtaining all of those e-mail addresses that they're going to collect on our behalf.

COUNCIL MEMBER DICKENS: All right, well thank you. Now let me ask you about that because administratively you did add that option. How effective has it been and is it being

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enforced? Are people being encouraged? Are e-mail addresses, you know, are the voters putting in their e-mail addresses? And for instance, I believe the deadline is October 30th for absentee ballots this year, is that correct?

CHAIRPERSON BREWER: We got to do opening statements more, Madam.

COUNCIL MEMBER DICKENS: I'm sorry, but I just--

CHAIRPERSON BREWER: Okay.

COUNCIL MEMBER DICKENS: --wanted to ask this question.

CHAIRPERSON BREWER: Go ahead, quick, 'cause everybody back here is complaining.

COUNCIL MEMBER DICKENS: Don't be haters back there.

VALERIE VAZQUEZ: Hi, I'm Valerie Vazquez, Director of Communications. To-date 31 voters have signed up to subscribe to receive updates from the--

COUNCIL MEMBER DICKENS:  
[Interposing] How many?

VALERIE VAZQUEZ: Thirty-one to-date. We've had our website live about three

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2 weeks, our newly designed website about three  
3 weeks. And in terms of how we're encouraging it,  
4 it's all in our information, we're encouraging  
5 voters to visit our website and to sign up at all  
6 of our demonstrations, we've made that public  
7 statement and that cry for voters to please sign  
8 up so that they can receive these updates from us.

9 COUNCIL MEMBER DICKENS: All right.

10 CHAIRPERSON BREWER: Okay?

11 COUNCIL MEMBER DICKENS: All right,  
12 thank you.

13 CHAIRPERSON BREWER: I'm going to  
14 go directly to my colleagues and then I'll ask a  
15 lot of questions, I have a long list. Council  
16 Member Vallone and then Council Member Wills.

17 COUNCIL MEMBER VALLONE: Thank you.  
18 I was not complaining, for the record.

19 CHAIRPERSON BREWER: Yeah, others  
20 were.

21 COUNCIL MEMBER VALLONE: I  
22 understand, yeah, no.

23 [Background noise]

24 COUNCIL MEMBER VALLONE: On page  
25 ten, you say next year we expect to conduct a

1  
2 primary runoff, a general, without additional  
3 staff significant and potentially insurmountable  
4 challenges lie ahead. What are those potentially  
5 insurmountable challenges?

6 DAWN SANDOW: I believe it comes  
7 along with the new voting system. Right after it  
8 was implemented in 2010, we did come before the  
9 City Council and did give testimony and  
10 documentation of how much more work was added to  
11 the staff. We would love to be able to have  
12 specific staff on just certain duties. Right now,  
13 the board is so short staffed that we're pulling  
14 people in the poll worker department after an  
15 election to help with audits, to help with  
16 analysis. We don't have a defined EVS unit in  
17 each borough and it is greatly needed.

18 Also, I mean, just the mere fact of  
19 the redistricting for the City Council, looking  
20 ahead to possible specials that we may have, being  
21 short staffed, it causes us to incur a great  
22 amount of overtime.

23 COUNCIL MEMBER VALLONE: Well  
24 forgetting for a moment the additional taxpayer  
25 cost that some of these measures would impose and



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2 mandates on you, whether they're good or and not  
3 on the merits, if things stand as they are now and  
4 we have a primary election in September, will you  
5 be able to do the runoff and the general?

6 DAWN SANDOW: No. We've already  
7 sent a statement up to the state legislature  
8 asking them to change the date. Am I correct?

9 MALE VOICE: Yes.

10 COUNCIL MEMBER VALLONE: I've heard  
11 about the letter, I'd actually like you to tell us  
12 what specifically you would not be able to  
13 accomplish if things stand the way they are now.

14 RAPHAEL SAVINO: To conduct the  
15 primary, and then if it's potentially followed by  
16 a citywide runoff, which is legally required 15  
17 days later, we wouldn't have the time to retrieve  
18 all the machines, certify all the results, prepare  
19 the ballot for the runoff, test all the machines  
20 as required by law, and then to distribute them  
21 all to the citywide--poll sites citywide in a 15-  
22 day period. And then, obviously, we'd be faced  
23 with the general election shortly thereafter.

24 The law as it's currently written  
25 does not contemplate the scanners and all of the

1  
2 required testing and all the other--the 3% audit,  
3 for example, before we can certify, that's another  
4 step that has to be done after the election. And  
5 it just really seems like an impossibility to get  
6 all that done within 15 days and follow all of the  
7 statutory requirements that--

8 CHAIRPERSON BREWER: [Interposing]  
9 Council Member, I know it's an important--

10 RAPHAEL SAVINO: --come along with  
11 the voting systems.

12 CHAIRPERSON BREWER: --question but  
13 we are trying to focus on November 6, FYI. So if  
14 you could ask questions related to that and maybe  
15 figure out a way to work in your other questions,  
16 but focus on November 6. Thank you.

17 COUNCIL MEMBER VALLONE: Okay. Can  
18 you give us a rough estimate, again, without going  
19 through the merits of these additional--these  
20 bills we're looking at today, of how much staff  
21 you would need to implement them and how much in  
22 additional taxpayer funding would be needed to  
23 implement them. I noticed in one bill you  
24 mentioned 100,000 in mailing costs, what other  
25 taxpayer funding is necessary to implement these

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bills?

DAWN SANDOW: It's 100,000 in procuring the registration forms and then there are mailing costs, but it is also the manpower to be able to break down the coding system. Of course, we would have to do an upgrade to our AVID system in order to identify all the new codes and then the--like now we're in crunch time. Two weeks ago, for example, we received over 142,000 registrations in just one week; this week, we don't even have the count yet, but that would mean during crunch time, which is what we're faced with now, having to identify 29 different agencies, we feel that we don't have enough staff to be able to handle that.

COUNCIL MEMBER VALLONE: 'Cause I understand the City Council complains about unfunded mandates from Albany and the federal government all the time, and, again, without going into the merits of these, I would oppose any unfunded mandate on you--

DAWN SANDOW: Thank you.

COUNCIL MEMBER VALLONE: --and at this point, there are no funds in New York City,

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2 so this is a problem that needs to be addressed.  
3 It's regardless of whether there is merit to these  
4 bills or not.

5                   Madam Chair, I would have liked to  
6 finish up on that other stuff, but, unlike some  
7 other Council Members who don't listen to their  
8 chairs, I will submit to your will. Thank you.

9                   CHAIRPERSON BREWER: Thank you very  
10 much. Council Member Wills.

11                   COUNCIL MEMBER WILLS: Good  
12 afternoon. Before I started asking any questions,  
13 I just want to thank you and I guess give you  
14 kudos on your new election night reporting  
15 process, on page five, paragraphs five and six;  
16 registration drives, page seven, paragraph one;  
17 and the phone banking, page eight, paragraph one.  
18 Just wanted to let everybody know that those  
19 things are noteworthy to this process.

20                   Now a couple of the questions that  
21 I have--and I have about five, but they'll be  
22 quick--on page six, I just wanted to clarify with,  
23 I believe, Council Member Vallone Jr., just asked  
24 about. You said that our current dedicated staff  
25 is there is insufficient to meet the ongoing

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needs. Do you have a total number on how much all of this stuff is actually going to cost you?

Page six, paragraph one, and two, three, and four.

DAWN SANDOW: Are you talking about the outreach?

COUNCIL MEMBER WILLS:  
Demonstration continues undiminished, yes.

DAWN SANDOW: Yes, we have three dedicated staff for outreach and as of now we are pulling from--because we're inundated with requests, we're pulling staff from borough offices and other units to go out to demonstrate the new machines to the public. It should be 12, is what we're requesting.

COUNCIL MEMBER WILLS: Twelve what?

DAWN SANDOW: Twelve additional staff members--

COUNCIL MEMBER WILLS:  
[Interposing] All right, how much--

DAWN SANDOW: --to continue without--

COUNCIL MEMBER WILLS: --how much does that, how much does that cover? What is the

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amount?

DAWN SANDOW: Forty-two thousand a year.

COUNCIL MEMBER WILLS: Per.

DAWN SANDOW: Each.

COUNCIL MEMBER WILLS: Each, I'm ask--

FEMALE VOICE: Per staff member.

DAWN SANDOW: Per staff member.

COUNCIL MEMBER WILLS: Okay.

DAWN SANDOW: Yes.

COUNCIL MEMBER WILLS: The other questions I have do impact the general election because there were problems during the primary. There have been several reports of misleading poll location mailers that were sent out a few weeks before the September primary that resulted in a lot of voter confusion. For my district, a voting location, PS 155, was eliminated and individuals had to travel further to 121. However, different notices were sent out to several communities and constituencies, one listing 155 and another listing 121. And from recent media stories, this was not an anomaly, there have been reports of

1  
2 this occurring at other locations. I know that my  
3 Council Member colleague Crowley had actually  
4 brought one of them in and showed you.

5 Understanding this dilemma, what plans have BOE  
6 put in place to ensure that there will not be a  
7 similar confusion come November?

8 PAMELA PERKINS: Well one of the  
9 things we're doing is we have had some poll site  
10 changes after the information notice went out and  
11 for the primary, after that information notice  
12 went out, there were changes before the primary.  
13 In each instance, a poll site change notice was  
14 sent. However, notwithstanding that, for the  
15 general election, we are making sure that all poll  
16 site changes are done and completed before this  
17 second notice go out to the public.

18 So all the boroughs have been  
19 working very hard. There have been over 145 poll  
20 site changes that occurred after the primary, but  
21 one of the things we're making sure is that the  
22 file is clean as possible. Absent any emergency  
23 poll site changes, we're trying to ensure that  
24 when the notice goes out, that all poll site  
25 changes have been done and entered into the

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system.

COUNCIL MEMBER WILLS: How did the  
BOE assess--

DAWN SANDOW: [Interposing] Can I  
just respond? I just--

COUNCIL MEMBER WILLS: Sure.

DAWN SANDOW: --you mentioned  
Crowley, and we were able to track that mailing.  
I would just like to make everyone aware that we  
had a tracker on this mailing, and we were quite  
surprised when we started receiving calls that  
people did not receive the notice. We were able  
to track it, but only up until the post office.  
About five days ago, maybe more, maybe a week ago,  
we received a call from the inspector general's  
office, the U.S. Postal Service, basically stating  
that they received an anonymous tip that there was  
a mail carrier that was not delivering mail. Lo  
and behold, I have to distribute to the Council  
members, they opened his locker and found 186 poll  
site change notices in the locker. They are  
continuing with the investigation, they do not  
feel that this was a one-time incident, they will  
get back to us as to where they are with the



1  
2 investigation, but they feel that they cannot  
3 prosecute because it has nothing to do with drugs.  
4 So we brought this to our commissioners who then  
5 asked us to forward this information on to the  
6 District Attorney's office.

7 COUNCIL MEMBER WILLS: Since that  
8 is the case, once they finished their  
9 investigation, that brings in something new to  
10 light, how did that or how do we assess if that  
11 impacted the election?

12 PAMELA PERKINS: We don't know how  
13 bad it was 'cause they have not interviewed--the  
14 last time we spoke with them, they had not  
15 interviewed this individual. What they found in  
16 his locker, they don't know if that's the only  
17 instance--

18 COUNCIL MEMBER WILLS:  
19 [Interposing] Right, 'cause it--

20 [Crosstalk]

21 PAMELA PERKINS: --but they don't  
22 know, it could have been more and they don't know  
23 if this individual is going to provide that  
24 information willingly. So all we know is what we  
25 know.

1  
2 COUNCIL MEMBER WILLIS: Okay. How  
3 did the BOE assess the changes that needed to be  
4 made to the polling locations? If there were any  
5 changes that were made, how long were these  
6 changes to the new locations studied on average  
7 and when did the BOE realize that these changes  
8 needed to be made?

9 DAWN SANDOW: A lot of the changes  
10 came with redistricting and I think where the  
11 confusion came in--and, you know, it's a lesson  
12 learned--is redistricting was done, poll site  
13 change notices went out, and then there were  
14 changes once again after the information notices.  
15 We feel that what should have been done is on our  
16 poll site change notice, after it went out after  
17 the vendor had sent there's, we should have put a  
18 date basically stating this--we should have put a  
19 statement stating that this supersedes any other  
20 notice that you've received.

21 As far as what we have done, that's  
22 another thing that should be brought to your  
23 attention. We have five surveyors to cover all  
24 five boroughs--five surveyors, that's one for each  
25 borough. This year, we actually had our staff,

1  
2 our technicians and any other staff available  
3 trained by CIDNY so that they can go out and do  
4 surveys, because there are so many poll sites, to  
5 make sure that everything is accessible, and as  
6 required by law.

7 We have continued--there were some  
8 changes that were made after the redistricting  
9 because we received information from elected  
10 officials and from the public on certain poll  
11 sites that were too far away for voters to get to,  
12 and those sites--if we could find another poll  
13 site that was handicap accessible, we did move the  
14 site. I believe--Pam, do you have a number here?

15 PAMELA PERKINS: After the primary,  
16 there was--prior to the primary there were 56 poll  
17 site changes that were made citywide. After the  
18 primary, there was an additional 145 poll site  
19 changes that were made. Some of them were made  
20 because the sites were not inaccessible and we,  
21 under Chapter 505 of the election law, we have to--  
22 -any new poll sites that we move to has to be  
23 accessible to voters.

24 COUNCIL MEMBER WILLS: Okay.

25 PAMELA PERKINS: And the other

1  
2 reasons were that sometimes when we moved the  
3 site, it was not, like Dawn mentioned, it wasn't  
4 convenient for voters and it was brought to our  
5 attention and so we had to move the site again.  
6 Some of the sites were moved because they were  
7 overcrowding, and we had to make sure that the  
8 sites are not overcrowded because it poses another  
9 issue in terms of the accessibility and the  
10 ability for people who have wheelchairs and such  
11 to vote in private and have enough room to wheel  
12 their wheelchairs or whatever the--

13 MALE VOICE: And wait times.

14 PAMELA PERKINS: Yeah, and cut down  
15 on wait time. So there was a number--and there  
16 were some poll site changes that we made in error--  
17 --we made an error--because of during the course of  
18 redistricting and we had to correct the error.

19 COUNCIL MEMBER WILLS: Two things,  
20 we appreciate what you just submitted to us and  
21 I'm going to make sure that my local media outlets  
22 has a copy of this. Secondly, I appreciate you  
23 actually saying you made an error.

24 PAMELA PERKINS: There were--

25 [Crosstalk]

1  
2 COUNCIL MEMBER WILLIS: We don't  
3 have any agency that comes in and admits that they  
4 made a mistake. But in addition to that, I just  
5 wanted to make sure that you understood that a lot  
6 of the questions that we ask today are because of  
7 the frequent questions that we get when we go back  
8 towards our districts, especially in some of the  
9 minority districts where people feel that a lot of  
10 these things were done intentionally to suppress  
11 the minority vote.

12 I have had, on election day,  
13 standing outside of 223, I have had several poll  
14 sites that were heavy poll sites or high voter  
15 turnout poll sites that were closed and I had  
16 seniors that could not get over to the new poll  
17 site, people did not know the poll sites were  
18 closed. There were no just common sense devices  
19 like signs saying this poll site is closed, your  
20 new poll site would be this, call this phone  
21 number. There was none of that seen on that day,  
22 which created a lot of hardships for people who  
23 had been voting for the last 20 or 30 years.

24 And, you know, I, not being a  
25 representative of the Board of Elections, took a

1  
2 lot of heat at different poll sites when people  
3 screaming saying that this was done intentionally.  
4 So I really hope that this would be a smoother  
5 rollout going into November 6 because it is  
6 another historic election because of the general  
7 election and because it impacts minorities so  
8 much. Thank you to Madam Chair.

9 CHAIRPERSON BREWER: Thank you.  
10 Council Member Lander, then Council Member  
11 Greenfield.

12 MALE VOICE: This is good.

13 COUNCIL MEMBER LANDER: Thank you  
14 very much, Madam Chair, not just for today's  
15 hearing, but for your very good work, overall five  
16 hearings that we've had working on improving the  
17 Board of Elections. And thank you to the  
18 representatives who are here, we do appreciate the  
19 hard work that you do and the--you know, I just  
20 wanted to echo Council Member Wills' point that  
21 continuing--we're all in the process of trying to  
22 do the job better, sometimes the jobs aren't easy  
23 and it is important.

24 And I do, before I ask just a  
25 couple of questions about Intro 778, do want to

1  
2 say one or two things about technology. And I do  
3 note I think we have to keep moving forward on  
4 both fronts. We, obviously, we want new and  
5 improved technology and we have to recognize that  
6 that speaks well to--enables a lot of people to  
7 vote and understand things more easily and there's  
8 a lot of people who won't be able to do that. But  
9 on election day, on primary day in my district,  
10 there were quite a few EDs that had elections,  
11 there were quite a few EDs that did not have  
12 elections, and there were people who had been  
13 switched to poll sites, in some cases of which had  
14 some EDs operating, and in some cases, which  
15 didn't have EDs operating, so it was a  
16 particularly confusing election.

17           As a result of trying to give  
18 people good advice, I very quickly found the app,  
19 which was very useful for me because I was on the  
20 phone with someone and I could say, all right,  
21 what's your address, I'll tell you where you're  
22 going to go vote right now and whether you've got  
23 an election, and who it's between. But there were  
24 a couple of problems there. One was they didn't  
25 know about the app, I mean, maybe if they followed

1  
2 you on Twitter or quickly if they followed me on  
3 Twitter, but I do think, speaking to Council  
4 Member Dickens' bill, that that information is  
5 only available electronically if you know that it  
6 exists. And so whatever happens with her bill,  
7 which I hope will pass and I'm happy to be a  
8 sponsor of, there's no reason I can understand for  
9 you not making it voluntarily available for people  
10 to, by e-mail and by text message, make it simpler  
11 and then set up an automated system that will make  
12 it very easy. There's a reminder, and you very  
13 easily know what your ballot's going to like it,  
14 and where you're going.

15           And one other thing I'll recommend  
16 is there was a great irony 'cause then I ran  
17 around to my poll sites that day, and, of course,  
18 they're still working on the paper, where you use  
19 that very difficult to use paper street finder and  
20 then corresponded that to the very difficult to  
21 use poll site locator and the AD and the ED are  
22 inverse between the street locator and the poll  
23 site locator, and you have new EDs and ADs this  
24 election, I felt. And I was like, hey, you know  
25 what, you don't have to do any of that, just go to



1  
2 the very good BOE app and put in the person's  
3 address and it tells them exactly where to go.

4 So I guess one question I have is  
5 what are you doing to take advantage of the new  
6 technology that you've developed to actually make  
7 it simpler for poll site workers and coordinators  
8 and voters not to just to have to weigh through  
9 the old, very confusing seas of paper?

10 PAMELA PERKINS: Well one thing  
11 we're trying to get out and, with your help and  
12 the help of the other elected officials and  
13 Council members, we have this poster that I spoke  
14 about earlier in the testimony where it tells--  
15 it's in your packets--it tells the voter that they  
16 could just scan our QR code and that'll take them  
17 directly to our website, and it'll take them  
18 directly to the poll site locator where they can  
19 find out where they go vote, they can look at a  
20 ballot, they can get all the election related  
21 information that--right in the palm of their hand,  
22 if they use it. And we did deliver the posters to  
23 250 Broadway for all the Council members to put up  
24 in their offices, so we're hoping that we get your  
25 assistance in getting the word out.

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FEMALE VOICE: Yeah, one way.

DAWN SANDOW: Yeah. This is also, this will be in all public school polling places, any state buildings, any city buildings, this will be put up in the entrance so when voters are coming in. Also, our information clerks are all being called in for retraining. When they do come in for retraining, I'm sure they're all going to have their phones with them, so our staff will be telling them right then and there to download the Q & R on their phone and going through the steps with them so that they can utilize their phone. For those that can't, 'cause there may be some information clerks that it's difficult for, we are going through the whole process of looking up someone's poll site again.

COUNCIL MEMBER LANDER: So I'm glad to know that it's, you know, I think sometimes people will feel like they're not supposed to use their phone or their iPad or their laptop computer, but I guess I would just really urge you to--if you can't--I mean, if we had the resources, I would assume we would want to provide them rather than provide the paper you provide at the

1  
2 information table at each site, but I think you're  
3 right that probably amongst the poll workers there  
4 is an iPad, a web-enabled computer or a laptop--

5 DAWN SANDOW: Their phone.

6 COUNCIL MEMBER LANDER: --and if  
7 it's going to be the official policy that you can  
8 use them, that you're encouraged to use them, that  
9 it's--

10 DAWN SANDOW: [Interposing] They  
11 will be encouraged during their training.

12 COUNCIL MEMBER LANDER: --it's a  
13 much, much simpler way of helping people find  
14 their poll sites--

15 DAWN SANDOW: Yes.

16 COUNCIL MEMBER LANDER: --than the  
17 paper. So--

18 DAWN SANDOW: [Interposing] And,  
19 Councilman Lander, the board is also looking into  
20 technology for next year to be used at the poll  
21 sites, electronic poll books.

22 COUNCIL MEMBER LANDER: Great. And  
23 then I would just urge, you know, probably other  
24 people have done this as well, one thing that I  
25 have done is you can acquire, and it's a private,

1  
2 you know, private service, but they match your  
3 election roles to e-mail addresses. I mean,  
4 obviously, you could do this and it's able to be  
5 purchased very cheaply, voter data matched e-mail  
6 addresses. And, in addition to considering a  
7 voluntary sign up, I guess I'd like you to look  
8 into what it would cost, I really don't think it  
9 would cost that much. It's kind of funny to buy  
10 your own data back, but I believe that about a  
11 third of the voters in the city of New York, you  
12 could probably match with existing private  
13 services and very quickly communicate with them.

14 I mean, the poster looks great, but  
15 it's a little silly to have to distribute paper  
16 posters to get the word out about very effective  
17 online technology. So if we could explore  
18 existing data that would enable us [off mic] you  
19 send one e-mail to all those people that says,  
20 hey, you know what, you could sign up here, just  
21 click a button, and then we'll text or e-mail you,  
22 you know, the week before or the day before the  
23 election with your location and what's on the  
24 ballot, which you already have so--

25 DAWN SANDOW: [Interposing] Right,

1  
2 our newly redesigned website has that function, it  
3 is just up and running three weeks now. So we are  
4 collecting e-mails--

5 COUNCIL MEMBER LANDER:

6 [Interposing] So just--

7 DAWN SANDOW: Yeah.

8 COUNCIL MEMBER LANDER: --so you  
9 are collecting e-mails--

10 DAWN SANDOW: [Interposing] Yes, we  
11 are.

12 COUNCIL MEMBER LANDER: --with a  
13 plan to send people e-mails--

14 DAWN SANDOW: [Interposing]  
15 Notifications.

16 COUNCIL MEMBER LANDER: --targeted  
17 to their AD and ED--

18 DAWN SANDOW: Mm-hmm.

19 COUNCIL MEMBER LANDER: Beautiful.  
20 So--

21 DAWN SANDOW: [Interposing] Every  
22 time their poll site changes, they will receive an  
23 e-mail; any upcoming elections, they will receive  
24 an e-mail.

25 COUNCIL MEMBER LANDER: Okay. So

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that's great--

DAWN SANDOW: [Interposing] It's

just--

COUNCIL MEMBER LANDER: --I'm going

to let people--

DAWN SANDOW: --it's obtaining--

yes, please let--

[Crosstalk]

COUNCIL MEMBER LANDER:

[Interposing] So I'm going to let all know in the-

-

DAWN SANDOW: --because it's

obtaining e-mail addresses.

COUNCIL MEMBER LANDER: --for the

voters in the 39th district, or at least to all

the ones that I purchased e-mails for last year,

I'll let them know this information. I think it

would be great if you could explore doing either a

one-time e-mail or some way that you could really

significantly expand the number of people who know

that this feature is available.

DAWN SANDOW: The commissioners

also instructed moving forward our poll site

applications for next year. There will also be a

1  
2 spot--there is a spot now, but it's not enforced,  
3 and we would truly like for people to, when giving  
4 out poll worker applications, to basically put  
5 their e-mail addresses in because then it helps us  
6 reach out to the poll workers as well. We're also  
7 working on having poll worker applications and  
8 sign up online for next year. This was something  
9 that the board started to do before redistricting  
10 and then had to put it at the bottom of our  
11 priority list because we had redistricting, but it  
12 should be up and running for the next election as  
13 well.

14 COUNCIL MEMBER LANDER: That's  
15 great, thank you.

16 DAWN SANDOW: [Interposing] And  
17 they will have to put in their e-mail addresses in  
18 order to--

19 COUNCIL MEMBER LANDER:  
20 [Interposing] Thank you. And I do want to just,  
21 before I move on Intro 778, re-stress that, while  
22 I think all of this is very valuable, I'm glad  
23 that you also remain very mindful of all the  
24 people for whom technology is not an adequate way  
25 of helping remind and get to the polls, and that

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we continue together to emphasize that

And now I want to move to a couple of questions about Intro number 778, which would require annual reporting. I know we've been back and forth about this before, but I really think it's a very common sense way to, again, help us just build in continuous improvement. So and I've been looking through the annual reports since our last conversation and the summary materials that you have provided, which, admittedly, contain quite a lot of data, so it's clear that a lot of work goes into the annual reports that you provide. You very helpfully provided to the Council after our last hearing and in advance of this one, some data, but I still have some questions because it doesn't quite get us where I think we need to be.

So I guess my first set of questions are, how do you decide what to put in those reports? Is there any place--'cause I haven't found it--where you do year-over-year, that is, trend reporting, so one can compare what happened over a number of elections year over year so you can figure out what's improving and what's



1  
2 unimproving? And are there targets for the  
3 measurements of those goals so that you can know  
4 whether, you know, the number of poll site--number  
5 of percentage of poll sites that open late, the  
6 percentage of BMDs that are defective are, you  
7 know, whether we're hitting the mark or not.

8 DAWN SANDOW: I don't have our  
9 annual report in front of us, but I know--

10 COUNCIL MEMBER LANDER:

11 [Interposing] I'm looking at--

12 [Crosstalk]

13 DAWN SANDOW: Okay. I know that  
14 from 2010 to to-date our information has increased  
15 and it will continue to increase. We will be  
16 putting in all the information regarding each  
17 election on the performance of the voting  
18 machines. And your suggestion of doing a  
19 comparison from year to year is something that we  
20 will definitely take into consideration.

21 COUNCIL MEMBER LANDER: Because I  
22 will say that that--I can't find any place, you  
23 know, where either of those things is the case,  
24 where either--there is a lot of data, but a lot of  
25 data outside of context is difficult to use for a

1  
2 management tool and difficult to use for an  
3 oversight tool. And two ways of getting that are,  
4 one, you know, trend reporting so you could see  
5 it's going up or down; and, two, reporting against  
6 benchmarks.

7           Our goal was to make sure that 96%-  
8 -I mean, our goal is to make sure that every poll  
9 site opens on time, but 96% is good or 98% and,  
10 you know, this year was 92% so we have to... And I  
11 can't find that and even I pulled the Voting  
12 Equipment Operations Department reports from the  
13 '08, '09, '10, and '11 annual reports--and,  
14 admittedly, I mean, '10 was a rough year so I  
15 understand why this is true, but you can sort of  
16 compare '08 and '09, they have similar charts. In  
17 '10, someone decided or just forgot to put any  
18 meaningful stats about performance in the '10  
19 annual report, I take it that that means '10 was a  
20 year we didn't really want to tell people about.  
21 And '11, we have a lot of data, but you can't  
22 match it to '8 or '9 or the... So we need to find a  
23 way to take that data and put it in a year-over-  
24 year format with some targets that will help us  
25 achieve those goals.

1  
2 I had some questions, but in the  
3 interest of time, 'cause I see you have a  
4 colleagues, I will skip my questions about how we  
5 define ballot scanner failure rate, we'll come  
6 back to that another time or maybe I'll follow up  
7 in writing.

8 When do you release the annual  
9 reports?

10 DAWN SANDOW: It's supposed to be  
11 in January.

12 [Crosstalk]

13 PAMELA PERKINS: --January,  
14 sometime--

15 [Crosstalk]

16 DAWN SANDOW: It's supposed to be  
17 in January.

18 COUNCIL MEMBER LANDER: It is  
19 supposed to be in January, but my question wasn't  
20 when are you supposed to release the annual  
21 reports.

22 DAWN SANDOW: January.

23 COUNCIL MEMBER LANDER: You're  
24 correct, the state elections law, which you cited  
25 in your testimony, says end of January, but I

1  
2 guess I'm curious for each of the last several  
3 years when the reports have come out. And this is  
4 not just a gotcha question, it's about the  
5 legislation and when we need it to actually do our  
6 job in the budget cycle.

7 DAWN SANDOW: Twenty-eleven we were  
8 on time, 2012, we were not.

9 PAMELA PERKINS: When did we submit  
10 our--

11 [Crosstalk]

12 DAWN SANDOW: I believe March.

13 PAMELA PERKINS: We submitted that  
14 in March.

15 COUNCIL MEMBER LANDER: Yeah, so, I  
16 mean, that's a violation of existing law, not even  
17 of the new law, but part of the problem is it's  
18 too late for us to use it in the budget process.  
19 You know, the Mayor prepares the executive budget  
20 in January, I mean, the preliminary budget in  
21 January and the executive budget a couple of  
22 months later.

23 Part of the goal of my legislation  
24 is to help you help us help you. We need your  
25 report early enough if you can give us trend data

1  
2 that says, look, here's where we fell down and why  
3 and here's why we need resources to do that, then  
4 it'd be a lot easier for us to develop and  
5 advocate for and use the budget. And that's how  
6 the Mayor's Management Report works is that people  
7 at the right two times of the year, preliminary  
8 and final, give us that data. It is relatively  
9 well synced up with the budget process so that in  
10 our budget hearings we can ask the right questions  
11 and help make sure we're using the resources the  
12 right way. And so I guess I would again ask you  
13 to look at--you could still send it, you know, to,  
14 you know, to us and to the Board of Elections. I  
15 mean, before the end of January, I think the dates  
16 that are in my bill would easily comply with that,  
17 you know, you don't have to wait until the very  
18 last minute.

19 And then I just I guess I'll end by  
20 really asking some questions about whether your  
21 legal objections really pass muster here. We're  
22 not asking you to--and I was trying to look back  
23 at your testimony, but I've turned to a different  
24 page of your testimony--we're not asking you to  
25 change your duties. State election law you cited

1  
2 3-212 does indeed prescribe that each Board of  
3 Election shall make an annual report of its  
4 affairs and proceedings to its local legislative  
5 body, but it doesn't prescribe, with the exception  
6 of this voter assistance plan, much detail, so  
7 you're making many choices about how to do that.  
8 And I believe, precisely because it's a report to  
9 the legislative body, that we're perfectly  
10 empowered under state law to provide additional  
11 detail on what that report will look like, and I  
12 think we could probably agree that if we work  
13 together we could do that in a way so that both  
14 the dates and the data that you're reporting would  
15 be useful to you, useful to us, useful to the  
16 administration, most importantly, useful to the  
17 voters in the city of New York and help us all  
18 continue to improve our election. So I would ask  
19 you to take another look, both at the legal and at  
20 the technical, and let's figure out how we can  
21 work together to get that data in the MMR.

22 I, as you probably know, you know,  
23 if you look in this year's MMR, what we have is a  
24 nice big blank page, that's not--that may score  
25 political points, but it's not helpful actually to

1  
2 us, it's not helpful to you. Somewhere between  
3 these four pages here and this page here, we can  
4 get the answer right, and I really would implore  
5 you to find a way to work with us to do it. So  
6 thank you.

7 CHAIRPERSON BREWER: Thank you.

8 Council Member Greenfield's not here, he's coming  
9 back, so Council Member Dromm and then Council  
10 Member Dilan. And I want to thank Council Member  
11 Dromm, he took the material that staff put  
12 together about upcoming elections asking for input  
13 and sent it to his whole district. Thank you.  
14 Council Member Dromm.

15 COUNCIL MEMBER DROMM: Thank you  
16 very much, glad to do it, Madam Chair. My  
17 questions are really around Bengali language  
18 access, and I have a large Bengali population and  
19 I'm deeply concerned that those ballots are still  
20 not ready. And I'm wondering why we've had this  
21 delay and when do you see this situation being  
22 corrected.

23 DAWN SANDOW: Our ballots on the  
24 web, you mean?

25 COUNCIL MEMBER DROMM: No--

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MALE VOICE: You mean--

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PAMELA PERKINS: Bengali.

3

[Crosstalk]

4

DAWN SANDOW: The Bengali language-

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6 -

COUNCIL MEMBER DROMM:

7

[Interposing] Language ballots, mm-hmm.

8

PAMELA PERKINS: John, would you

9

like to talk to this?

10

DAWN SANDOW: There will be a

11

sample ballot, Bengali ballot on the web. Our

12

ballots should be going up by the end of the week

13

and we have all interpreters in place for 72, I

14

believe, poll sites. Interpreters, signage, all

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those--all of our Bengali interpreters and Hindi

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interpreters are coming in for retraining to show

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them there will be a sample ballot in Bengali at

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the poll site, there will also be a candidates

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list at the poll site, they will be instructed on

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how to help voters, if requested.

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COUNCIL MEMBER DROMM: And these

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sites, have you published them or we know which

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ones they are?

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PAMELA PERKINS: We have--

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[Off mic]

DAWN SANDOW: Yes.

PAMELA PERKINS: We have, there's  
72 targeted sites and we have those sites. We can  
get you that--

[Crosstalk]

COUNCIL MEMBER DROMM:

[Interposing] Yeah, I'd like to get that  
information 'cause I don't know if you remember, I  
had written you a letter concerning this issue on  
September 8th--

PAMELA PERKINS: Yeah.

COUNCIL MEMBER DROMM: --requesting  
some of that information. I did get a package--

DAWN SANDOW: Yes--

[Crosstalk]

COUNCIL MEMBER DROMM: --but I  
don't know if the poll sites were contained--

DAWN SANDOW: [Interposing] Yes--

COUNCIL MEMBER DROMM: --in that--  
okay.

DAWN SANDOW: --it was, we sent you  
a--

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COUNCIL MEMBER DROMM: All right.

DAWN SANDOW: --a book, we actually put a book together for you with all the poll sites--

COUNCIL MEMBER DROMM: Okay.

DAWN SANDOW: --and what would be given to the interpreters for election day, what the voters will receive on election day. Our Language Assistance Director sent that to you.

COUNCIL MEMBER DROMM: Okay. Good, I just didn't see that in there. The other question that I had is--

COUNCIL MEMBER LANDER:

[Interposing] Council Member, could I--that would be very helpful if it was provided to all of us. As you know, quite a few of us--

[Crosstalk]

COUNCIL MEMBER LANDER: --have Bengali speakers in our districts and whether through the chair--

FEMALE VOICE: Okay. All right.

COUNCIL MEMBER LANDER: --or the committee or... I mean, I really appreciate you taking leadership on this issue, but would love to

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see whether the--some of my poll sites--

[Crosstalk]

COUNCIL MEMBER DROMM:

[Interposing] Absolutely, more information is always beneficial.

COUNCIL MEMBER LANDER: Thank you very much, Council Member.

COUNCIL MEMBER DROMM: --so--

COUNCIL MEMBER LANDER: Apologize--

[Crosstalk]

COUNCIL MEMBER DROMM: That's okay.

So just to pick up on something that Council Member Ruben Wills was talking about, which was the confusion regarding the poll sites. I had the same problem that Elizabeth Crowley had, that he had in his district. I received two notices in the mail, one telling me to go to the Renaissance School, the second one telling me to go to PS 222, which is about nine or ten blocks from my house. Previously, I had gone to PS 69, which is a quarter of a block from where I live. This is a huge problem and it's for those who are disabled and for seniors, and there's tremendous concern in the community that many of these people, they've

1  
2 already expressed this to me, that they're just  
3 not going to vote, and it goes to the whole notion  
4 of voter suppression. I've heard that question  
5 asked many times in my district as well.

6 So it's kind of a multi-level  
7 question. It's, one, is there going to be any  
8 changes in terms of the reassigning of polling  
9 sites to people who have been in a polling site  
10 closer to their home previously? And two, when  
11 people did receive those notices saying that their  
12 polling site was changed, the first one came in  
13 and the second one came in like a day later, and  
14 people were like totally confused because which  
15 one was the right one. And the paper didn't say  
16 which was the first notice and which one was the  
17 second notice. So I'm hoping that on this one  
18 you're going to indicate in some way that this is  
19 a different notice than those first two that went  
20 out.

21 DAWN SANDOW: Yes, we agree with  
22 you 100%. As I stated before, I don't think you  
23 were here at the time, we said there was much  
24 confusion when they received that second notice  
25 and in the future it will say this poll site

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change notice supersedes any other received. So that will be on the notice--

CHAIRPERSON BREWER: [Interposing]  
Is that clear on the mailing that's going out? So we can answer Council Member Dromm, is it clear on the mailing that's going out?

DAWN SANDOW: The mailing that's going out, everyone has a copy in their sample.

CHAIRPERSON BREWER: Okay. So..

COUNCIL MEMBER DROMM: So just--

CHAIRPERSON BREWER: Go ahead, Council Member Dromm.

COUNCIL MEMBER DROMM: Thank you. So even if it says this mailing will proceed any other notice, it's still a little bit confusing because if they get both of them at the same time, right?

DAWN SANDOW: Well they didn't get both of them at the same time, I think there was a few days difference and what happened was--

COUNCIL MEMBER DROMM:  
[Interposing] A couple of days--

[Crosstalk]

DAWN SANDOW: --our required

1  
2 mailing notice went out first and that was the  
3 mailing that went out to all voters basically  
4 stating the date of the primary and the general  
5 election. What happened was then there was some  
6 poll site change notices and that is a small  
7 postcard. And lessons learned, as we realize  
8 today, it should have stated on that poll site  
9 change notice that this supersedes any previous  
10 notice.

11 COUNCIL MEMBER DROMM: So the other  
12 part of the question is any work or any movement  
13 toward the distance from the polling sites that  
14 they use to attend to the sites that they're now  
15 attending, I'm talking about PS 69, PS 222, PS 89.  
16 Some people from Jackson Heights are now voting in  
17 Elmhurst. although it's not that far, it's, in my  
18 opinion, I'm an able-bodied person, I can walk it,  
19 but it's on the other side of Roosevelt Avenue.  
20 This is causing a lot of confusion and a lot of  
21 concern--

22 DAWN SANDOW: [Interposing] I can--

23 COUNCIL MEMBER DROMM: --especially  
24 among the seniors.

25 DAWN SANDOW: Okay. I can give you

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some--you're Brooklyn?

COUNCIL MEMBER DROMM: No, in Queens.

DAWN SANDOW: You're in Queens? There were 20 site--28 poll site change notices that went out--I'm sorry, 28 poll site changes in Queens after the primary. We have a total of 145 citywide, and majority of those were changed because they were not--they were inaccessible, there were some changes to make it more convenient for the voter. Where we could find another site that was accessible, we did. But where we couldn't, it had to remain the same. I do not have the specific poll sites in Queens, but I can get you that information if you would like it.

COUNCIL MEMBER DROMM: So these poll sites were not changed because they were inaccessible, they were changed because, I think, of the EDs and probably the redistricting.

DAWN SANDOW: Redistricting, correct. The first change was redistricting, yes, yes. And then they were changed--once they were looked over, some were changed back.

COUNCIL MEMBER DROMM: There's

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still a lot of dissatisfaction with that--

DAWN SANDOW: [Interposing] I understand there is, but--

COUNCIL MEMBER DROMM: --I don't know how to communicate with you on that--

DAWN SANDOW: --we also have to remember that we have to put these voters into a accessible poll site, fully accessible, and sometimes it's very difficult for the board to find sites, especially if they're private, if their--

COUNCIL MEMBER DROMM: [Interposing] But in this particular case, if I may interrupt, the site that's a quarter of a block from where I live is accessible, why were they then moved to eight or nine blocks down?

DAWN SANDOW: It could have been for either redistricting. If you give me the site, I can look it up for you, it could be for--

COUNCIL MEMBER DROMM: Okay.

DAWN SANDOW: --redistricting or it could be that some sites were EDs were moved to other poll sites because of overcrowding, so--

COUNCIL MEMBER DROMM:



1 [Interposing] Maybe I can give you those now.

2 It's PS 69, IS 145, PS 222--

3 DAWN SANDOW: [Interposing] Okay.

4 PS 69?

5 COUNCIL MEMBER DROMM: Uh-huh. IS  
6 145, PS 222, and PS 89.

7 CHAIRPERSON BREWER: But you can  
8 get--the board can get back to you with the  
9 specifics later on.

10 COUNCIL MEMBER DROMM: Yep.

11 STEVE RICHMAN: Council Member,  
12 it's Steve Richman. The other reason you should  
13 be aware is that when we redrew the election  
14 districts, given the new equipment, when we drew  
15 the election districts ten years ago, we were  
16 limited to lever machines and the target was each  
17 ED should not have more than 600 voters, 'cause  
18 over 800 voters you needed two lever machines.

19 Currently, the state regulations  
20 say up to 4,000 voters. We didn't go that far, we  
21 went to the target EDs about 1,000. So depending  
22 on the composition of your neighborhood, if you  
23 have one family residential houses, instead of  
24 being a four or five block radius, this is now  
25

1  
2 made with eight or nine blocks. You may be at the  
3 end of the district now that's furthest away from  
4 the poll site, the other end of your own ED may be  
5 actually around the corner.

6 But one of the things we heard was  
7 to try to do more with less and we reduced the  
8 number of election districts by approximately  
9 1,000, and we're hoping that, after the City  
10 Council redistricting takes place and we get the  
11 lines early enough and we have a, hopefully, final  
12 set of lines for the next eight years, we can do  
13 that as well. 'Cause one of the things we were  
14 trying to do was reduce some of the costs as well.  
15 And given the new technology where each scanner,  
16 the optimal for us is 1,400 voters for each  
17 scanner, each poll site having at least two, we  
18 were able to increase that and, therefore, reduce  
19 the number of poll workers.

20 COUNCIL MEMBER DROMM: So can I  
21 tell my constituents that there is a chance or  
22 possibility after the City Council redistricting  
23 that their poll site may change again and possibly  
24 back to their--

25 STEVE RICHMAN: [Interposing] It

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may or may--

COUNCIL MEMBER DROMM: --closer

site?

STEVE RICHMAN: I think that's one of the other concern--I was delayed 'cause we were in federal court--is that every poll site after December 15th has to be 100% accessible. I believe there's going to be dramatic changes in poll sites again as a result of that. Because for next year, we can no longer have an inaccessible poll site in the city, and I think that's going to be...

But, again, I think what you've got to look at, and we can get back to you, is we literally may be at the wrong end of the ED this time because, if we reverse it, then the people now closest to the poll site at the other end of the ED will have the same complaint. It's a problem--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing]

Okay. I think we can go back and forth. I do agree with Council Member Dromm that the seniors in particular have to be able to walk comfortably

1  
2 to their site. So there is a discussion that  
3 needs to go on: Cost, walking, accessibility, et  
4 cetera--

5 COUNCIL MEMBER DROMM: Space.

6 CHAIRPERSON BREWER: --but we need  
7 to work together on this 'cause we might be able  
8 to find ones that are closer, accessible, and you  
9 can walk to it. But walking, that's what we need  
10 to be able to do, all right? Council Member  
11 Dromm, keep going.

12 COUNCIL MEMBER DROMM: Yes, and,  
13 you know, I'm also a district leader in Queens, so  
14 I don't remember having had had that discussion at  
15 all and I would just ask that you involve the  
16 district leaders in that discussion in terms of  
17 where those poll sites are located. And we do  
18 know the neighborhood and that you oftentimes do  
19 reach out to us for poll sites. So I don't  
20 remember having had this discussion in regard to  
21 the changed EDs and we'd appreciate having that  
22 opportunity to discuss this further with you as we  
23 move down the road. Thank you.

24 CHAIRPERSON BREWER: All right,  
25 anything else? Okay. Council Member Dilan and

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then Council Member Williams.

COUNCIL MEMBER DILAN: Yeah, I too want to just note that I am a Democratic district leader in Brooklyn and had similar problems. But what I think, and I'll speak globally and not so much about my district, just my observations as to what has happened this election cycle. I want to start by stating that the challenge that you had was a difficult challenge, and I think you did a great job. You had to administer by the end of this year four elections in a reapportionment year, which is very difficult to do.

Reapportionment years in and of itself, when things happen on the normal election schedule without the intervention of the state legislature and changing federal elections, is difficult in and of itself. But with four elections, because of the change of the federal elections and everything that has occurred, I want to say you did a good job.

But that being said, as with any election, nothing ever runs perfect, and reapportionment years especially are difficult. I experienced the same things in my district, and

1  
2 I imagine they were pervasive citywide, with the  
3 closure of poll sites as it relates to seniors.  
4 When they found out their poll site where they had  
5 been voting at in the past ten years was closed,  
6 some of them chose not to vote, some of them--and  
7 I'll be honest, in our races, some of them that we  
8 know were voting for us, we got them a ride and  
9 some of them, you know, some of them chose to walk  
10 to their poll site.

11 But that in and of itself was  
12 difficult for seniors, and I believe brought some  
13 of the votes down. But I also believe that, as  
14 they become accustomed to where they will be  
15 voting over the next several years, that that  
16 problem will address itself.

17 I also want to state that as it  
18 relates to the inspectors themselves and their  
19 willingness to become active, the fact that taxes  
20 are now taken out of their paychecks, in my view  
21 as a district leader, has become a major problem.  
22 As they sit there and they do the math, it equates  
23 to less than minimum wage for the amount of hours  
24 that they have to work, and it's a very, very  
25 difficult recruiting problem. If we went back to

1  
2 the old way where the taxes weren't taken out of  
3 the checks--yeah, and I know you may not have any  
4 control of that--

5 STEVE RICHMAN: [Interposing]  
6 Council Member, your direction should be to the  
7 Commissioner of the Internal Revenue. It's their  
8 determination--

9 [Crosstalk]

10 STEVE RICHMAN: --and, again, the  
11 board did not do it, we were compelled by an  
12 audit--

13 [Crosstalk]

14 COUNCIL MEMBER DILAN:  
15 [Interposing] I'm just giving observations and--

16 STEVE RICHMAN: [Interposing]  
17 Understood--

18 [Crosstalk]

19 COUNCIL MEMBER DILAN: --I'm glad  
20 that you know about them, but this is directly  
21 affecting the--

22 DAWN SANDOW: Yeah.

23 COUNCIL MEMBER DILAN: --quality of  
24 inspectors that go before--

25 [Crosstalk]

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FEMALE VOICE: --agree with you.

COUNCIL MEMBER DILAN: --us in our election sites. It is having an impact, it is having an effect.

Other observations that I have seen were just traditional towards the normal election cycle, but we had in March the presidential primary with the old DDs [phonetic] and all poll sites. We had federal elections in June with-- which, first, voters weren't accustomed to voting in June and then they still had the old DDs and old poll sites, even though the numbers may have changed, for the most part they were the old DDs and old poll sites. Then you come in in September, someone who voted at a certain poll site that was open in June now found that their poll site was closed in September. Again, election year anomaly, I believe it gets fixed next year, created a problem.

And I believe that some voters, 'cause in most districts, in my district especially, most voters like to come out for the big game, and the big game is November, the presidential elections are coming, I believe there



1  
2 will be high turnout. They're going to experience  
3 that all over again. So I think to the extent  
4 possible in the future, and for future  
5 reapportionment years especially, notices on the  
6 outside of old sites where they were  
7 reapportionment, some of them were schools and you  
8 actually had voters walking in to schools and got  
9 access to schools, believing that it was a poll  
10 site, and it was no longer a poll site, therefore,  
11 you had someone unlawfully entering a school,  
12 which almost was a potential problem in my  
13 district. So I believe that those are  
14 observations and you can, you know, just take it  
15 as information, and I'm sure you may have known,  
16 and make your adjustments accordingly.

17 I want to speak specifically to the  
18 bills, and I heard my colleagues talk about  
19 unfunded mandates and I share that concern about  
20 unfunded mandates because we've seen in other  
21 business here that the Mayor's taxi proposal has  
22 not come forward and agencies are asked to take a  
23 large PEG, and I believe your agency may be one of  
24 them. So that being said, I don't anticipate any  
25 new revenue coming to you to address any of the

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2 problems that you have. So on all the bills that  
3 affect the Board of Elections--the ones that don't  
4 affect the Board of Election, you don't have to  
5 answer--could you give us the total cost of what  
6 it would cost you in addition to what you normally  
7 operate under right now? And could you also add  
8 has there been any discussions with the  
9 administration to cover some of these costs should  
10 these bills go forward? I would like to know the  
11 answer on that first, and then I have questions  
12 specifically about each individual bill.

13 [background noise]

14 STEVE RICHMAN: --we could have the  
15 initial costs with the printing and--

16 [Crosstalk]

17 DAWN SANDOW: Right.

18 COUNCIL MEMBER DILAN: And it could  
19 be an estimate, I don't need the exact--

20 DAWN SANDOW: [Interposing] The  
21 initial cost for the printing, I believe we gave  
22 at 100,000.

23 COUNCIL MEMBER DILAN: Yeah, I  
24 heard that one, but there's--

25 DAWN SANDOW: Yes.

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2 COUNCIL MEMBER DILAN: --there's  
3 other bills that I believe weren't addressed in  
4 terms of costs.

5 DAWN SANDOW: Right, that's--

6 [Crosstalk]

7 STEVE RICHMAN: --10,000--

8 DAWN SANDOW: --that's for 10,000  
9 registration forms--

10 STEVE RICHMAN: Doesn't include the  
11 staff.

12 DAWN SANDOW: --that we would--  
13 right, the staffing, I believe we told you, I  
14 think we were discussing, I'm not sure if it was  
15 the--

16 COUNCIL MEMBER DILAN:

17 [Interposing] Well--

18 DAWN SANDOW: --voter outreach that  
19 we--

20 COUNCIL MEMBER DILAN: --how about  
21 we do this--could you do this--

22 DAWN SANDOW: No, we did--

23 COUNCIL MEMBER DILAN: --instead of  
24 maybe just answering the question--

25 DAWN SANDOW: [Interposing] Yeah,

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we'll have to--

COUNCIL MEMBER DILAN: --could you--  
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DAWN SANDOW: --get back to you on  
the amount.

COUNCIL MEMBER DILAN: --could get  
back to the committee and the chair and including  
its members--

DAWN SANDOW: Sure.

COUNCIL MEMBER DILAN: --the  
estimated impact on your budgets of this whole  
package if implemented and whether or not you  
expect the administration to kick in? I believe  
what's in this package is--there's a lot of good  
measures in here, so I don't want to sound like  
I'm being an obstructionist to some of these  
measures, I do have concerns about some of them,  
but I do want to move forward knowing how much  
this is going to cost your agency and affect the  
operations.

I have concerns specifically on  
Intro 721. Seven twenty-one--and I started  
reviewing it on Friday when I got the briefing  
paper, and maybe I'm wrong, and if I'm incorrect,

1  
2 you can correct my initial observations--721, I  
3 have some concerns that this bill could  
4 potentially be partisan, partisan in a lot of  
5 respects. If I'm correct, this bill creates an  
6 agency coordinator position at select agencies  
7 described by the administration. Is that your  
8 understanding of what is in the bill?

9 STEVE RICHMAN: I think what our  
10 recommendation was to make the bill much broader,  
11 make it applicable to every agency and to cover  
12 all the elections and to provide the time off.  
13 And what we would do is that we would then treat  
14 those people identified as we would do that all  
15 the nonpolitical recommendations--

16 COUNCIL MEMBER DILAN: Okay. But--

17 STEVE RICHMAN: --but they still  
18 have to be enrolled Democratic or Republican.

19 COUNCIL MEMBER DILAN: Let me take  
20 a step, and what happens to the blanks and  
21 independents? I mean--

22 STEVE RICHMAN: [Interposing] State  
23 election law requires to be a poll worker, you  
24 have to be an enrolled member of one of the two  
25 major parties.

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COUNCIL MEMBER DILAN: Well--

STEVE RICHMAN: Or appointed by  
that party.

COUNCIL MEMBER DILAN: Yeah, no,  
no, I got that, but you never know, one year the  
Working Families party may supersede another party  
and then you have to change--

STEVE RICHMAN: [Interposing] Well  
then all the poll workers will change.

COUNCIL MEMBER DILAN: --change  
accordingly. It depends on the outcome of the  
governor's race, I understand fully. So just  
explain to me then what are the current  
restrictions on municipal employees as it stands  
right now from becoming a poll worker.

STEVE RICHMAN: I don't believe  
there are any statutory restrictions, I think,  
with the exception, I believe, of the uniformed  
service members can't hold a partisan position,  
which I guess, the inspector could be considered.  
The others would be, though, on a primary day,  
most of the employees are working so they would  
have to take a day off from work to qualify.

And the other part would be, again,

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is that these would all be voluntary. But--

COUNCIL MEMBER DILAN:

[Interposing] Okay. So let me--

STEVE RICHMAN: --LA County is  
done--

[Crosstalk]

COUNCIL MEMBER DILAN: --let me  
just stop you there 'cause I want to just kind of  
do this as quickly as I can. Is there any extra  
vetting for a city worker by the city worker's  
agency that grants that person permission to work  
as a poll worker on election day currently?

STEVE RICHMAN: That will be up to  
the agency, I don't think the board has any  
knowledge. All of our full-time staff are working  
election day. They're not working--

COUNCIL MEMBER DILAN: Well I  
could--

STEVE RICHMAN: --as poll workers.

COUNCIL MEMBER DILAN: --tell you,  
as a district leader, when we submit our  
inspectors to the Brooklyn Board of Elections,  
city employees are vetted extra. I'm telling you--

-

1  
2 STEVE RICHMAN: [Interposing] The  
3 only thing would be is that tax consequences,  
4 commissioner--

5 COUNCIL MEMBER DILAN: I am telling  
6 you we have--

7 [Crosstalk]

8 STEVE RICHMAN: I mean, Council  
9 Member. They would have to be--

10 COUNCIL MEMBER DILAN: --I have  
11 had--I'm just telling you my experience and we can  
12 discuss offline afterwards.

13 DAWN SANDOW: [Interposing] It's  
14 the--

15 [Crosstalk]

16 CHAIRPERSON BREWER: [Interposing]  
17 Let the Council Member finish and then you can  
18 answer.

19 COUNCIL MEMBER DILAN: Well we can  
20 discuss offline, we may--

21 DAWN SANDOW: Yeah.

22 COUNCIL MEMBER DILAN: --disagree  
23 here, and that's fine, but I'm just telling you  
24 what I've experienced.

25 STEVE RICHMAN: Yeah, we're only



1  
2 aware that there's a personnel process to get them  
3 identified so that--

4 DAWN SANDOW: Right.

5 STEVE RICHMAN: --the tax  
6 consequences, the money they are paid--

7 [Crosstalk]

8 COUNCIL MEMBER DILAN:

9 [Interposing] And I believe that's what I'm--I  
10 believe we're talking about the same thing--

11 STEVE RICHMAN: [Interposing] Yeah.

12 [Crosstalk]

13 STEVE RICHMAN: --yes.

14 COUNCIL MEMBER DILAN: --but this  
15 creates an additional delay on these inspectors,  
16 who many of them are qualified and they'll be  
17 codified with this bill, this creates additional  
18 delay as a district leader for me to place them as  
19 an inspector, and if their agency does not get  
20 back, they are prevented from working. So I just  
21 want to put that out there--

22 [Crosstalk]

23 COUNCIL MEMBER DILAN: Oh, it's  
24 happened, it's happened. It's happened, I know it  
25 has nothing to do with the Board of Elections--

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[crosstalk]

COUNCIL MEMBER DILAN: --it has nothing to do with the Board of Elections, it has to do with the city agencies, trust me, it's happened. I have had upset inspectors at me who are also city workers. But my main concern here is that this has the potential, with the creation of the agency coordinator position, to become very, very partisan, 'cause trust me somebody in the Mayor's office or someone who's a Deputy Mayor in the future is going to know that each agency has an agency coordinator position and, God forbid, that they turn out to vote for someone else other than their current boss. I'm telling you that's going to be a future problem with this bill.

If we could find a way to safeguard it, and, again, maybe I may be reading the bill wrong, maybe my interpretation is wrong, I read it once, I read it twice, I thought I had it right. I'm concerned about this, we'll lay it out, not only for you, but for my respective colleagues. And if it does create--

STEVE RICHMAN: [Interposing]

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Council Member, I think--

COUNCIL MEMBER DILAN: --if it does  
create--

STEVE RICHMAN: --but from our  
point of view, I think from the commissioners,  
that's an issue that I think you have to address  
with the city government. The one issue that we  
wanted to address was creating an additional pool  
of poll workers.

COUNCIL MEMBER DILAN:  
[Interposing] And I agree with you, but I'm not  
certain that they were invited here to testify,  
and that's another issue and I don't want to get  
into that with my chair, who I respect, but I  
would want the administration--

STEVE RICHMAN: Yeah.

COUNCIL MEMBER DILAN: --to answer  
how they prevent this from becoming very partisan,  
which I believe it has the potential to be in the  
future.

CHAIRPERSON BREWER: I think we'll  
have a lot more discussion on the bills. The  
issue today was to do both oversight and the  
bills, but we'll definitely have more discussion

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of the bill.

COUNCIL MEMBER DILAN: Well but  
this is part of the bill--

CHAIRPERSON BREWER: [Interposing]  
No, you're right, I'm just saying that--

COUNCIL MEMBER DILAN: Yeah.

CHAIRPERSON BREWER: --we'll do  
both today, but we'll have more on the bills.

COUNCIL MEMBER DILAN: Okay. All  
right. 'Cause I would want that question answered  
before I could vote for that. And I could tell  
you that--well I think enough has been said, I  
think I've highlighted my concern.

With Intro 788, which I believe is  
Council Member Lander's bill, this is on--

STEVE RICHMAN: Seven eighty-eight.

COUNCIL MEMBER DILAN: --I believe  
this is on the Mayor's Management Report.

DAWN SANDOW: Oh, yes.

COUNCIL MEMBER DILAN: You know, I  
certainly believe that since you are the entity  
that certifies elections, that there should be a  
certain level of independence. But that being  
said, the other side of it is information and

1  
2 reporting is critical, I do agree that it's  
3 critical, and you currently have to provide a  
4 report as it stands that that is your own. If  
5 enacted, do you foresee any interagency problems  
6 or any problems with the accurate reporting of  
7 data to the administration?

8           STEVE RICHMAN: I don't think the  
9 staffs--the commissioners have a concern about  
10 maintaining the independence. We report  
11 information, and I think this committee knows,  
12 whenever requests have been asked have been  
13 provided. I think the other concern is in terms  
14 of the timeliness, given the election calendar and  
15 having the inadequate resources to prepare the  
16 reports. We're having enough of a problem  
17 certifying elections. And as Councilman, you're  
18 aware there is at least one election in Brooklyn  
19 from the primary and one in Manhattan that is  
20 still just either just concluded--

21           COUNCIL MEMBER DILAN:

22 [Interposing] I thought that was done.

23           STEVE RICHMAN: But it hasn't been  
24 certified yet, so--

25           COUNCIL MEMBER DILAN: Oh.

1  
2 STEVE RICHMAN: --we're literally  
3 going to certify a primary election. And again,  
4 we even had a court decision a week ago Friday  
5 where the judge found that, under normal  
6 circumstances, he may have considered ordering a  
7 new primary election, but he doesn't have the time  
8 since to--it is for a public office nomination for  
9 the state assembly, there's not enough time, given  
10 the election.

11 So but the staff resources aren't  
12 there as well to assimilate the data. Part of the  
13 process is with 1,400 poll sites, hopefully 30,000  
14 poll workers, getting all the data back, pulling  
15 it together with a limited staff, we had to  
16 prioritize. And prioritize is the first thing is  
17 to count all the votes accurately and correct--

18 COUNCIL MEMBER DILAN:

19 [Interposing] But I don't think that has anything  
20 to do with what I asked. As it relates to  
21 reporting should this go into law, should it go  
22 into law, do you see any possibility of any  
23 interagency problems or communications with the  
24 Mayor's office getting this information included  
25 into the Mayor's Management Report?

2 DAWN SANDOW: I think that our  
3 commissioners, you know, it's clearly what was  
4 stated, they took their position and they're an  
5 independent agency. And that they will report, we  
6 will report now, annual reports. We took into  
7 consideration what the--

8 COUNCIL MEMBER DILAN: Well--

9 DAWN SANDOW: --members said to us  
10 today about giving more information and--

11 [Crosstalk]

12 COUNCIL MEMBER DILAN:

13 [Interposing] So I have to interpret that if this  
14 were--

15 DAWN SANDOW: --done by the end of  
16 January.

17 COUNCIL MEMBER DILAN: --if this  
18 were passed, you intend to fight this provision in  
19 court to maintain the independence of reporting?  
20 I mean, if that's the way--

21 [Crosstalk]

22 DAWN SANDOW: [Interposing] That  
23 would be--

24 STEVE RICHMAN: [Interposing] --be  
25 a decision for the commissioners, but their

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existing--

CHAIRPERSON BREWER: [Interposing]

You need to use the microphone.

STEVE RICHMAN: We don't comment before litigation has to be commenced, but the commissioners' policy has been that the board is-- they are responsible for maintaining the independence of the board, and they have repeatedly said that participating, at least in the Mayor's Management Report, they believe would be an impermissible infringement on that independence.

COUNCIL MEMBER DILAN: By state law or by--does the City, in your opinion, have the authority and jurisdiction to change this?

STEVE RICHMAN: I believe that the state law, the provisions that cited 3-212 preempt that, that's the provision for reporting to the local legislative body for all Boards of Elections.

COUNCIL MEMBER DILAN: So there's my answer. Okay. As it relates to 613, and which I also believe is good, and that's the privacy of the e-mail lists. What is the current policy on



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the e-mail data that you collect right now?

DAWN SANDOW: We don't share the e-mails.

COUNCIL MEMBER DILAN: You don't share, but--

DAWN SANDOW: No.

COUNCIL MEMBER DILAN: --so how--is it possible--

DAWN SANDOW: [Interposing] It's an opt-in so it's--

[Crosstalk]

COUNCIL MEMBER DILAN: Yeah, yeah, is it possible to be bought in the private market by a consultant at all?

DAWN SANDOW: Not from us.

STEVE RICHMAN: Not from us, unless someone hacks in. There's no legitimate way to acquire that.

COUNCIL MEMBER DILAN: So nobody buys e-mail list by assembly district, congressional district--

STEVE RICHMAN: [Interposing] We don't sell them.

DAWN SANDOW: No--

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[Crosstalk]

COUNCIL MEMBER DILAN:

[Interposing] All right, but I'm telling you there's people out there that do, so how do they get that data?

STEVE RICHMAN: You're talking about private commercial vendors who--

COUNCIL MEMBER DILAN:

[Interposing] Yes.

STEVE RICHMAN: --take the voter registration lists and then acquire that data from other sources, and then they sell it as a commercial product.

COUNCIL MEMBER DILAN: Okay. So then could this be susceptible to that same selling of the commercial product that we currently have now?

STEVE RICHMAN: We do not--our vendor has assured us that it's a secure system and we are not making that available. It's only for the use of the board itself. And any--

DAWN SANDOW: [Interposing] It's in our system.

STEVE RICHMAN: --any transmission

1 outside of that would violate both the board  
 2 policies and, if it's done by the vendor, it would  
 3 be the contractual agreement with the board.  
 4

5 COUNCIL MEMBER DILAN: Okay. Okay.  
 6 'Cause I think it's good and certainly I know of  
 7 entities that have purchased e-mail lists by  
 8 assembly district, by council--no, not from the  
 9 board--

10 STEVE RICHMAN: Okay.

11 COUNCIL MEMBER DILAN: --not from  
 12 the board, but obviously, if we're purchasing it,  
 13 it has to be bought from somewhere and it has to  
 14 come from somewhere, so I just want to know how  
 15 they did it. And very concerned about privacy in  
 16 that regard.

17 So that will be the only other  
 18 question I had on that bill, I'm glad to see that  
 19 that safeguard was included because I think it  
 20 will help you and help the voters of this city if  
 21 we can find a safe and secure way to do it.

22 With that, Madam Chair, I conclude  
 23 my questioning.

24 CHAIRPERSON BREWER: Thank you very  
 25 much. Council Member Williams and then Council

1  
2 Member Halloran, and I think Council Member James  
3 was here earlier.

4 COUNCIL MEMBER WILLIAMS: Thank you  
5 again, Madam Chair. And thank you again for  
6 coming out to testify. Had a couple of global  
7 questions, and then I had a question about Intro  
8 760. So, as has been said and, as you know, I had  
9 tremendous issues on primary day and I had some  
10 pretty good tweets back-and-forth with the board  
11 about that, which was helpful actually. It was  
12 unfortunate that some of the information I felt  
13 wasn't available to either the poll worker or the  
14 voter itself.

15 I did want to tell about one  
16 person, her name is Marie Yolene Delice  
17 [phonetic], or Delecy. On primary day, she was  
18 not in the BOE book and so she decided to do a  
19 affidavit. On October 6th, she was sent a letter  
20 saying that the affidavit was not valid because  
21 she was in the wrong ED. And the poll worker was  
22 the one that filled it out and actually put the  
23 wrong AD. We actually did a check and the BOE  
24 notice that she was given had the wrong ED in it,  
25 so that was very concerning. And, luckily, she

1  
2 was in a district that had no primary, but had she  
3 been in a district with a primary, she would have  
4 missed her right to vote.

5           It was very concerning that the BOE  
6 sent out wrong information, we actually looked at  
7 the card that she was mailed. And, one, I wanted  
8 to make sure if this is a presidential election,  
9 even if they're in the wrong ED or assembly  
10 district, and they fill out a affidavit, will the  
11 affidavit count?

12           STEVE RICHMAN: Councilman, Steve  
13 Richman. No, the state law mandates that an  
14 affidavit to be valid, A, the voter has to be  
15 registered and it has to be cast in the correct  
16 poll site. It could be at the wrong election  
17 district, but it must be in the correct poll site.  
18 The state legislature codified the Court of  
19 Appeals decision in the Spano--I'm trying to [off  
20 mic] but it involved Assemblyman Spano and Audrey  
21 Stewart-Cousins and the legislature now has the  
22 same thing. To be valid, if you go into the  
23 correct poll site but go to the wrong ED table,  
24 your ballot will be valid for those offices you  
25 would have been allowed to count. So, for

1  
2 example, this year, if you're going to your poll  
3 site--

4 COUNCIL MEMBER WILLIAMS:

5 [Interposing] This is for the presidential  
6 election.

7 STEVE RICHMAN: For president, for  
8 U.S. Senate, your vote will count no matter what  
9 ballot if you're in the right poll site.

10 COUNCIL MEMBER WILLIAMS: Okay.

11 STEVE RICHMAN: But if you live in  
12 the 9th Congressional district and you go to a  
13 table that's from the 10th, your vote won't count  
14 for Congress 'cause you aren't able to do that,  
15 but it may count for your state senate and  
16 assembly candidate if those are identical, but  
17 they have to get to the right poll site.

18 COUNCIL MEMBER WILLIAMS: So they  
19 got to be in the right building.

20 STEVE RICHMAN: Poll site, correct.

21 COUNCIL MEMBER WILLIAMS: Yes, the  
22 right poll site, okay.

23 STEVE RICHMAN: And to be valid,  
24 and it'll be valid for those offices that they  
25 would be legally entitled to vote for.

2 COUNCIL MEMBER WILLIAMS: Just  
3 saying Ms. Delecey was listed, the information you  
4 sent out as being in ED 13, but her correct BOE  
5 was 47, we looked that up on the website.

6 [Off mic]

7 COUNCIL MEMBER WILLIAMS: Okay.  
8 And then I wanted to know--well you may have  
9 mentioned it and I wasn't here, but what do you  
10 attribute the many voter complaints regarding the  
11 lack of information at the poll site for this  
12 primary?

13 DAWN SANDOW: I believe we--at the  
14 poll site or--

15 [Crosstalk]

16 COUNCIL MEMBER WILLIAMS:  
17 [Interposing] Yeah, I mean, at--

18 DAWN SANDOW: --someone is voting?

19 COUNCIL MEMBER WILLIAMS: --the  
20 poll site. When I was there, I had poll workers  
21 who just didn't know, I had supervisors actually  
22 that were close to tears 'cause people were just  
23 leaving without voting. There was really a lack  
24 of, I think, proper information on both ends.

25 DAWN SANDOW: Could you please tell

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me on what issues there was, it wasn't--

COUNCIL MEMBER WILLIAMS:

[Interposing] Where to vote, it was--

DAWN SANDOW: Okay.

COUNCIL MEMBER WILLIAMS: --a

primary.

DAWN SANDOW: Where to vote--

COUNCIL MEMBER WILLIAMS: Yeah.

DAWN SANDOW: --that's where the

majority of what we had mentioned before, the majority of issues were where to vote. We are calling in all the information clerks again to get retrained. We are adding extra information clerks for the presidential, there will be a minimum of two in each poll site, and then we would like two to troubleshoot on the line.

Also, when they are called in, they are being taught their--we're going to have our poster and they'll--if they have a phone and they would like to use it, they will download the QR code, so this way they will be able to, if they feel comfortable enough, to use their phone to direct the person to their correct poll site or ED AD. And they will also get a retraining on the



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[off mic] book--

COUNCIL MEMBER WILLIAMS:

[Interposing] So there--

DAWN SANDOW: --and the--

COUNCIL MEMBER WILLIAMS: --there's going to be training so the poll worker can tell the person how to use their cell phone to find the information.

DAWN SANDOW: Our information clerks, when they come in, if they would like to, we are not forcing anyone for this election, but if they would like to use their phone, they can download our QR code and they can use that. We would like the extra information clerks that are going to be working the line to be able to use that, but it's not mandatory.

COUNCIL MEMBER WILLIAMS: Can't you just--

DAWN SANDOW: But they will be trained to--

COUNCIL MEMBER WILLIAMS: --provide the QR code--

MALE VOICE: --posters.

COUNCIL MEMBER WILLIAMS: --so

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that--

DAWN SANDOW: [Interposing] It is on all--it will be in all our newspaper ads, it'll be on the mailing--

COUNCIL MEMBER WILLIAMS:  
[Interposing] At the voting booth, at the voting-- I'm sorry, poll site.

MALE VOICE: Poll site.

DAWN SANDOW: There'll be a poster for--

COUNCIL MEMBER WILLIAMS: Okay.

DAWN SANDOW: --there'll be a poster when you walk into all public schools, all city poll sites, state poll sites--excuse me?

STEVE RICHMAN: Housing authority too.

DAWN SANDOW: Yeah, Housing Authority. There is--

PAMELA PERKINS: [Interposing] Libraries.

DAWN SANDOW: --a large poll site, we delivered them to all the City Council members yesterday, I believe, or was it--

MALE VOICE: Friday.

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DAWN SANDOW: --Friday.

PAMELA PERKINS: Friday.

DAWN SANDOW: Friday.

COUNCIL MEMBER WILLIAMS: And--

[Crosstalk]

DAWN SANDOW: --know what day it  
is.

COUNCIL MEMBER WILLIAMS: --what--

DAWN SANDOW: --be the Q & R on  
that poster, so if someone's walking in, they will  
be able to--it's a large poster, I believe it's--  
it's in your packet.

COUNCIL MEMBER WILLIAMS: Okay.

DAWN SANDOW: If you want to take a  
look at--

COUNCIL MEMBER WILLIAMS:

[Interposing] Also what's wrong with getting a  
computer besides the book, the nice huge book that  
we have--

DAWN SANDOW: [Interposing] That is  
something we're looking into for next year.

COUNCIL MEMBER WILLIAMS: For next  
year, okay. What--

DAWN SANDOW: [Interposing] We

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would need that at every single poll site--

COUNCIL MEMBER WILLIAMS: Okay.

DAWN SANDOW: --probably more than one, we would probably need two.

COUNCIL MEMBER WILLIAMS: Now with the affidavits, what efforts do poll workers take to instruct voters how to properly complete an affidavit ballot? There was huge, huge misinformation affidavit [off mic]. I had a poll worker tell a person coming to vote not to bother to do it 'cause it wouldn't be counted.

Unfortunately, in the case of Ms. Delecey, she was correct, but that information should never be given to someone. And then apparently this one was filled out wrong because of the poll worker that put the wrong AD on Ms. Delecey's.

STEVE RICHMAN: Well the instructions by state law is to advise the voter that they are in the incorrect poll site and, therefore, their ballot would not count, but if they insist upon it, they're given that ballot. Affidavit applications--

COUNCIL MEMBER WILLIAMS:

[Interposing] Wait, they're saying that the law

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says that the instruction is that--

STEVE RICHMAN: [Interposing] We're supposed to advise them that they--

COUNCIL MEMBER WILLIAMS:  
[Interposing] Wrong poll site.

STEVE RICHMAN: --and they should go to their correct poll site.

COUNCIL MEMBER WILLIAMS: But you could be in your right poll site, just the wrong ED, AD.

STEVE RICHMAN: But then, again, they would be told--for example, if you have three EDs in the site, you're supposed to go to table one, you go to table two, if it's that easy, the poll worker should tell them, based on your address you should be at table one, that's why your name is not in the book here, it may be at table one and that's where you should go. But if the voter insists that they have--get a ballot, they will be given a ballot even after they have given the written slip telling them you're in the wrong poll site, that the vote will not count under state law.

Filling out the affidavit

1 application--affidavit ballot envelope is  
2 relatively simple. The first part requires you to  
3 give us your name, your address, your date of  
4 birth. The second part needs you--oh, and if it's  
5 a primary, to fill in the name of the party you're  
6 enrolled in, and that's on the top. You have four  
7 different options to check: You've moved within  
8 the city of New York, give us your old address  
9 since you've given us your new address; you claim  
10 that you're registered, there is no registration  
11 there; you have been asked for I.D. under the Help  
12 America Vote Act's requirements and you do not  
13 have that so you vote by affidavit; and the fourth  
14 one--  
15

16 [Off mic]

17 STEVE RICHMAN: Yeah, but it's one  
18 of the four boxes to check and they do that and  
19 then they just have to sign it. That's it, it is  
20 really not that complicated.

21 In addition, once they fill out the  
22 affidavit, they've got to seal it. The inspectors  
23 information that they put in there are to record  
24 which poll site they came in. So even if they  
25 went to the rite poll site, the inspector--even if

1  
2 they put the wrong ED, let's say they went to the  
3 wrong ED, the list will show when it's validated  
4 that they went to the correct poll site.

5 COUNCIL MEMBER WILLIAMS: So I just  
6 want to make sure it's understood that that  
7 information was not given properly and affidavits  
8 were not filled out properly. I am a little  
9 concerned about people losing their ability to  
10 vote because there was a lot of poll site--I had  
11 seniors told to go to one poll site and then had  
12 to take transportation back. I had a woman who  
13 was told to go to Borough Park, she paid for a  
14 cab, went to Borough Park, wrong poll site, came  
15 back to her other poll site in Flatbush, spent  
16 about \$22, and then had to do an affidavit. So  
17 I'm very concerned, and now if you're at the wrong  
18 poll site, your vote for president won't be  
19 counted.

20 I don't know how to correct that  
21 except make sure we have the proper information  
22 given to people with some kind of warning on the  
23 thing so people can pay attention. I don't know  
24 what it is, but there was a huge debacle in there  
25 and I hope that's corrected so people's vote will

1  
2 be counted, particularly in this era of hanging  
3 chads and things of that nature.

4 DAWN SANDOW: We're hoping, Council  
5 Member Williams, that with the additional mailing,  
6 which Council Member Brewer helped us get the  
7 funding for, that all voters will be informed. We  
8 have a extensive media campaign ad that's going to  
9 be starting. There's a list in our packet of all  
10 the media buys, the posters going up in all poll  
11 sites as they're walking in.

12 [Off mic]

13 DAWN SANDOW: Our phone bank as  
14 well, yes, our phone bank which serves English,  
15 Chinese, Korean, Spanish, and Bengali. Also the  
16 phone apps that are out there. We're hoping our  
17 poll site locator, people going to our poll site  
18 locator to find out where they vote. Also to view  
19 their sample ballot before they go to the poll  
20 site, that's a huge help for people because they  
21 can increase the font if they want to, they can  
22 print it out and take it with them to the poll  
23 site.

24 Our coordinators are all being  
25 retrained, they're coming in for debriefing and



1  
2 retraining, our information clerks. The Bengali  
3 interpreters specifically are coming in because  
4 there is changes at the poll site for them since  
5 the primary, they're going to have added Bengali  
6 sample ballots and also candidate lists. So we're  
7 hoping with all this that it helps.

8 COUNCIL MEMBER WILLIAMS: Just a  
9 couple more questions. One has to do with  
10 language access. I have a huge Haitian Creole  
11 speaking population, that's not one of the  
12 languages included here, although I believe they  
13 may have more than Bengali speakers, it may be  
14 comparable to Korean. How do we get that language  
15 access to people who need it?

16 STEVE RICHMAN: The only thing the  
17 City of New York is required to provide is under  
18 the federal Voting Rights Act, and that  
19 designation is either for languages of Hispanic  
20 origin, Asian American, Asian Pacific, or Native  
21 American. European-based languages are not  
22 covered. So the Director of the Census makes that  
23 determination after each American Community  
24 Survey. And so for in the City of New York,  
25 Spanish has been targeted in every borough except

1  
2 Staten Island; Chinese in Manhattan, Brooklyn, and  
3 Queens; Korean and Bengali in Queens. And then  
4 what we do at that point then is, working with the  
5 Department of City Planning, we do a sensitive  
6 statistical analysis to do more sophisticated  
7 targeting to make sure that the services are  
8 provided where they are. But, Council Member,  
9 there is no legal basis now to provide language  
10 assistance in other than the languages designated  
11 under the federal Voting Rights Act.

12 COUNCIL MEMBER WILLIAMS: How can  
13 I, of the City Council Member or the City Council,  
14 make sure that someone like the Haitian  
15 population, and even St. Lucian population  
16 actually speaks Creole, it's a huge population  
17 comparable to Korean, how can we make sure that  
18 they have the same access?

19 STEVE RICHMAN: Either have the  
20 federal law changed to include European languages  
21 in the language assistance provisions--

22 COUNCIL MEMBER WILLIAMS:  
23 [Interposing] So Creole is considered a European  
24 language?

25 STEVE RICHMAN: Yes, well it's a

1  
2 French derivative. Or at this point, or possibly  
3 see state law, but as you may know, the governor  
4 vetoed the Russian language bill as being a  
5 excessive expense.

6 COUNCIL MEMBER WILLIAMS: So  
7 there's nothing the City Council can do. And the  
8 digital divide, I know there's some things that  
9 are being worked out. It's quite concerning to me  
10 though, we're doing a lot of things digitally,  
11 which we should, but our seniors don't have the  
12 same access, our immigrants don't have the same  
13 access, what are we doing to try to close that  
14 gap? Because, unfortunately, there's no app for  
15 that.

16 DAWN SANDOW: Our phone bank, a  
17 number is placed on all our ads and all the media  
18 buys, it's on all our notifications. Our phone  
19 bank, like I stated previously, we have  
20 interpreters in the phone bank for Chinese,  
21 Korean, Bengali, Spanish--

22 COUNCIL MEMBER WILLIAMS:  
23 [Interposing] Probably not Creole.

24 DAWN SANDOW: --and English. No--

25 PAMELA PERKINS: Not--

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[Crosstalk]

DAWN SANDOW: --I'm sorry, but they are there to help the people that do not have access to a computer. They will go to the poll site locator, they will have computers in front of them, receive the--retrieve the information for them and give--

COUNCIL MEMBER WILLIAMS:

[Interposing] Your media buys, do you have a particular attention to, I think they call it--

[Crosstalk]

DAWN SANDOW: Yes.

COUNCIL MEMBER WILLIAMS: --me, I prefer the culturally sensitive the--

PAMELA PERKINS: [Interposing] Yes, it is, it's in the packet, it shows you--it lays out all the ethnic media--

[Crosstalk]

COUNCIL MEMBER WILLIAMS:

[Interposing] And what about churches and civic associations?

PAMELA PERKINS: One of--

DAWN SANDOW: [Interposing] All Community Boards.

1  
2 COUNCIL MEMBER WILLIAMS: Community  
3 Boards?

4 DAWN SANDOW: Yes, let me go back  
5 to my testimony, it was in the testimony.

6 PAMELA PERKINS: We work with the  
7 Community Boards and all kinds of government and  
8 community organizations, as well as elected  
9 officials, and if you need a demo in a specific  
10 area in your district, we'll bring the machines so  
11 the--

12 [Crosstalk]

13 COUNCIL MEMBER WILLIAMS:  
14 [Interposing] Where can I find the media buy?

15 PAMELA PERKINS: It's in--

16 MALE VOICE: Is it this one?

17 COUNCIL MEMBER WILLIAMS: I think--

18 [Crosstalk]

19 PAMELA PERKINS: Yeah, it's in this  
20 one. Yeah.

21 COUNCIL MEMBER WILLIAMS: Yeah.  
22 I'm just trying to find it. And where did you--  
23 did you contact the local electeds or community  
24 groups to find out which papers you need to get it  
25 in to reach the--

1  
2 DAWN SANDOW: [Interposing] We deal  
3 with the community groups.

4 COUNCIL MEMBER WILLIAMS: The  
5 community groups that you still put in here?

6 DAWN SANDOW: The community groups  
7 listed who we--no, we just--there is the media buy  
8 of where we're placing our ads.

9 COUNCIL MEMBER WILLIAMS: Okay.  
10 'Cause I'm here and what you have--what you called  
11 ethnic papers for culturally sensitive media, but  
12 we have ethnic papers Viva El Diario, Well Journal  
13 New York, Sing Tao Daily, El Thikini [phonetic],  
14 Bengali Patrika, Korea Daily, India, and New York-  
15 -

16 VALERIE VAZQUEZ: Yes.

17 COUNCIL MEMBER WILLIAMS: --that  
18 correct?

19 FEMALE VOICE: And Thikana.

20 VALERIE VAZQUEZ: Yes. When we  
21 refer to ethnic newspapers, we're referring to the  
22 legally required--

23 CHAIRPERSON BREWER: Valerie--

24 [Crosstalk]

25 CHAIRPERSON BREWER: --just

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introduce yourself.

VALERIE VAZQUEZ: Valerie Vazquez,  
Director of Communications.

COUNCIL MEMBER WILLIAMS: Last time  
this came up, I gave some names of particularly  
Haitian papers that we can put some of this  
information in. I don't see any Haitian papers  
here where particular will be able to speak Creole  
or get the information to the Creole speakers. So  
how would I, as a Council Member, get information  
to you? I did it at a hearing here and for some  
reason it's not on here, so I think we're  
significantly missing--as well as just the  
Caribbean population in general. I see Jamaica  
Times, but is it--

VALERIE VAZQUEZ: [Interposing]  
Jamaica refers to the area in Queens.

COUNCIL MEMBER WILLIAMS: I see, so  
we don't have anything--

VALERIE VAZQUEZ: [Interposing] So  
it's borough, right, in each borough we're  
targeting community newspapers, we--

COUNCIL MEMBER WILLIAMS:  
[Interposing] But there's nothing here for the

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Caribbean paper.

VALERIE VAZQUEZ: That would fall under the ethnic newspapers and--

COUNCIL MEMBER WILLIAMS: Yes.

VALERIE VAZQUEZ: --as discussed, we have it for the legally required languages, which are Spanish, Korean, Chinese--

[Crosstalk]

COUNCIL MEMBER WILLIAMS: And these same papers like Korea Life, they actually have one called Caribbean Life that will be nice to focus on.

So maybe we can talk because you have whole swaths of the population that this is not [off mic]. Caribbean is a huge swath of the population in Brooklyn--

CHAIRPERSON BREWER: [Interposing] You should put one in the Caribbean paper, okay?

PAMELA PERKINS: We still have time, we can incorporate that in--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing] They will incorporate it, Council Member.

COUNCIL MEMBER WILLIAMS: Thank



1  
2 you. You have Caribbean Life and you have Carib  
3 News, you have Haitian Times.

4 [Off mic]

5 COUNCIL MEMBER WILLIAMS: Okay.

6 And lastly, with my bill--so you were given  
7 150,000 over the past two years, registration  
8 cards, and we got 2,300 back. That's not really  
9 good and we don't know what's working and what's  
10 not working, and that 2,300 didn't have a  
11 breakdown of where they were coming.

12 And Intro 760 is trying to rectify  
13 that and I know you said it's a unfunded mandate.  
14 I'm trying to figure out what would cost so much,  
15 I think you said you would need 145 [off mic].  
16 I'm trying to figure out why it's not just 19 for  
17 the agents that you have, and then you say you'd  
18 have to manually put in the information, but  
19 wouldn't the QR code make it a lot easier to get  
20 this information in there?

21 DAWN SANDOW: The voter reg doesn't  
22 have a Q & R code, we do refer to in the testimony  
23 that we would have to upgrade our system. Now, of  
24 course, you know, given if we have more time, I'm  
25 sure our managers can sit down and discuss maybe

1  
2 how we can upgrade the system, but quite honestly,  
3 you know, we put down what we felt in a group  
4 moving forward in the time period that we had,  
5 because we are preparing for a presidential  
6 election. We're not saying that the board does  
7 not want to do this, what we're trying to say is  
8 that it is--we're not funded. Are we going to be  
9 funded to upgrade our system, upgrade the  
10 registration system, the staffing? I did state  
11 previously that we have one permanent staffer in  
12 our registration department--one to take care of  
13 five boroughs.

14 COUNCIL MEMBER WILLIAMS: And where  
15 did you get that it would need 145 different  
16 versions of the registration?

17 STEVE RICHMAN: Because under this  
18 federal law, we are required to provide language  
19 assistance and then cover the languages a voter  
20 registration form. So each agency would need five  
21 forms: One in English, one in Spanish, one in  
22 Chinese, one in Korean, and one in Bengali. So 5  
23 forms times the 29 agencies comes to 145--

24 [Crosstalk]

25 COUNCIL MEMBER WILLIAMS:

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[Interposing] What do you do now?

STEVE RICHMAN: We provide now what you have, Council Member, it says local--it says a Code 29, which is the Local Law code, and we provide that, that's why it's not agency specific. I think one of the things we'd like you to consider is--

COUNCIL MEMBER WILLIAMS:

[Interposing] Wait, slow down, slow.

STEVE RICHMAN: Code D.

COUNCIL MEMBER WILLIAMS: Well what do we do now? You get these registration forms and then--

STEVE RICHMAN: [Interposing] And then manually track them.

COUNCIL MEMBER WILLIAMS: How many languages are they in?

STEVE RICHMAN: All five languages.

COUNCIL MEMBER WILLIAMS: Okay.

STEVE RICHMAN: And they're not agency specific, we're just keeping them as a Local Law 29--

[Crosstalk]

COUNCIL MEMBER WILLIAMS:

1 [Interposing] So why would this change it to--  
2 whatever the number is now, how would that  
3 increase it to--  
4

5 [Crosstalk]

6 STEVE RICHMAN: [Interposing] Right  
7 now, we have one code for every city agency, all  
8 of them covered--

9 COUNCIL MEMBER WILLIAMS: Okay.

10 STEVE RICHMAN: --and with the  
11 exception of CUNY because they print for a  
12 separate form. One of the things we would like to  
13 maybe ask you to think about is maybe have the  
14 agencies themselves track what they give out--

15 COUNCIL MEMBER WILLIAMS: Okay.

16 STEVE RICHMAN: --and so we can  
17 see, at least you'll what's being distributed.

18 COUNCIL MEMBER WILLIAMS: Okay.

19 STEVE RICHMAN: And then coming  
20 back in, part of the problem is is to each time  
21 you're adding an additional layer of reporting, we  
22 have no problem but we need staff and the  
23 resources to do it.

24 CHAIRPERSON BREWER: I think the  
25 Council Member idea is a good one and we should

1  
2 sit down with DoITT, Operations, you, and the  
3 agencies and figure something out. I think it's a  
4 very good idea.

5 COUNCIL MEMBER WILLIAMS: But you  
6 also said you're manually tracking?

7 STEVE RICHMAN: Yes.

8 COUNCIL MEMBER WILLIAMS: So  
9 wouldn't that be a cost saving measure, if you  
10 don't have to manually track it anymore?

11 STEVE RICHMAN: Well right now,  
12 under the current system we'd have to track them  
13 now by individual agency--

14 COUNCIL MEMBER WILLIAMS: Okay.

15 STEVE RICHMAN: --we don't have a  
16 system in place, it's a manual system.

17 COUNCIL MEMBER WILLIAMS:  
18 [Interposing] Thank you. I'll be happy to look  
19 into having the agencies be the ones that track  
20 it. But thank you very much. I do have to say  
21 I'm really dismayed with the culturally sensitive  
22 media that there's this whole swaths that weren't  
23 there, so hopefully we can correct that. Because  
24 that's a particular swath that may not come out as  
25 much as others should and we have to be doing what

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we can to increase that.

DAWN SANDOW: Remember, Council Member, we would look to please all ethnic--

COUNCIL MEMBER WILLIAMS: Yes.

DAWN SANDOW: --all of them, but if--

[Crosstalk]

DAWN SANDOW: Yeah, there's 170--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing] We'll work on it, but--

DAWN SANDOW: --languages so--

CHAIRPERSON BREWER: --Council Member Williams showed up today.

[Off mic]

CHAIRPERSON BREWER: Oh.

COUNCIL MEMBER WILLIAMS: --last time and I gave--

CHAIRPERSON BREWER: [Interposing] That's right, that's why I think--

COUNCIL MEMBER WILLIAMS: --I gave suggestions.

CHAIRPERSON BREWER: --that's why I think you should--we'll work on your culturally--

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PAMELA PERKINS: [Interposing]

We're going to get back to you.

CHAIRPERSON BREWER: --appropriate--

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[Crosstalk]

COUNCIL MEMBER WILLIAMS: Thank you very much.

CHAIRPERSON BREWER: Council Member Halloran.

PAMELA PERKINS: Thank you.

COUNCIL MEMBER HALLORAN: First, let me commend the board on the job that you've done in a short time trying to fix a myriad of problems you didn't create with a budget that isn't enough. And I'm shocked to hear my colleague in government tell me finally maybe we're taxing our citizens too much. I think that's extraordinary that a Democrat sitting up here had the temerity to say that it's too taxing to actually follow the IRS requirement that's not your decision to make to take the taxes out of someone's paycheck and it's too much. I just think that absolutely blows my mind.

The second thing that blows my mind

1  
2 is that we're now having a discussion about  
3 advertising in one particular ethnic paper. Is my  
4 community going to get an Italian version of this  
5 done in the Italian press? Are we going to go to  
6 the Polish community and do that same thing with  
7 the Polish press? And where would my colleague in  
8 government like us to get the money to do that in  
9 a budget where this Mayor won't even let us put  
10 gym teachers in a classroom? Okay? I think this  
11 is absolutely a ridiculous conversation to be  
12 having.

13 If we're going to hit every  
14 ethnicity that under-votes, we're talking about  
15 basically 130 of the 147 languages in the city of  
16 New York, okay? The federal government has  
17 identified five language groups--

18 [background noise]

19 COUNCIL MEMBER HALLORAN: --voted,  
20 I know how to fix this problem: We make English  
21 the official language of the United States and  
22 required citizens like every other country in the  
23 world to vote only English, but provide  
24 information--

25 CHAIRPERSON BREWER: [Interposing]



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2 Council Member--

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COUNCIL MEMBER HALLORAN: --in the board on other languages.

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CHAIRPERSON BREWER: --a question--

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COUNCIL MEMBER HALLORAN: You know, Madam Chair, every other Council Member who has spoken here for at least 30 minutes each has been given the opportunity to give a dialogue, and I, the only Republican, bipartisan there, has to be Republicans and Democrat, this committee, not a single Republican on it. So with all due respect, Madam Chair, and I have always been respectful to you, I'd like to be able to say what I think I need to say in defense of the other side of the argument on all these issues, which is not getting any airtime in this committee, okay?

Let's take a look at some of the numbers that we're talking about when we talk about disparity. I see Manhattan, the Bronx, Brooklyn, Queens, Staten Island with a number of poll workers assigned to each site, and then I looked at the breakdown of the population in each of those boroughs. Why does Manhattan, which has roughly the same population of voters, which is

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far less than the actual number of citizens in it, have more poll workers assigned by a significant margin than Queens? And why does the Bronx have the same number with a significant less number of voters in it? Why would that be? I'm looking at appendix 2, Poll Worker Deployment, from the report of the BOE that our department did.

DAWN SANDOW: Some boroughs had borough-wide elections and some did not.

COUNCIL MEMBER HALLORAN: Okay. So that's just a function of whether there was a borough-wide election.

DAWN SANDOW: Yeah, Staten Island only--

COUNCIL MEMBER HALLORAN: [Interposing] Has none, and well we know that they have--

DAWN SANDOW: Yes.

COUNCIL MEMBER HALLORAN: --very little resources.

PAMELA PERKINS: They had a [off mic] race--

[Crosstalk]

COUNCIL MEMBER HALLORAN: That's

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it.

STEVE RICHMAN: Yeah.

COUNCIL MEMBER HALLORAN: So it's only a function of whether there's borough-wide..

STEVE RICHMAN: For a primary--

DAWN SANDOW: Depends on--

STEVE RICHMAN: --election, Council Member, we only open those election districts of poll sites having actual primaries.

COUNCIL MEMBER HALLORAN: Okay.

STEVE RICHMAN: With Kings and New York Counties had a countywide primary for judicial offices so every poll site was open there. Bronx also, I believe, had a surrogates countywide race. So those three had countywide races. Queens, for whatever reason, did not have a countywide race and Staten Island did not have a countywide race. Staten Island only had an Independents party primary for assembly in one district.

COUNCIL MEMBER HALLORAN: Can we find out, I know one of the things that everyone has brought up is the fact that we couldn't find where we're suppose to vote, and I know those

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2 books become cumbersome and difficult. Each year  
3 I give out Reso A money to every organization  
4 under the sun, and iPads cost a certain number of  
5 dollars to meet per unit. If, in fact, the  
6 administration doesn't actually buy you the  
7 equipment that you need, is it possible for the  
8 Council to have its Council Members purchase under  
9 Reso A resolution for each poll site in their  
10 district? Or is that--

11 [Crosstalk]

12 STEVE RICHMAN: We're allowed to  
13 accept gifts from anyone who want to do it as long  
14 as it's not--

15 COUNCIL MEMBER HALLORAN:

16 [Interposing] Well we can't--

17 [Crosstalk]

18 STEVE RICHMAN: --to influence.

19 COUNCIL MEMBER HALLORAN: --but I'm  
20 glad you guys can.

21 STEVE RICHMAN: But, no, we can  
22 take--for example, if we get a grant money or  
23 something else from a foundation, I guess, I don't  
24 know of anything, I think you should check with  
25 your general counsel to see if you could use

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Council money for that, but any support we get, I think we'd be grateful.

COUNCIL MEMBER HALLORAN: Okay.

So, again, I would--

DAWN SANDOW: [Interposing] We are looking into those electronic poll books, so I will hold you to that.

COUNCIL MEMBER HALLORAN: Well no, I'm telling you right now that if you get a clearance from our counsel's office, I am telling you Council District 19, if I'm still a Council Member, or if I'm in Congress, I'll find another way to get you money, will put in its Reso A package next year money for each poll site to have one at each poll site available so we eliminate this problem. Two, let's start with one and see where I can get you from there--

STEVE RICHMAN: Yeah, okay.

COUNCIL MEMBER HALLORAN: --okay?  
On the numbers.

Back at the last hearing, I asked you a question about the Florida voters and whether or not there was a way to cross-check. Since then, there's been two stories, one was run

1  
2 by NBC news, the other was done by WPIX, in which  
3 they indicated they were able, in a 10% sampling  
4 of voting in New York City in the primaries, able  
5 to determine that there were at least 31  
6 individuals who had voted both in the Florida  
7 primary and the New York primaries this year. A,  
8 has the board done anything to prosecute those  
9 individuals, to refer them out for prosecution?  
10 In Florida, it's actually a D Felony to vote in  
11 more than one election. You know, it's barred by  
12 federal law to vote in more than one election.  
13 Has the board done anything to follow up on that?

14 And second question to that, if  
15 they have not, which I'm going to presume you have  
16 not, do you have any intention whatsoever of doing  
17 anything meaningful when it comes to stopping and  
18 preventing voter fraud from taking place? As you  
19 know, the media reported that up to 40,000 people  
20 are registered in both Florida and by absentee  
21 ballot in New York over the last five years.

22 STEVE RICHMAN: Council Member, I  
23 know we had the discussion. Two things, one, we  
24 are not a law enforcement agency. However, if a  
25 registered voter appears before the commissioners

1  
2 and, under oath, makes a complaint to challenge  
3 someone's registration, we then conduct an  
4 investigation. The investigation usually involves  
5 dispatching a bipartisan team to the residence and  
6 speaking to the voter.

7 We also have the right under the  
8 law to request the assistance of NYPD. They have  
9 other duties, so we've been in the past doing that  
10 to do the determinations. We have on the average  
11 maybe three or four challenges a year that people  
12 actually come in and make the applications. I  
13 believe there was one this summer, I believe the  
14 matter was resolved, that the individual is  
15 eligible to vote. This was, in this case, I  
16 believe, part of ongoing family dispute.

17 COUNCIL MEMBER HALLORAN: So just--

18 STEVE RICHMAN: [Interposing] But  
19 reports from news media is not sufficient for us  
20 to take action, the statute requires a voter to  
21 come forward and execute a sworn statement before  
22 the commissioners.

23 COUNCIL MEMBER HALLORAN: Okay.

24 And sua sponte, that doesn't happen within the  
25 commission. So, in other words, if the Daily News

1  
2 prints a list of names and boroughs of residence  
3 of voters that have voted in Queens and voted in  
4 county of Miami, the Dade County, Miami, Florida,  
5 in this election cycle, that wouldn't matter to  
6 you unless somebody else brought you an affidavit  
7 and said I read the newspaper article, I'm a voter  
8 in New York and--

9 STEVE RICHMAN: [Interposing] No,  
10 the statute requires that they have personal  
11 knowledge.

12 COUNCIL MEMBER HALLORAN: So, okay,  
13 so in other words, what you're saying to me is  
14 there's absolutely nothing that can be done on--as  
15 you indicated the NYPD will not conduct these  
16 investigations, they're too busy; you do not have  
17 law enforcement authority to conduct these  
18 investigations. So essentially what you're  
19 telling me is that it's too bad for the voters of  
20 the state of New York, they have no recourse  
21 unless they personally--

22 STEVE RICHMAN: [Interposing]  
23 Council Member--

24 COUNCIL MEMBER HALLORAN: --know  
25 the person who's committing voter fraud.



1  
2 STEVE RICHMAN: --the only thing  
3 our investigation can do is can result in the  
4 cancellation of the person's registration. What a  
5 law enforcement agency does with knowledge and how  
6 they go about that, you should direct it to those  
7 agencies.

8 COUNCIL MEMBER HALLORAN: Okay.  
9 Now, I also have this wonderful picture you guys  
10 supplied of the post office and a hundred and  
11 something plus postcards of notice to voters about  
12 where they should vote that didn't go on it. I  
13 believe I heard you correctly when you said the  
14 postal authorities didn't know if they were  
15 actually going to prosecute this postal employee,  
16 is that correct?

17 DAWN SANDOW: That's what was  
18 stated to Pam and I when we did speak with the  
19 agent over the phone.

20 COUNCIL MEMBER HALLORAN: Okay.  
21 And we don't know the extent to which this may  
22 have happened by this carrier or other carriers on  
23 other occasions?

24 PAMELA PERKINS: No.

25 DAWN SANDOW: No, they are

1  
2 conducting an--yeah, they're conducting an  
3 investigation, they've said that they would get  
4 back to us. I did ask for it in writing and we  
5 have not heard back yet.

6 COUNCIL MEMBER HALLORAN: Okay.

7 And--

8 DAWN SANDOW: From the agent.

9 STEVE RICHMAN: Again, I think the  
10 commissioners are--if we get the documentation, I  
11 think at least that would be referred at that  
12 point to the appropriate U.S. attorneys because,  
13 again, this would be a violation of a federal  
14 statute, not a state law or a city regulation, so  
15 it's outside the purview of DOI or a D.A.--

16 COUNCIL MEMBER HALLORAN: Right.

17 STEVE RICHMAN: --but, again,  
18 normally it would be the province of the postal  
19 inspectors who is the one who brought this to our  
20 attention, but I guess the U.S. attorney, my  
21 understanding, would have concurrent jurisdiction  
22 if they wanted to pursue anything.

23 COUNCIL MEMBER HALLORAN: Okay.

24 And would you make a recommendation should you--  
25 once you get this final report from the postal

1  
2 inspectors, will you be making a recommendation to  
3 the U.S. Attorney's office directly?

4 STEVE RICHMAN: I think we'll  
5 recommend to the commissioners that we be  
6 authorized--

7 COUNCIL MEMBER HALLORAN: Right.

8 STEVE RICHMAN: --to do that, it's  
9 up to the--

10 [Crosstalk]

11 COUNCIL MEMBER HALLORAN:  
12 [Interposing] And then the commissioners vote, I  
13 understand.

14 STEVE RICHMAN: Yes.

15 [Crosstalk]

16 COUNCIL MEMBER HALLORAN: And when  
17 I say these things, I don't mean that you guys  
18 will do them personally, I mean that you'll put it  
19 to the commissioners for a vote.

20 DAWN SANDOW: Yes.

21 STEVE RICHMAN: As an attorney, I'm  
22 very hesitant to refer anything based on a phone  
23 call to a prosecutor, I'd like to get something in  
24 writing.

25 COUNCIL MEMBER HALLORAN: Absolute,

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I understand completely. And my last--

DAWN SANDOW: [Interposing] That's what we are waiting for.

COUNCIL MEMBER HALLORAN: And I appreciate that, and thank you for at least doing the follow up, it's amazing that you were able to track it to know it's stymied somewhere at the post office, which is, I'm sure, why we got--

[Crosstalk]

COUNCIL MEMBER HALLORAN: --to an investigation. Had you not been able to track it to know that it stopped at the post office, who knows where we'd be.

DAWN SANDOW: I think they received many phone calls. As we were receiving complaints, we were calling the vendor, and I'm sure that they received plenty of complaints. They said they did get an anonymous tip.

COUNCIL MEMBER HALLORAN: I appreciate that. My last question has to do with your response to the call taking process where it indicates you received 94 calls relating to problems with poll workers. You had 2,800, I think, citywide, you found 95 were unfounded, and

1  
2 then 49 were related to poll worker behavioral  
3 issues, 45 in response to poll workers not  
4 following proper procedure. Of the 49 related to  
5 poll worker behavioral issues, can you just give  
6 us a broad idea of what you mean by that and what  
7 actions was taken to remedy it? And then  
8 similarly in the 45 responses where there was not  
9 proper procedure what we're talking about and what  
10 was done to remedy it.

11 DAWN SANDOW: Behavioral issues  
12 could be the way they were treating voters when  
13 they came into the poll site, it could be a  
14 conflict between two poll workers at a poll site.  
15 Most of the times that's what the issue is.

16 As far as procedural issues, we did  
17 receive phone calls where poll workers,  
18 information clerks were not giving out the proper  
19 information, we did dispatch our ED monitor teams  
20 immediately to those sites. Aside from that,  
21 those poll workers--it's documented in the  
22 reports, and aside from that they are called into  
23 the Board of Elections in their borough to go over  
24 what the procedural issues are that they had  
25 problems with.

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2                   There were--I can't tell you which  
3 borough, I believe there was a few in the Bronx,  
4 but that's the only borough that I have right  
5 here, but there were some that were dismissed.  
6 There were some that I went to and Pam went to,  
7 and we went with a actual site coverage record.  
8 And as we went into these sites, we did make notes  
9 next to certain poll worker's names to state  
10 either they needed to be removed or they needed to  
11 come in, we felt, for more training. And that's  
12 what our ED monitors are doing out in the field  
13 and also our general office monitoring teams.

14                   COUNCIL MEMBER HALLORAN: I just  
15 have one other question and it's just a generic  
16 one. To do the job the way you need to do the  
17 job, how much more would your budget require,  
18 realistically speaking, given the issues you've  
19 identified here so that we don't have the natural  
20 problems, the endemic or systemic problems that  
21 you're facing right now. What's the real number  
22 for our otherwise-independent City Board of  
23 elections?

24                   DAWN SANDOW: A hundred and four  
25 new heads came in to what?

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PAMELA PERKINS: We--

[Off mic]

JOHN WARD: John Ward, Finance Officer, Board of Elections. We have recently submitted to the City Council and OMB a new needs request of approximately \$3 million to fund \$1 million in salaries and \$2 million in OTPS spending to update our computers, to have ENR [phonetic] teams, all really important, good stuff, and we're hoping--we've received a series of questions from OMB and we've answered those questions, and we're hoping that this will be given a positive light. One of the items is that additional mailing for \$1.6 million where we have been assured that the funding is coming.

Now, we also have a structural deficit in PS of about \$20 million so that would have to be added to the budget. Currently, the budget is \$88 million, so you add 20, you get 108, and then you add another three or four, we're at 112. That's where we are.

DAWN SANDOW: Our EVS department that we asked for and--

[Crosstalk]

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2 JOHN WARD: [Interposing] And this  
3 new department of the 12 heads would be another  
4 504,000. And, again, I'm using rounded numbers.

5 COUNCIL MEMBER HALLORAN: I  
6 understand and appreciate that, and I'd just like  
7 to point out that the overtime budget of the New  
8 York City Police Department is \$500 million a  
9 year, and we're talking about one-fifth of that to  
10 actually operate the most important thing that  
11 goes on in the city of New York--the elections of  
12 its public officials.

13 DAWN SANDOW: I just want to state  
14 the importance of the EVS department that we did  
15 put in for.

16 [Crosstalk]

17 CHAIRPERSON BREWER: All right.  
18 Okay. And you--

19 [Off mic]

20 CHAIRPERSON BREWER: Thank you very  
21 much. Council Member Williams, really fast.

22 [Crosstalk]

23 JOHN WARD: We also have request  
24 for 104 additional heads, which would cost \$3.4  
25 million.



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2 COUNCIL MEMBER WILLIAMS: I just  
3 want to clarify one thing, so thank you. And  
4 then, of course, I think you do try to do a really  
5 good job and I thank you already for the point  
6 size. With the media, I just wanted to say, I  
7 think that we have enough media dollars here, it's  
8 just a matter of refocusing someplaces, so I don't  
9 even think the question is definitely more money,  
10 but we should try to find a way to get this money  
11 to focus on particular groups, thank you.

12 CHAIRPERSON BREWER: We'll work on  
13 that, thank. Okay. The issues I have are the  
14 following: Doug Kellner [phonetic] points out, I  
15 know you are agreeing it, that you're going to  
16 have a high turnout, particularly in the morning,  
17 in the presidential election. Can you just walk  
18 me through between the QR, maybe somebody outside  
19 with a clipboard telling people what to do and  
20 giving them information on the line, is somebody  
21 going to use a bullhorn with a permit to use--have  
22 noise? How are you actually going to tell these  
23 long lines that they have alternatives--they don't  
24 read posters, they just don't--how are you going  
25 to minimize the long lines? 'Cause it does

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discourage people.

DAWN SANDOW: [Interposing] We are adding--there's a--we're adding extra information clerks--

CHAIRPERSON BREWER: Okay.

DAWN SANDOW: --we're looking at the amount of voters per poll site. Anywhere where there's 800 or more voters in that poll site, all poll sites will have a minimum of two, but anywhere there's more than 800 or more voters, we will add an extra two information clerks to work the line. One will be working the line and one will be troubleshooting so that they don't hold up the line. If there's a problem and someone cannot find this person in the book, they will be referred to the troubleshooter the information.

CHAIRPERSON BREWER: All right, for the young people who do have some kind of a device be it an Android, a Blackberry, a smartphone, iPad, whatever they have, will the troubleshooter information person be looking for that to explain that they can use it to find the table that they're supposed to go, something simple like

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that?

DAWN SANDOW: Yes, well our information clerks, like I previously state--

CHAIRPERSON BREWER: [Interposing]  
But can the information clerks do that?

DAWN SANDOW: They'll all be aware that there will be that poster with the Q & R to direct a young voter if they want to use it as to where to go--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing]  
So they'll walk up and down the line and tell people that.

[Crosstalk]

CHAIRPERSON BREWER: That's what I'm trying to picture.

DAWN SANDOW: Yes, we--

CHAIRPERSON BREWER: 'Cause that's how--

[Crosstalk]

DAWN SANDOW: --and we're putting that in our training and all our information clerks--

CHAIRPERSON BREWER: [Interposing]

1  
2 And maybe the district leaders can do that? Are  
3 they allowed to do that, to tell people to do that  
4 if the line is long and the information clerk  
5 can't do it?

6 STEVE RICHMAN: Yeah and the other  
7 thing, Council Member, we are [off mic] to remind  
8 people that polls are open, not just at 6 a.m.,  
9 but through 9 p.m.

10 CHAIRPERSON BREWER: Well they know  
11 that.

12 STEVE RICHMAN: Well no, I think  
13 they--

14 CHAIRPERSON BREWER: [Interposing]  
15 They show up in the morning whether you like it or  
16 not. That's what they're going to do.

17 STEVE RICHMAN: Well in 2008  
18 everyone showed up in the morning--

19 CHAIRPERSON BREWER: [Interposing]  
20 In the morning.

21 STEVE RICHMAN: --hours and there  
22 was no evening rush.

23 CHAIRPERSON BREWER: I know that, I  
24 was there.

25 STEVE RICHMAN: Every election

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since then, we've gone back to the more traditional pattern--

CHAIRPERSON BREWER: Okay.

STEVE RICHMAN: --of having morning and afternoon--

CHAIRPERSON BREWER: [Interposing] Morning and evening, I'm concerned about, and I just want to be sure that something simple like you can figure out a way to get to the right table without waiting in this long line is communicated. And you're saying hopefully it will be communicated.

STEVE RICHMAN: Yeah, the problem is going to be when the line to get to the actual table to sign in goes out the door, which is the problem we had in 2008.

CHAIRPERSON BREWER: Okay.

STEVE RICHMAN: Brooklyn Supreme Court for Brooklyn Heights--

CHAIRPERSON BREWER: [Interposing] Okay. I don't need to know the whole history, I just--

STEVE RICHMAN: [Interposing] --all 800 voters showed at 6--

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[Crosstalk]

CHAIRPERSON BREWER: Okay.

STEVE RICHMAN: --in the morning--

[Crosstalk]

CHAIRPERSON BREWER: Okay. No, I'm just saying is with technology, there are some ways of addressing it, but somebody has to communicate it in a responsible way, you're saying that hopefully will happen.

PAMELA PERKINS: Yes.

CHAIRPERSON BREWER: Number--

[Crosstalk]

DAWN SANDOW: [Interposing] --be communicated, what I was trying to say is it will be communicated during the retraining.

CHAIRPERSON BREWER: Okay. But I'm just saying you have to know what the types of communication devices are in order to be able to communicate it, I'm just pointing that out. So whoever is doing the communication has to be able to articulate what it could be used for.

Ballot jams, apparently for the September primary they increased by 75% compared to the June primary, and I wanted to know what you

1  
2 attribute this increase and what are we doing to  
3 make sure it doesn't happen for the general  
4 election? I mention this because I had a  
5 wonderful experience, as you know, at the precinct  
6 regarding the counting with technology using the  
7 memory devices, PMDs, whatever you want to call  
8 them. But I also was able to glance at some of  
9 the materials brought by your fabulous staff and  
10 it is clear that there were a lot more ballot jams  
11 than in the past. How are we going to fix it?

12 JOHN O'GRADY: Councilwoman, my  
13 name is John O'Grady, I'm Chief Voting Machine  
14 Technician. We identified those machines with the  
15 high ballot jams and had the vendor come in and  
16 look at those machines and adjustments were made  
17 on those machines to address the high ballot jams  
18 issues on those machines.

19 CHAIRPERSON BREWER: All right, so  
20 you think it will be less of a problem.

21 JOHN O'GRADY: Yes.

22 CHAIRPERSON BREWER: And was it the  
23 long paper, was it more grease, was it  
24 programming?

25 JOHN O'GRADY: In Manhattan, it was

1  
2 the longer paper, coming back, it was hitting the  
3 roller in the back of it and the track, so those  
4 have been adjusted.

5 CHAIRPERSON BREWER: Okay. You got  
6 calls to the call center, I assume NYPIRG got some  
7 calls, other people got calls, how have you dealt  
8 with them so that those call issues are addressed?  
9 In other words, people called about this and that  
10 and the other. One example, I was at a luncheon  
11 earlier, Barbara Fife, whom we all know, former  
12 Deputy Mayor, she lives--oh, I think it's 60  
13 something and Central Park West, and she was told  
14 to go to the McBurney Y, which is way downtown. I  
15 think somebody got the two Y's mixed up, there's  
16 one on 63rd Street and the McBurney Y is down in  
17 Chelsea. So how do we make sure things like that  
18 don't happen again? To screw up at 25 Central  
19 Park West was not a good idea.

20 PAMELA PERKINS: As we've mentioned  
21 several times, one of the things we're doing is  
22 we're going to be bringing in the information  
23 clerks and they're going to be trained on how to  
24 use all the--

25 [Crosstalk]



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CHAIRPERSON BREWER: [Interposing]  
We had the mailing that went out told her to go to  
McBurney Y is what I'm saying.

PAMELA PERKINS: Oh, okay. Well  
the mailing, as I stated before--

CHAIRPERSON BREWER: [Interposing]  
Is that all corrected now?

PAMELA PERKINS: Yes.

DAWN SANDOW: Just as long as  
there's no ceilings--

[Crosstalk]

PAMELA PERKINS: Yeah.

DAWN SANDOW: --in any of the poll  
sites we'll be okay.

PAMELA PERKINS: [Interposing]  
We're not talking about emergencies--

CHAIRPERSON BREWER: Okay.

PAMELA PERKINS: --but, yes, that's  
why we're waiting for all--we waited for all the  
poll site changes to be done and put it--

CHAIRPERSON BREWER: [Interposing]  
Okay. But this wasn't a poll site change, this  
was a mistake on the mailing. The McBurney Y is  
not the West Side Y.

2 PAMELA PERKINS: Okay.

3 CHAIRPERSON BREWER: So it was  
4 called into the call line, but I just want to be  
5 sure that somebody looked at all the calls, all  
6 the complaints, and then said they all have been  
7 addressed, like--

8 PAMELA PERKINS: [Interposing] We  
9 do--

10 CHAIRPERSON BREWER: --print West  
11 Side Y and not McBurney Y, just--

12 PAMELA PERKINS: Yes.

13 CHAIRPERSON BREWER: --as an  
14 example.

15 PAMELA PERKINS: We do look at the  
16 calls and we do follow up if it's a procedural  
17 issue--

18 CHAIRPERSON BREWER: [Interposing]  
19 I get nervous.

20 PAMELA PERKINS: --with the poll  
21 workers, like Dawn stated before, we call them in;  
22 if it's a behavioral issue, we call them in. The  
23 coordinators are being retrained--

24 CHAIRPERSON BREWER: [Interposing]  
25 This wasn't a behavioral, this was a misprint.

2 PAMELA PERKINS: [Interposing] No,  
3 I got--

4 CHAIRPERSON BREWER: Okay.

5 DAWN SANDOW: To--

6 PAMELA PERKINS: --and we're  
7 looking--we're cleaning our files to make sure--

8 CHAIRPERSON BREWER: Okay.

9 PAMELA PERKINS: --that there is no  
10 such errors.

11 CHAIRPERSON BREWER: All right.

12 DAWN SANDOW: I just want to state  
13 that I would like to thank the good government  
14 groups, the NYPIRG and CIDNY and Citizens Union.  
15 It is--

16 PAMELA PERKINS: League of Women  
17 Voters.

18 DAWN SANDOW: League of Women  
19 Voters. It's great because they get in touch with  
20 us during the day, AALDEF is also great for that  
21 as well. If they see something, they e-mail us  
22 during the day, they call it into our center--

23 PAMELA PERKINS: Yeah.

24 DAWN SANDOW: --we can rectify it  
25 right away. And that's what we are trying to tell

1  
2 everyone that's out there: Get in touch with us,  
3 if you can't call it into the system, I know  
4 everybody has my e-mail because I had voters e-  
5 mailing me and I was responding to those voters  
6 and I was getting in cars--

7 CHAIRPERSON BREWER: Right, okay.

8 DAWN SANDOW: --and I was going to  
9 poll sites so--

10 CHAIRPERSON BREWER: [Interposing]  
11 But we want to make sure that, hopefully, any  
12 problem that took--existed in the past is not a  
13 problem, we'll have new ones.

14 DAWN SANDOW: Well--

15 CHAIRPERSON BREWER: But we want to  
16 make--

17 DAWN SANDOW: Yes.

18 CHAIRPERSON BREWER: --we'll have  
19 new ones--

20 [Crosstalk]

21 DAWN SANDOW: [Interposing] We do  
22 take that information from the call center--

23 CHAIRPERSON BREWER: Okay.

24 DAWN SANDOW: --we take the  
25 information from the AD monitor reports--

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CHAIRPERSON BREWER: Okay.

DAWN SANDOW: --we receive reports  
from CIDNY and AALDEF--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing]  
Okay. Well let me ask about some of the CIDNY  
issues with the ballot marking devices. How are  
you--I received a lot of complaints about the  
people at the BMDs trying to be of assistance to  
people who are using them. How is that training  
going to be different? Do you have the right  
people at the BMDs? It is more complicated. Lots  
of complaints about the personnel at the BMD not  
being able to assist a person who's using it.

DAWN SANDOW: Well when they get  
training, we don't train someone specifically on  
the BMD. When they come in for that six-hour  
training, they're getting training on the scanner  
and the BMD as well. Everyone--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing]  
But some people can handle a BMD and some people  
can't, so it is more complicated. And so I'm just  
wondering is somebody paying attention to put

1  
2 somebody who wants to be at the BMD, who cares a  
3 little bit more sensitivity and who will work with  
4 somebody in a patient manner? That's what you  
5 need.

6 STEVE RICHMAN: To some extent,  
7 Council Member, it also reflects what the district  
8 leaders recommend 'cause they want certain people  
9 in certain places.

10 CHAIRPERSON BREWER: Okay.

11 STEVE RICHMAN: I think the other  
12 part, though, is our aim is to have every poll  
13 worker trained on all facets because on a given  
14 election day certain people may--

15 [Crosstalk]

16 CHAIRPERSON BREWER: [Interposing]  
17 No, I understand that, but I'm saying I went to  
18 the CIDNY meeting on this topic and there were 40  
19 very intelligent people with different  
20 disabilities, I must admit, they all had a  
21 complaint. So I'm trying to say it was mostly not  
22 the machine but the personnel, and you got to, I  
23 mean, it's got to be fixed.

24 [Crosstalk]

25 MALE VOICE: --CIDNY sharing with

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us.

DAWN SANDOW: If CIDNY could share that with us, that would be--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing] I assume they have, but we will make sure that CIDNY gives you a call tomorrow morning.

STEVE RICHMAN: And they prefer to do it through their lawyers now.

CHAIRPERSON BREWER: No, they will talk to Dawn and Pam tomorrow, we'll make sure. But I would like to see a lot more attention paid to the BMDs.

DAWN SANDOW: Just to state, when we receive a complaint, whatever complaints we do receive, we try to address immediately.

CHAIRPERSON BREWER: I know.

DAWN SANDOW: If it's not given to us, we can't--

CHAIRPERSON BREWER: [Interposing] I understand that, I just want to make sure that--

DAWN SANDOW: Yeah.

CHAIRPERSON BREWER: --that community--

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DAWN SANDOW: That was not--

[Crosstalk]

CHAIRPERSON BREWER: --that is a very important community and, as we all know, and I want to make sure that they have what they need to be able to vote on site, not--

[Crosstalk]

DAWN SANDOW: [Interposing] I understand.

CHAIRPERSON BREWER: --absentees.

DAWN SANDOW: Most definitely, we want the same thing.

PAMELA PERKINS: Well hopefully, if they can give us that information and it's not too late, we could--if there's specific areas, specific poll sites--

CHAIRPERSON BREWER: Okay.

PAMELA PERKINS: --it's not too late we can bring those--

DAWN SANDOW: Right.

PAMELA PERKINS: --poll workers in to give them additional training.

DAWN SANDOW: Or try and change this.



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PAMELA PERKINS: Or change them--

[Crosstalk]

PAMELA PERKINS: --but we need to--

CHAIRPERSON BREWER: Okay.

PAMELA PERKINS: --know ASAP.

CHAIRPERSON BREWER: Now maybe you did this already, but what were the--this is about the election night reporting and the PMDs and, as I indicated, I had a really positive experience at the precinct I was at. I took the time to go to a precinct and it was excellent. But what were the results--and I know you mentioned on page five that there was--it was better, I want to know how it was specifically in terms of accuracy and speed how it was improved. And, obviously, maybe you're comparing with the previous primary or maybe from the old machines, whatever you want, but how are you comparing? And what were the actual results too?

JOHN NAUDUS: John Naudus, Director of the Electronic Voting Systems department. During this primary election, not only did we use the new process of actually sending the PMBs to the precincts and then electronically transmitting

1  
2 those results to the general office, the NYPD also  
3 conducted the old process of taking their [off  
4 mic] of canvas and key entering those results. So  
5 what we did is when we got both sets of results  
6 after the election, we compared the two to each  
7 other and what we saw was that with on the new  
8 process we had roughly 10% more votes were  
9 returned to--on the new process than on the old  
10 process. Basically, meaning that even when we  
11 compare now to the re-canvas, the results on the  
12 new process were about 1% different than the  
13 actual re-canvas numbers, whereas, the results  
14 from the old process the police used, it was on  
15 average like 9 to 10% difference in less votes.  
16 So we are achieved, in a sense, greater accuracy  
17 than the process we used in the past.

18           Problem with comparing back to old  
19 elections is the primary election especially,  
20 they're always changing their makeup, sometimes  
21 they're full borough, sometimes they're only  
22 portions of the borough, so can't really do an  
23 accurate comparison back to them. So we're lucky  
24 in this case that, because we use both processes,  
25 we were able to see what the old process would

1  
2 have done in the actual election and this new  
3 process.

4                   Unfortunately, the time we did not  
5 beat the current process, we were actually a  
6 little slower than the older process. Even though  
7 we achieved the accuracy, we did not achieve the  
8 speed to get to the--

9                   CHAIRPERSON BREWER: [Interposing]  
10 And what do you attribute that to?

11                   JOHN NAUDUS: Part of it, it has to  
12 do with this is the first time--we train the ENR  
13 staff and the police and such in this process and  
14 this is their first time doing it. What we saw in  
15 Queens, where we ran our previous pilots, that the  
16 first election going--in the first election going  
17 out in the general election of 2011, it took a  
18 long time to get the sticks back because everyone  
19 has to--you have to think about, okay, what am I  
20 supposed to do for this process. The next time we  
21 rolled out that pilot in the presidential primary  
22 in April, the process went faster; we were able to  
23 get the results in. Whereas, the first time, it  
24 took to three in the morning, the second time we  
25 got the results in by one in the morning.

1  
2                   So this is one of those things of  
3 it's going to be the training, repetitive training  
4 to the police, to inspectors, and to our ENR  
5 staff, and then over time as people get used to  
6 the process they will be able to perform it  
7 quicker.

8                   CHAIRPERSON BREWER: All right.  
9 And I assume part of the problem is when you're at  
10 the poll site it's been a long day and the lights  
11 aren't great, it's hard to follow some of those  
12 directions for, I call, the yellow bags and what  
13 goes in them. I know it's called return of  
14 canvas, but nobody knows what in the world that  
15 is.

16                   [Crosstalk]

17                   JOHN NAUDUS: Obviously, any time  
18 you have staff work for 16 hours and then expect  
19 them to follow complicated procedures at the end  
20 of the 16 hours will have issues.

21                   CHAIRPERSON BREWER: So you think  
22 that's where the timeframe lags a bit?

23                   JOHN NAUDUS: Well some of it has  
24 to do with--

25                   CHAIRPERSON BREWER: [Interposing]

1  
2 It took a while for the cops to bring in, you  
3 know, they started it and--

4 [Crosstalk]

5 JOHN NAUDUS: [Interposing] Yeah,  
6 some--it comes down to many factors, some of it  
7 is, depending on the district, you have different  
8 contests, the tape would be longer, it takes  
9 longer to print. Obviously, also the inspectors,  
10 if they're not following the procedures or it's  
11 taking them longer to follow the procedures, it  
12 will take them longer to get the bags packed and  
13 handed to the NYPD. And even, as I say, even for  
14 the NYPD it's a learning process, this is a new  
15 thing to take the yellow bag and bring it back to  
16 their precincts first.

17 CHAIRPERSON BREWER: Okay.

18 JOHN NAUDUS: So it's a learning  
19 process all around on all the steps, and in this  
20 general election we're going to have longer tapes  
21 to print, we're also expecting that the polls will  
22 not be closing at nine per se, 'cause we will have  
23 lines of people, hopefully, that will be coming  
24 out to exercise their rights and we will process  
25 all of those voters before we close the polls--

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CHAIRPERSON BREWER: Okay.

JOHN NAUDUS: --and that will also make this process go longer for this election.

CHAIRPERSON BREWER: [Interposing] One last question, lots more people are voting, are registering to vote, and you're working your own staff and you're hiring temporary staff, I believe, to get the names in. Any extra precautions to try to get the right name in the right place for the book to be signed in at the polling place. I mean, are there different ways of doing it? Is it the same way because it's the only way? Just an update on the age-old question, my name wasn't in the book and I've been voting in that place for 40 years, which is what I heard a lot, and I think a lot of us did.

DAWN SANDOW: Well we tried to prepare by bringing in a temp agency to work 9 p.m. to 9 a.m. because we knew after--about two weeks ago we received over 142,000 just in the general office. So, of course, as you get closer to the deadline, we knew those registrations were going to increase so, I believe, they started last Wednesday--

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PAMELA PERKINS: Yes.

DAWN SANDOW: --the temp agency, and they've been going from 9 p.m. to 9 a.m. in our staff has been going from 9 a.m. to 9 p.m. Our staff did work the weekend, the temp staff did not. We had our staff there from 9 a.m. to 9 p.m.

I can't sit here and say that every entry is going to be exact, especially when they-- like we said, it's crunch time and they've been going for weeks on end now seven days a week, nine to nine with no day off.

CHAIRPERSON BREWER: Okay. All right, I think that's what we have is, obviously, many more questions and I'm sure they'll come up and I think we will follow up with some of the specific problems just to be sure that they will be addressed, okay? Thank you all very much.

PAMELA PERKINS: Thank you.

MALE VOICE: Thank you.

DAWN SANDOW: Thank you.

CHAIRPERSON BREWER: Our next speaker is Amy Loprest, Campaign Finance Board.

[Off mic]

SERGEANT-AT-ARMS: If anybody has

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copies of their statements, I'll take them.

CHAIRPERSON BREWER: Start whenever you're ready.

AMY LOPREST: Okay. Good afternoon, Chair Brewer, my name is Amy Loprest, Executive Director of the New York City Campaign Finance Board. With me today are Sue Ellen Dodell, general counsel, and Eric Friedman, Director of External Affairs. Thank you for the opportunity to testify here today. I'm going to cut out some of my written testimony, you can read what's there, given the late time.

With so many jurisdictions enacting laws to make it harder to vote, I'm pleased we're here today to discuss legislation that aims to make it easier for New Yorkers to vote and to provide them with the information they need to participate in a meaningful way, and to embrace new technology that would further enhance the role of small dollar contributors in New York City elections.

A few of the bills you will consider today will have a direct impact on our work and I'd like to focus on those. Intro 769.



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2 Since the inception of the Campaign Finance Board,  
3 the Charter has required the CFB to print and mail  
4 a multilingual, non-partisan voter guide to every  
5 household with a registered voter. The guide  
6 represents each candidate with an opportunity to  
7 speak to voters free of charge, and it gives every  
8 voter access to basic information about their  
9 choices. We support efforts to expand access to  
10 information about candidates and elections.

11 Still, it is important to note that this basic,  
12 important resource comes at a significant cost to  
13 the City. The Board mailed nearly 3 million  
14 guides before the 2009 primary elections, and  
15 nearly 4.3 million before the general. With a new  
16 requirement to publish the guide in a fifth  
17 language, we project the cost for designing,  
18 translating, printing, and mailing the guides for  
19 the primary and general elections in 2013 will be  
20 nearly \$8 million.

21 If Intro 769 were to become law,  
22 New York's disjointed election calendar would  
23 require at least three citywide guides during  
24 even-numbered years: One for federal primaries in  
25 June, another for state primaries in September,

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2 and a third for the general election in November.  
3 Every four years, there would be a fourth guide  
4 for New York's presidential primaries. This will  
5 require considerable additional expense to print  
6 and mail the guide, as well as additional staff to  
7 gather information from candidates and produce the  
8 guide three out of every four years.

9           There are potential ways to  
10 mitigate some portion of the costs associated with  
11 the new requirement. As the board proposed in its  
12 2009 post-election report, the bill allows voters  
13 with reliable access to the Internet to opt-out of  
14 receiving a printed guide in the mail and instead  
15 receive an e-mail notification to view the guide  
16 online when it is available.

17           One important step towards helping  
18 accomplish a seamless opt-out option is we would  
19 urge the Board of Elections to consider changes to  
20 the voter registration forms to collect voters' e-  
21 mail addresses for this purpose, as well as  
22 voters' language preferences. For this year we  
23 have produced online-only guides for the federal  
24 and state primary elections, and will publish an  
25 online guide for the general election later this

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2 week. A broader, more flexible mandate for the  
3 federal and state election years would allow us to  
4 expand our efforts to provide vital information  
5 about elections, while allowing for the ability to  
6 manage the additional costs more efficiently.

7 Intro 613, which will require the  
8 CFB to send e-mail notifications of election dates  
9 and deadlines to registered voters, is a  
10 worthwhile proposal. In fact, we instituted a  
11 program of e-mail outreach to voters and potential  
12 voters earlier this year.

13 NYC Votes is the CFB's nonpartisan  
14 voter registration and civic engagement campaign,  
15 and with our partners across the city from  
16 National Voter Registration Day, which was  
17 September 25th, until the deadline for  
18 registration this year, we held over 1,000 voter  
19 registration drives. Through NYC Votes, we have  
20 issued e-mail reminders about each of the upcoming  
21 elections and important deadlines. At every one  
22 of its public events and registration drives, our  
23 voter assistance staff has distributed pledge  
24 cards to collect e-mail and voter--and mobile  
25 phone numbers for purpose of issuing election

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2 reminders. We have about 1,000 people who have  
3 signed up with our pledge card, and I have some  
4 here for the Council to distribute. We collect  
5 addresses through our website as well, and we  
6 provide reminders of the registration deadlines  
7 and election dates through Twitter @nycvotes and  
8 Facebook, facebook.com/nycvotes. Here are copies  
9 of our Voter Pledge card, and we urge you to  
10 promote this effort with your constituents and  
11 help us get the word out.

12 Our work in this area leads us to  
13 suggest some changes to the bill. We would  
14 suggest that the bill provide some flexibility  
15 with regard to the timing and frequency of the  
16 notifications. Potential voters who are bombarded  
17 with repeated notifications may choose to ignore  
18 them, or unsubscribe. To ensure these messages  
19 have the greatest impact, we would seek to expand  
20 our notification program to include links to voter  
21 education material or to send messages through  
22 other media, like text messages. We would again  
23 urge modifications to the voter registration form  
24 to collect voters' e-mail addresses for this  
25 purpose.

1  
2 Intro 764. The central goal of New  
3 York City's public campaign financing program is  
4 to encourage candidates to build their campaigns  
5 with small contributions from average New Yorkers  
6 and decrease their reliance on large, special  
7 interest contributions. Intro 764 makes it even  
8 easier for candidates to reach those small donor  
9 contributors by enabling campaigns to accept  
10 contributions by text message. Americans have  
11 used their mobile phones to make small  
12 contributions to charities for almost ten years,  
13 but the practice was widely adopted in the wake of  
14 the earthquake that struck Haiti in 2010. In  
15 response to an appeal from the American Red Cross,  
16 Americans gave more than \$30 million via their  
17 mobile phones in the space of ten days--all of it  
18 in \$10 contributions. The Red Cross appeal, and  
19 others like it, worked because mobile donations  
20 are quick, easy, and convenient. Text message  
21 contributions have the potential to bring the same  
22 ease and convenience to political engagement.

23 California and Maryland have  
24 approved text message contribution for state  
25 candidates. The Federal Election Commission has

1  
2 allowed their use, and both major party  
3 presidential candidates have adopted the  
4 technology for their own campaigns.

5           In New York City, text message  
6 contributions clearly have the potential to  
7 further emphasize the role of small donor--dollar  
8 contributions in our campaign finance system. We  
9 have followed the evolution of this technology  
10 with interest, we reviewed the opinions issued by  
11 the Federal Election Commission approving its use,  
12 and we have begun to consider whether a system to  
13 accept contributions by text message can indeed be  
14 consistent with the Campaign Finance Act.

15           There is a significant challenge  
16 that separates those systems that have adopted  
17 text message contributions and ours in New York  
18 City--small dollar contributions in our system are  
19 matched with public funds. To be matched,  
20 contributions must come from individuals who  
21 reside in New York City, campaigns must provide  
22 information about the contributor, the information  
23 must be properly documented, the contributions  
24 must be reported on the campaign's disclosure  
25 filings, and the contributions must otherwise be

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2 compliant with the requirements of the Act--  
3 including the limits on the size and source of  
4 contributions.

5           Foremost in our consideration is  
6 whether a system of text message contributions can  
7 provide a reasonable level of certainty that these  
8 conditions are met. We look forward to working  
9 with the Council to explore these issues more  
10 thoroughly.

11           I have just brief comments on the  
12 other legislation, but I'm going to leave them to  
13 my writing and I welcome questions.

14           CHAIRPERSON BREWER: Well thank you  
15 very much. Why don't you just summarize the other  
16 two bills? Because I think the public might be  
17 interested and, too, 'cause it came up earlier.

18           AMY LOPREST: Okay. Well Intro  
19 760, which tracks the efforts of the city agencies  
20 charged with providing voter registration forms.  
21 As you know, our voter assistance staff works  
22 closely with those agencies to incorporate this  
23 voter information in their interactions with the  
24 public, and we've helped them do numerous  
25 different things. With improved tracking, we can

1  
2 better evaluate the effectiveness of our efforts  
3 and their efforts and better recommend ways to our  
4 partners to improve their voter registration  
5 programs.

6 CHAIRPERSON BREWER: So you think  
7 it's a good idea, if it can be worked out.

8 AMY LOPREST: Yeah, I mean, I  
9 understand, you know, we wouldn't be  
10 administering, but I, you know, I think that this  
11 would be a good idea.

12 As far as the bill about the DOE,  
13 the DOE has been a major partner in our voter  
14 assistance efforts and we hope that this bill  
15 would enhance and supplement their existing  
16 outreach efforts.

17 And as far as the voter--the poll  
18 worker bill for Intro 721, we know that poll  
19 worker recruitment is a major challenge for the  
20 Board of Elections and we often solicit poll  
21 workers when we do our voter registration drives,  
22 and we think that 721 would provide a larger pool  
23 of workers for the Board of Elections.

24 CHAIRPERSON BREWER: Thank you.  
25 Regarding the text message issue, do you think the



1  
2 \$100--I mean, there's lots of logistics, which we  
3 could talk about, and you're working on offline,  
4 but in terms of the \$100, is that the right amount  
5 do you think? Should it be more, should it be  
6 less? I think there's a matching number that's  
7 slightly different. I don't know the answer, I'm  
8 asking it--

9 AMY LOPREST: The \$100, you know,  
10 \$100 is significant in our law because it's the  
11 maximum that people can give in a cash. It's also  
12 below which the contributions need not be  
13 disclosed in detailed. Obviously, in order to get  
14 a matching funds, all contributions have to be  
15 reported.

16 I think that working out what the  
17 appropriate maximum number is is going to be one  
18 of those details to work out. A hundred dollars  
19 seems like a logical number, I think other  
20 jurisdictions have tried different numbers.

21 CHAIRPERSON BREWER: Okay. And do  
22 you think that more people are using e-mail so  
23 that that could produce more material? Obviously,  
24 in ten years, it might be a moot point, we have no  
25 idea 'cause so many people may be online. But

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2 we're sort of in the in-between state now. So in  
3 terms of the legislation that talks about federal,  
4 state, and so on, you know, and it's a cost  
5 factor. How do you see the e-mail, like, people  
6 are signing up, do you think it makes sense to do  
7 that? What, you know, down the line.

8 AMY LOPREST: Well right now, we  
9 don't collect those e-mails--

10 CHAIRPERSON BREWER: [Interposing]  
11 No, I know that.

12 AMY LOPREST: --and I guess, I  
13 mean, the number of households who have reliable  
14 access to the Internet is only growing  
15 exponentially every year, but there is a  
16 recognition that there are certain populations and  
17 certain areas where people don't have access to  
18 the e-mail. So I think one way to deal with that  
19 is to allow some flexibility in the law and  
20 perhaps, in addition to allowing online guides,  
21 maybe bulk distributions in some certain ways, I  
22 mean, other methods that can combine and help  
23 contain the cost.

24 CHAIRPERSON BREWER: What level of  
25 involvement do you think the CFB, even though it's

1  
2 not you specifically, would have regarding the--  
3 assisting the agencies with implementation of the  
4 so-called City's Motor Voter law? Because it is  
5 something that we talked a little bit about with  
6 Council Member Williams and you mentioned it. But  
7 in your vast experience, do you think that there  
8 are ways of accomplishing what we want to  
9 accomplish, which is which agency did or didn't do  
10 their jobs, et cetera, et cetera?

11 AMY LOPREST: Well one thing that  
12 we do, I mean, we already are through our voter  
13 assistance unit charged with working with these  
14 agencies to develop voter registration plans. I  
15 think that we--one thing we focused on is working  
16 with each agency to see--to allow them flexibility  
17 to see what methods would best serve their  
18 populations, both the people they serve and also,  
19 in many instances, their own worker population,  
20 the people that work for those agencies. We've  
21 done, you know, we've done a survey with the Taxi  
22 and Limousine Commission before the federal  
23 primaries, before the state primaries, having that  
24 survey that's in taxis that people can do about  
25 whether they voted.

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CHAIRPERSON BREWER: [Interposing]

The one I turn off as soon as I get in the cab--

[background noise]

AMY LOPREST: And so, you know, we actually--I mean, I also always turn off whenever I'm in a taxi, not that frequently. But we got a fair number of people responding to those surveys so it's--

CHAIRPERSON BREWER: [Interposing]

They're not New Yorkers, they couldn't be. Go ahead.

AMY LOPREST: And--

CHAIRPERSON BREWER: I'm teasing.

AMY LOPREST: --and then and so we've been working with each agency to kind of focus on what would work best. And I think that tracking how many registrations come back from each agency would be important to know how successful those efforts are.

Again, I think flexibility is always important in allowing agencies to find what works best for them is often important.

CHAIRPERSON BREWER: When you had to deal with the credit cards some years ago for

1  
2 contributions, you had to deal with certain  
3 challenges, are they similar for the text  
4 contribution issue? Obviously, you know, I guess  
5 if you have a credit card you have an address, and  
6 I guess we could know if it's New York or  
7 California. It would have been more challenging  
8 when you're texting.

9 AMY LOPREST: Yeah, I mean--

10 CHAIRPERSON BREWER: But go ahead.

11 AMY LOPREST: --with the text  
12 messaging, I mean, with the way that other  
13 jurisdictions have done it is, there is to get the  
14 basic required information is that you have an  
15 exchange of texts to get the name of the person  
16 and the address information. One of the major  
17 challenges, and one thing that makes the text  
18 messaging very different than credit cards, is the  
19 way that they're funded. And I know you're going  
20 to hear some testimony later about from other  
21 people who are a lot more expert in this than I  
22 am, but the way that it's done is that there's a  
23 middleman, so to speak, called an aggregator who  
24 collects these contributions and then forwards a  
25 factored payment to the campaign within ten days.

1  
2 The factor payment isn't the entire amount of the  
3 contributions that have been pledged so there is  
4 those issues. Unlike a credit card where the  
5 credit card company forwards the entire amount so  
6 you know that they've been paid.

7 There's issues about the ownership  
8 of the, you know, whose phone is really using it.  
9 It's a lot, I mean, it's somewhat less secure than  
10 a credit card where it's unlikely that someone  
11 actually has access to your credit card  
12 information. So knowing who is the contributions  
13 coming from, how it's coming, and when it's coming  
14 are, you know, some of the key issues.

15 CHAIRPERSON BREWER: I hope we can  
16 work them out. Obviously, other states have  
17 without your fabulous program, but I'm sure we'll  
18 figure out a way.

19 AMY LOPREST: I'm sure we will.

20 CHAIRPERSON BREWER: Oh, good.  
21 Just finally, in terms of this issue, back to  
22 voter guide, you know, being electronic, being  
23 paper, what percentage of the population do you  
24 think would take advantage of the ability to opt-  
25 in to receive the paper versus the electronic?

1  
2 And then you know, I have a huge database and the  
3 endless of the changing of the e-mails and then  
4 nobody tells me and I have to--you know, I think I  
5 could be a private investigator, I know how to  
6 find them. But they do fall between the cracks.

7 AMY LOPREST: I mean, that's one of  
8 the reasons why we suggest that the e-mail  
9 addresses get and the opt-out information get  
10 collected on your voter registration form 'cause  
11 that's a sure way that the list is up to get date  
12 because we can get our mailing lists from the  
13 Board of Elections and it's always--

14 CHAIRPERSON BREWER: Right.

15 AMY LOPREST: --we've always worked  
16 very well with them, so if they collected that  
17 information, then the opt-out would be up to date.  
18 I think that, you know, we've had some experience  
19 with opt-outs and we had an opt-out for people  
20 receiving the Chinese and Korean voter guide. A  
21 very, very small number of people take the  
22 initiative to send in that opt-out card, so I  
23 wouldn't expect a huge number of people to opt-out  
24 of the print guide, just for the fact that it  
25 takes some initiative to do it.

1  
2 CHAIRPERSON BREWER: Oh, that's  
3 great, okay. Anything else? Thank you both very  
4 much and all three of you very much.

5 AMY LOPREST: Thank you.

6 CHAIRPERSON BREWER: Alex Camarda  
7 and Dick Dadey from Citizens Union, Neil  
8 Rosenstein from NYPIRG, Kate Doran from League of  
9 Women Voters, Susan Lerner from Common Cause, and  
10 Socheatta Meng from the Civil Liberties.

11 [Pause]

12 CHAIRPERSON BREWER: All right,  
13 Andrew Schlichter [phonetic], also Election  
14 Protection Coalition. Let's see if we can get a  
15 lot of chairs.

16 [Pause]

17 CHAIRPERSON BREWER: I appreciate  
18 everyone waiting so long, I appreciate it very  
19 much.

20 [Long pause]

21 CHAIRPERSON BREWER: Go ahead,  
22 whomever.

23 [Pause]

24 ALEX CAMARDA: Good afternoon,  
25 Chair Brewer and members of the Council



1  
2 Governmental Operations Committee, my name is Alex  
3 Camarda, I'm the director for Public Policy and  
4 Advocacy for Citizens Union. We're an  
5 independent, nonpartisan civic organization of New  
6 Yorkers who promote good government and advance  
7 political reform in our city and state.

8 In recent years, this committee has  
9 held several oversight hearings related to the  
10 challenges faced by the Board of Elections in the  
11 city of New York in administering elections and  
12 the diminishing participation by voters in our  
13 democracy. Citizens Union and our good government  
14 partners like the City Council have been examining  
15 these issues.

16 Beginning in 2011, Citizens Union  
17 identified a number of proposals supported by the  
18 good government community that we sought to  
19 introduce as legislation that we believed would  
20 help address long-standing and new issues that  
21 have surfaced since the transition to the new  
22 voting machines. Over the past 18 months, we've  
23 worked closely with a number of Council Members  
24 who were here today to draft and introduce these  
25 needed pieces of legislation.

1  
2 New Yorkers deserve a democracy  
3 that is run more professionally and encourages  
4 participation by the voters. Too few voters have  
5 turned out in recent elections and, when they do,  
6 their experience has not always been what it  
7 should be. Voters are too often confused about  
8 which poll site to go to and don't always receive  
9 correct information from poll workers. By using  
10 modern technology and leveraging city resources,  
11 we can better disseminate vital information about  
12 voting and candidates, offer more opportunities to  
13 register, utilize the City's workforce at the  
14 polls, and hold agencies accountable for providing  
15 a 21st-century democracy.

16 We're thankful to the Council  
17 Members who provided leadership by sponsoring the  
18 bills, and the Chair and Speaker Quinn for  
19 providing a forum for their vetting today. We  
20 also wish to thank the 15 organizations who wrote  
21 memos of support for the legislative package,  
22 including the unions SEIU 1199, 32BJ, RWDSU, and  
23 community organizations like Meng Kuan [phonetic]  
24 and the United Chinese Association.

25 Citizens Union believes that these

1  
2 six bills, five of which have 34 or more sponsors,  
3 will both improve election administration in New  
4 York City and encourage, if not increase, voter  
5 participation.

6           The first two bills I'm going to  
7 discuss, we believe will improve election  
8 administration in New York City. And those are  
9 number 721, sponsored by Council Member Lappin,  
10 and also number 778, sponsored by Council Member  
11 Lander. As far as 721 goes, we believe this bill  
12 will create a municipal poll worker recruitment  
13 program enabling the City Board of Elections to  
14 more effectively tap into the municipal workforce  
15 that is already off on election day and employ  
16 civic minded employees as poll workers. An  
17 adequate number of qualified poll workers are  
18 integral to a well-run election, yet the board  
19 faces a monumental undertaking for election day--  
20 it needs to fill 36,000 poll worker positions for  
21 a typical general election. Citizens Union knows  
22 challenging this can be, having recruited 15,000  
23 new poll workers ourselves between 2001 and 2008.

24           The board in 2011 deployed 30,000  
25 poll workers at the polls on election day. Only

1  
2 about half of those, according to the board's  
3 annual report, are recruited by district leaders.  
4 The remainder is acquired by the board's central  
5 office. This bill will provide assistance to the  
6 board to recruit qualified poll workers who  
7 already interface with the public, it will also  
8 provide city workers with an opportunity to make a  
9 few hundred extra dollars on their day off if they  
10 choose to. It's a win-win proposal that should be  
11 expanded to the primary day as well.

12           And I wanted to also take the  
13 opportunity to address some of the concerns that  
14 were raised by other Council Members, in  
15 particular Council Member Dilan. There's been a  
16 misconception with this bill that somehow it  
17 impacts the role that district leaders play in  
18 recruiting poll workers, it does not. This is a  
19 bill that's intended to supplement the pool of  
20 poll workers because district leaders do not  
21 recruit enough poll workers. So it has no impact  
22 on the manner in which district leaders recruit  
23 poll workers. If district leaders were to recruit  
24 all the poll workers the board needed, this bill  
25 would be moot.

1  
2 As far as voter coordinators go,  
3 Council Member Dilan raised this issue that they  
4 may be not nonpartisan, or partisan. We currently  
5 have voter coordinators in law responsible for  
6 voter registration at agencies, and I've never  
7 heard a single complaint related to partisanship--  
8 and this is for the voter registration process.  
9 So unless the Council Member or others know of  
10 that, I don't think that's an issue that needs to  
11 be addressed.

12 With regard to number 778, this  
13 bill requires the board to report data to the City  
14 Council conforming to the performance metrics in  
15 the Mayor's Management and Preliminary Management  
16 Reports. The board currently does not report data  
17 to the MMR and PMMR, as we know. They indicated  
18 today, they don't believe they're a city agency.  
19 We believe this bill is respectful of the board's  
20 perceived independence while ensuring the agency  
21 is driven by performance and outputs, a vital  
22 requirement during this time of fiscal restraint.

23 The board reported this data to the  
24 Council during the budget process this year, they  
25 did also in 2008, and this bill will simply codify

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this recent practice.

We believe the board's annual report, while a good source of information, is not an adequate substitute for many of the remarks that--or many of the arguments that Council Member Lander made. We are open to other approaches in which the city board would provide information adhering to the MMR and PMMR requests on its website along to the budget cycle, but we believe this is a very good first step to transparent reporting and public accountability for the board.

And I should also note that we agree with the Councilman, Councilman Lander, on his interpretation of state law, and the provisions in state law specify that the Council is the agency in receipt of--or I should say the legislative body in receipt of the board's annual report, and for that reason, we think they have some latitude in indicating what's actually in it.

The remaining bills will help encourage and improve voter participation in New York City. Voter participation in New York City has been declining for years, it's currently at an abysmal rate. During the 2012 June federal

1  
2 primary election, turnout was just 9.7% of  
3 registered voters, and even contested elections in  
4 congressional districts 6 and 13 had turnout less  
5 than 16%. Beyond the recent June primary, fewer  
6 New Yorkers voted in mayoral elections in the  
7 2000s than did in any other decade since the  
8 1920s, even though New York City now has 3 million  
9 more people than it did in the 1920s.

10 Furthermore, New York State ranks  
11 47th in the nation in voter registration, with  
12 fewer than 64% of eligible voters registered to  
13 vote. Registrants in New York City are also  
14 disproportionately white in every congressional  
15 district in the city. Fewer Latinos are  
16 registered in every congressional district in the  
17 city as compared to their proportion of the  
18 population.

19 There are many reasons for dismal  
20 voter participation in New York City and most  
21 major reforms would need to be achieved through  
22 changes to state law. That said, the City Council  
23 and the local board, however, have the authority  
24 to make changes that will encourage greater voter  
25 registration and participation by passing Intros

1  
2 613, 769, 760, and 728.

3           Six-thirteen would enable New  
4 Yorkers to voluntarily sign up for e-mail updates,  
5 to receive reminders to vote on election day, and  
6 of the deadlines to register or request an  
7 absentee ballot. We believe this proposal would  
8 encourage New Yorkers to participate in our  
9 democracy. To their credit, both the Board of  
10 Elections and the Campaign Finance Board have  
11 begun to implement provisions of this bill. The  
12 board recently redesigned its website, which  
13 allows for voters to provide e-mail addresses for  
14 updates, although they have yet to send out any e-  
15 mail blasts. The CFB has sent out alerts  
16 reminding New Yorkers to register to vote.

17           Citizens Union recommends the board  
18 administer this proposal, only because more New  
19 Yorkers are likely to go to the board's website  
20 and recognize that entity as being responsible for  
21 the administration of elections. However, if the  
22 board is not interested in doing this voluntarily  
23 in a meaningful way, we suggest the CFB administer  
24 it and there should be cooperation between both  
25 entities. I know we heard some testimony today



1  
2 about particular provisions of the bill. I think  
3 what's most important is that there's can be  
4 cooperation between the CFB and the board, no  
5 matter who administers it in the accessing and  
6 sharing of e-mails and information.

7           With regard to number 769, this  
8 bill, like number 613, would help generate  
9 awareness among New Yorkers of upcoming elections  
10 by requiring the CFB's voter guide to be published  
11 not only during the years in which city contests  
12 are held, but also for state and federal contests.  
13 It will also expand coverage of city contests of  
14 that less widely known races, like those for  
15 judicial and party positions are made known  
16 through the CFB's voter guide. This will serve as  
17 a useful nonpartisan resource and reminder to  
18 registrants to vote.

19           The bill also, importantly,  
20 provides the option for voters to receive the  
21 guide via e-mail if they opt-out of receiving the  
22 print version, which will help to offset the  
23 increased costs. And we remain flexible in trying  
24 to work out something that's affordable and also  
25 gets the information to registered voters.

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CHAIRPERSON BREWER: [Interposing]

I think if you can summarize a little bit your support of these bills, that would be great.

Just, you know--

ALEX CAMARDA: [Interposing] Okay.

On Intro 760, as others have mentioned, we're just trying to find a way in which to ensure that agencies are doing their job of offering voter registration opportunities. I did want to take the time to address some of the issues addressed by the board in their testimony because I feel many of them are not accurate.

They seem to suggest that this is a new program in their comments in their testimony, and, in fact, this is something that's already being done. They already print 150,000 registration forms that they're required by law to send out to these 19 agencies under the pro-voter law, and so I disagree with their assessment that it would cost \$100,000 to do additional forms. I mean, this is something that they're already doing on a yearly basis. If anything, it would save money by actually measuring how many are needed for each agency.

1  
2                   Their assessment that they would  
3 need 140 different--145 different versions of a  
4 registration form, I think that's also inaccurate.  
5 You just need 19 forms with different codes,  
6 regardless of the language. That's provided in  
7 the five languages, and they indicated today in  
8 their testimony that's something that they also  
9 already do.

10                   The board should not be manually  
11 entering each registration form's code, that  
12 should be done through scanning forms, which would  
13 save money if they did that for these agencies and  
14 others. And I've don't understand how they could  
15 possibly argue that this is not legal. If you  
16 look at the sections of the law in the city  
17 charter related to the pro-voter law, this is  
18 something that's actually written in law or  
19 suggested at least, it requires the agencies to  
20 already provide voter registration forms that are  
21 coded to the board. So to say that now that we're  
22 going to tailor them to each individual agency,  
23 that that's somehow preempted by the state, I  
24 think just does not hold water.

25                   The last bill, the Greenfield bill,

1 I'll just conclude by saying that we support that.

2 And for all these bills, we've  
3 suggested amendments that have been signed on to  
4 by our good government coalition as an addendum to  
5 our testimony. We also support number 764, the  
6 text messaging bill, we've provided some  
7 recommendations that we think would make it  
8 easier, simpler, and more accountable to  
9 implement.  
10

11 Thank you.

12 CHAIRPERSON BREWER: Thank you very  
13 much for all your work. Next?

14 NEIL ROSENSTEIN: Good afternoon,  
15 my name is Neil Rosenstein, I'm the government  
16 reform coordinator for the New York Public  
17 Interest Research Group, NYPIRG. Want to commend  
18 the chair, the committee, and bill sponsors for  
19 holding these hearings and crafting the  
20 legislation before you. We're looking forward to  
21 these long, long, long needed improvements being  
22 passed into law.

23 Let's face it--and by the way, to  
24 the chair, I will not be reading that whole  
25 testimony. But New York City and State have a

1  
2 very serious problem when it comes to voter  
3 registration and participation. Some other  
4 statistics we haven't heard. In 2010, the last  
5 year, some very concise stats were ready for the  
6 voting eligible population. There were some  
7 2,430,933 eligible citizens either not registered  
8 to vote or in inactive status in New York State.

9 Another measure of our poor  
10 electoral health is total turnout for the  
11 presidential election of 2008. Just four years  
12 ago, 40% of eligible citizens did not participate  
13 in this election. It's a serious problem,  
14 deserves serious solutions, and that's what the  
15 package of bills before you today is about. We're  
16 talking about better voter registration rates,  
17 we're talking about better voter education, better  
18 accountability of the Board of Elections, better  
19 conditions at the polls through better poll  
20 workers, better elections period. It's a no-  
21 brainer, it should be a slam dunk.

22 I'm going to briefly go over some  
23 of our own thoughts for each of the pieces of  
24 legislation for you today. Intro 613, let's face  
25 it, many New Yorkers have made that transition to

1  
2 the information age. They're wired via computers,  
3 tablets, tweets, texts, and smartphome. This  
4 common sense legislation would direct and empower  
5 the Campaign Finance Board to notify interested  
6 voters of important election dates. This has been  
7 mentioned already, but to take full advantage of  
8 e-mail notifications, the Board of Elections--and  
9 I'm sorry their executives staff isn't here  
10 anymore--should amend the city's voter  
11 registration form to include an optional box for  
12 e-mail addresses.

13           It's our understanding the board  
14 has the authority to do this. It's been mentioned  
15 for many, many years by Commissioner Kellner from  
16 the State Board of Elections, and Loprest just  
17 mentioned it, this is common sense. The board  
18 could also amend that form to have a check off  
19 that asks if there was a particular language that  
20 you would prefer to get your materials sent to.  
21 If we're talking about cost savings, the board  
22 should do it or they should provide the legal  
23 justification of why they're not and the committee  
24 should ultimately hold them to task.

25           Intro 769, the city's voter's

1  
2 guide, a fantastic resource for voters. We must  
3 remember that not all voters feel comfortable with  
4 that electronic technology. I was just  
5 mentioning, and we believe the funds for expanding  
6 the voter guide would be wisely spent. Whether  
7 everyone wants to get a voter guide with the  
8 positions or the alternates or the judicial  
9 nominating convention inside of it in their mail,  
10 and whether they think that's a good use of funds  
11 is a interesting debate. There's probably no  
12 other really nonpartisan location for information  
13 on those races, but perhaps those could be put on  
14 the Internet, but still having the board provide  
15 that information in a way which all New Yorkers  
16 can actively get.

17                   Into 728, practically every New  
18 York City resident takes the bus or subway, but we  
19 all certainly don't own cars or have driver's  
20 licenses, like other motor voter agencies, that's  
21 why reaching out to parents make such sense.  
22 Parents are concerned about the budgets of the  
23 city, the state, the federal government, and  
24 getting them registered and involved in the  
25 process we think is a fantastic idea. With one

1  
2 thing and it's included in some of the comments,  
3 we do think that legislation should be amended to  
4 make sure the Board of Education is transmitting  
5 those forms in a timely basis to make sure people  
6 don't sign up and then find out that they're not  
7 actually registered to vote on election day.

8 Intro 721, I think this is actually  
9 probably the most important piece of legislation  
10 in front of you because it really talks about  
11 institutionalizing a change for this poll worker  
12 program. Clearly many of them are hard-working  
13 and dedicated and we owe them a huge debt of  
14 thanks, but the old system of relying on the  
15 political parties and the district leaders to  
16 provide poll workers simply doesn't work anymore.  
17 It doesn't get us a sufficient quantity and a  
18 sufficient quality of the poll workers that we  
19 require.

20 And we echo the sentiments that  
21 since most city workers get general election day  
22 off, the way to make this really effective is to  
23 extend this to give them time off on the primary  
24 day for the special elections which were mentioned  
25 earlier. That way they can participate in



1  
2 training, be active in all of the cycles, and we  
3 think working with the unions to find out in a way  
4 to make this work and with the city is the way to  
5 go. It's been shown to work in LA, I usually like  
6 to compare us to New Jersey, but I'll also compare  
7 us to LA; if they can do it there, we certainly  
8 should be able to do it here.

9           The coding of registration forms, I  
10 also take a lot of exception to some of the things  
11 which the board said. One of the things which  
12 Local Law 29 did, which some of us were involved  
13 in drafting many years ago, is it required  
14 agencies at the next regularly scheduled printing  
15 the forms--or urge them to be integrating that  
16 form into their intake forms. They have not done  
17 that. If they did this, they could print that  
18 code on the form and it wouldn't be a question of  
19 whether or not the Board of Elections guy in the  
20 warehouse is giving the E forms to one person and  
21 the G forms to somebody else.

22           And by the way, the board did do  
23 this with coding in the early nineties for about  
24 five or six city agencies. So it's not brain  
25 science, but getting the city agencies to do this

1  
2 would be a great way if they integrate their  
3 forms.

4           And as Alex said, they have  
5 scanners, I mean, their scanner can't capture an  
6 agency code in the upper left-hand corner? Right  
7 now, you need a drop-down menu which it activates  
8 and someone--a data entry person has to make that  
9 notation. The AVID system is avidly out of date.  
10 That's a simple upgrade which we think could be  
11 made. And their arguments about being an unfunded  
12 mandate, both of them would, therefore, be  
13 nonexistent.

14           I'd just like to say and mirror my  
15 own Councilperson's comments about the Mayor's  
16 Management Report and providing those standards  
17 and metrics is really important. Some of us have  
18 been around for two decades and we've seen it,  
19 three decades, the variation in on agency reports,  
20 or annual reports, the Board of Elections puts  
21 out, it varies dramatically from year to year.  
22 This is common sense, it's a no-brainer.

23           I'd just like to end with terms of  
24 the legislation, speaking about the campaign  
25 contributions and texting. We also think it's a

1  
2 fantastic idea, that's the purpose of the campaign  
3 finance program, magnify small contributions. We  
4 have to work out some things. We're concerned we  
5 could be matching contributions from folks who  
6 have texted and actually haven't paid their bills  
7 yet, that could be a problem, but we think that we  
8 have to learn and take a look at what happened on  
9 the federal level in this election and we should  
10 be able to integrate it and put it into law.

11 I do want to say I was just rough  
12 on the city Board of Elections and now they're  
13 here for me to say all the nice things. There  
14 have been some fantastic things which have  
15 happened, and I want to start it's been mentioned  
16 the pre-election mailing to voters, and really  
17 commend the chair, as well as the board and the  
18 city, for putting together a mailing to voters.  
19 How nonsensical, you send out a mailing in August  
20 to voters and expect that they're going to know  
21 what their poll sites are and have about in  
22 November. It's a fantastic initiative and you  
23 really deserve a lot of credit. Their election  
24 app, their website, sample ballots online, since  
25 the last presidential election night reporting has

1  
2 improved and accuracy, that increases public  
3 confidence in results, and somewhat improved  
4 ballot design.

5 All those are great step forwards.  
6 I do want to mention, though, that despite those  
7 improvements, we don't think the board has done  
8 the job that they could have done and should have  
9 done in providing actual Bengali ballots, not  
10 sample ballots, to voters. Other jurisdictions  
11 have done it working with ES&S. We think that was  
12 possible. We've had details in our testimony  
13 about the times which the board knew about this  
14 language requirements and why we think it could  
15 have been done or could have been done better.  
16 The same thing with disability access, it's just  
17 shameful.

18 And the last thing I just want to  
19 end is there was some discussion earlier about  
20 voter fraud. The real voter fraud is we don't  
21 have election system where there's 2.4 million  
22 people aren't automatically registered.  
23 Unfortunately, that's the state legislature, we  
24 can't enact election day registration here,  
25 although maybe we can for city offices and we can

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talk about that. There's some theories.

But we really hope that this package goes forward and want to commend you for the great job that you're doing. Thanks.

CHAIRPERSON BREWER: Thank you very much. Next? And they have to do some shifting of chairs a little while--

[Crosstalk]

KATE DORAN: Yeah.

CHAIRPERSON BREWER: Go ahead.

KATE DORAN: Good afternoon, thank you very much for inviting us. My name is Kate Doran, I serve on the board of the League of Women Voters of the city of New York.

And we applaud also the Board of Elections for its initiatives in changing the process of the unofficial--reporting unofficial election night results, and I'm happy to see Assembly Member Kavanagh here. We hope that the real-life experience between the police and the Board of Elections will inform and facilitate the rewrite of the closing procedures in New York State election law. We know that the police would like to draw back and not do as much as they have

1  
2 been doing, and we think that that's probably the  
3 right way.

4 We believe, however, that the  
5 voters and the poll workers are well served by the  
6 peacekeeping function of having the officers in  
7 the poll site during the day. And I think that  
8 the voters also appreciate the custody that the  
9 police take of the important election materials.

10 With respect to the bills that are  
11 being considered by this committee, my colleagues  
12 here have said more than I need to say, but we are  
13 very, very pleased to be part of the voter  
14 coalition, pleased that the City Council is taking  
15 these bills up, and we support--in particular, we  
16 were in the forefront and had very strong support  
17 for Intro 728. Parents and children are prime  
18 stakeholders in the city and every effort should  
19 be made to provide them the opportunity to  
20 participate in the process.

21 Now, we're also pleased that the  
22 board is putting out a new notice to voters, a  
23 second notice to voters. As many of us predicted  
24 back in August, most voters either did not hold on  
25 to it or they did not remember getting it at all.

1  
2 I have a very sophisticated voter friend who told  
3 me that she got the mailer and she said, I know  
4 how to vote, I don't need this, and she just  
5 tossed it away, and she came into my poll site and  
6 she was in the wrong poll site.

7 So in our informal survey at the  
8 League of Women Voters led us to the conclusion  
9 that the product that the board produced in August  
10 was glossy and pretty but it looked more like a  
11 catalog or even a piece of junk mail and people  
12 just tossed it away. So we're very happy they're  
13 going to do something else.

14 Now, we expect the voter turnout to  
15 be much higher, all of us do, much higher in  
16 November than it was in September. And to further  
17 complicate things, there is going to be many  
18 voters who have not voted in a while and they're  
19 going to be dealing all of them with new ED  
20 numbers, some of them with new AD numbers, and  
21 many new poll sites, so I think the board needs to  
22 be very prepared for a confused and uninformed  
23 voters.

24 And I know that Commissioner  
25 Kellner is worried about wait times and crowds,

1  
2 I'm worried about that. And one suggestion that I  
3 have, I know we've heard a lot about the  
4 electronics, but we're not going to have  
5 electronics for every information clerk in  
6 November, I would like to see the board print a  
7 poll site-specific street finder, a couple of  
8 them. The street finder is quite large for every  
9 borough and it's, as you know, it's densely  
10 printed, and in their haste to look at it, many of  
11 the information clerks don't use a straight edge,  
12 it's very easy to make an error. But if we have a  
13 poll site-specific street finder, I could send an  
14 info clerk out to a line on the street and they  
15 could find the people who were actually standing  
16 in the wrong line, and I think that they would  
17 appreciate that to know that they shouldn't stand  
18 in line and find out that they're in the wrong  
19 place once they get inside. They could also  
20 direct them to their ED table.

21 If they are in the wrong place, you  
22 could send the voter who's been waiting on line to  
23 a coordinator or somebody else who could send them  
24 to their correct site.

25 Now the next challenge is the wait



1  
2 on line for the ED table, and I know that the  
3 Board of Elections can't print their books until  
4 they finish with the registration process. I  
5 don't understand any reason why we can't have two  
6 poll books so that we could have A through  
7 whatever, and then M through Z, and then the  
8 ballots can be sitting in the middle between the  
9 inspectors, ballots, voter cards, et cetera.  
10 Immediately, the voters would see their line cut  
11 in half. And I know voters stand in line now and  
12 they wonder, what are all these people doing when  
13 only one person can look up my name in the book.  
14 Some hoping that they would take a simple step  
15 like that. I don't know anything in the law that  
16 would prevent them.

17 Now I'm just going to conclude with  
18 one or two examples of the problems that we've got  
19 in our--we heard about through our e-mail or  
20 telephone information service, and one of them is  
21 very disturbing. A poll site for voters residing  
22 in 260 65th Street in Brooklyn was moved to 250  
23 65th Street in Brooklyn. The residing voters were  
24 moved, but the building that they used to live in  
25 is still a poll site. So why are voters being

1  
2 sent somewhere also when the building they live in  
3 is a poll site? And we heard about this, we heard  
4 about this because of a disabled man who said I  
5 can get to this new building, but it's not very  
6 convenient and there are people who are voting  
7 here, why can't I vote in my very own building.  
8 So I will pass that along to the Board of  
9 Elections.

10 And the second one--I beg your  
11 pardon?

12 [Off mic]

13 KATE DORAN: A poll worker called  
14 us and told us that they were trying to close  
15 their site in--at the end of the night and  
16 everyone was so confused and so tired they did not  
17 know how to close up the scanners--they may have  
18 been in one of the--in Manhattan, might be one of  
19 the sites that was slow to get their materials to  
20 the police precinct. But this poll worker said  
21 she absolutely would never again work unless there  
22 were split shifts and she pleaded for the Board of  
23 Elections to work out some kind of system. So I  
24 thank you very much.

25 CHAIRPERSON BREWER: Thank you very

1  
2 much. I think we need to switch seats 'cause you  
3 got--

4 [Crosstalk]

5 KATE DORAN: [Interposing] Yes,  
6 I'll be happy to do that.

7 CHAIRPERSON BREWER: And thank you  
8 very, very much for all your hard work, it's very  
9 appreciate. I want to mention while you're  
10 switching that the Disabled in Action of  
11 Metropolitan New York has submitted testimony for  
12 the record.

13 Go ahead.

14 SOCHEATTA MENG: Good afternoon, my  
15 name is Socheatta Meng, and I am legislative  
16 counsel for the New York Civil Liberties Union. I  
17 am here today to present testimony on behalf of  
18 the NYCLU. Thank you to the Governmental  
19 Operations Committee for holding this hearing and  
20 allowing testimony on these bills, which aim to  
21 improve the administration and accessibility of  
22 the voting process for New Yorkers.

23 The NYCLU, the state affiliate of  
24 the American Civil Liberties Union, is a not-for-  
25 profit, non-partisan organization with eight

1  
2 offices across the state, and nearly 50,000  
3 members. The NYCLU's mission is to defend and  
4 promote the fundamental principles, rights, and  
5 constitutional values embodied in the Bill of  
6 Rights of the U.S. Constitution and the  
7 Constitution of the State of New York.

8 A core part of the NYCLU mission is  
9 securing and protecting the rights of New Yorkers  
10 to vote. These bills propose to enhance the  
11 election and voter participation process. These  
12 goals are fundamental to a thriving and  
13 functioning democracy, and they are critical to  
14 allowing the voice of its people to be heard.  
15 Because these bills would help New Yorkers to  
16 realize their right to vote, the NYCLU supports  
17 this package of voting-related legislation, and we  
18 urge the City Council to pass these bills.

19 In order to ensure that voters are  
20 able to exercise their right to vote and make  
21 their voices heard, the election and voting  
22 process must be as effective, error-free, and  
23 accessible as possible. Particularly in light of  
24 reported problems, such as administrative  
25 difficulties, staff shortages, and lack of access

1  
2 to critical information, mechanisms must be in  
3 place to ensure that the integrity of the voting  
4 process and its results are protected. One recent  
5 example is the confusion surrounding the  
6 democratic primary in the 13th congressional  
7 district. This confusion led to the  
8 disenfranchisement of several voters, including  
9 Spanish speaking voters. Among other things, this  
10 package of voting-related bills proposes to make  
11 sure that voting sites are properly and  
12 sufficiently staffed, effectively run, and  
13 accessible to voters.

14 So in light of the time, I'm going  
15 to actually skip the body of this testimony, which  
16 describes in more detail the bills in which others  
17 have already done. However, I--

18 CHAIRPERSON BREWER: We thank you.

19 SOCHEATTA MENG: Oh. However, I do  
20 want to reiterate that the NYCLU supports these  
21 bills. Together, this package of bills seeks to  
22 improve the electoral process and to strengthen  
23 the rights of voters. These bills are necessary  
24 to ensure the integrity of the voting process, and  
25 to reassure voters and the public that their votes

1  
2 will be counted and their voices heard. The  
3 integrity of this process and the resulting public  
4 confidence in its results are cornerstones to a  
5 healthy and functioning democracy. The NYCLU thus  
6 supports these bills and urges the City Council to  
7 pass this legislative package.

8 CHAIRPERSON BREWER: Thank you very  
9 much. Next?

10 SUSAN LERNER: I'm Susan Lerner,  
11 I'm the executive director of Common Cause New  
12 York, and what I would like to say is I agree  
13 completely with everything Neil said. So as far  
14 as the bills are concerned, he really  
15 encapsulated, he'd called it a no-brainer, I would  
16 call them win-wins, otherwise, frankly, I won't  
17 take the time to reiterate what he has said.

18 I want to thank Citizen Union for  
19 really taking the laboring oar on this package.  
20 We're prepared to work with our coalition partners  
21 and any of the Council Members in revising the  
22 bills to respond to appropriate objections, as  
23 Neil pointed out. Unfortunately, we didn't hear  
24 any from the board.

25 We're really happy with the

1  
2 revision of the website and we're very thrilled  
3 with the fact that the board has developed an app  
4 which is a poll finder.

5           We're disappointed that there's a  
6 typo in the poll finder and if you go to it and  
7 you run your address through it, it will give you  
8 the correct polling place, but it will identify  
9 the election district as the AD and it will  
10 identify the AD as the ED. So if you walk in  
11 with--I've written down my ED and you look around  
12 in my polling place for ED 57, you will not find  
13 it because I am in assembly district 57. I've  
14 brought this to the board's attention by e-mail,  
15 apparently not successfully, so we're going to  
16 have to go to the board itself--to a meeting to  
17 point this out.

18           So there are still some kinks to be  
19 ironed out. We're very excited to be working with  
20 the National Election Protection effort and also  
21 with NYPIRG. We will be helping to staff a  
22 hotline on election day, and also we will have  
23 volunteers out at polling places, at the polling  
24 places which have 800 or more voters assigned,  
25 we've analyzed all of the polling places. We're

1  
2 concentrating on Brooklyn and Manhattan, where we  
3 have more people. We're sending teams out where  
4 at least one person has a smartphone and their job  
5 is to work the lines outside of the polling place  
6 to--and we will use the boards QC code, that's  
7 great to know. We will have flyers where we will  
8 pass it out to people on the line: If you have a  
9 smartphone and you don't know your ED, use this,  
10 and you'll be able to skip this line. We will  
11 help people skip the line, we will help them  
12 verify that they are at the right polling place;  
13 if they're not, we will help send them to the  
14 right polling place. We will be using technology.  
15 So if you have friends or family with smartphones  
16 who want to donate two hours on election day, send  
17 them our way because we have a bunch of volunteers  
18 and we need to be sure we have people with smart  
19 phones.

20 So I want to commend the chair,  
21 this additional mailing has been a long time  
22 coming. Thank you very much for your continuing  
23 efforts.

24 CHAIRPERSON BREWER: Thank you very  
25 much. Next.



1  
2                   ANDREW SCHLICHTER: Hi, my name is  
3 Andrew Schlichter, I'm here on behalf of Election  
4 Protection. I also won't go into a great deal of  
5 detail either with regard to my testimony or all  
6 the bills that have been discussed by my  
7 colleagues today. We very much agree with their  
8 testimony.

9                   And I would just say we are also  
10 going to have a large number of folks on the  
11 ground on election day. We expect to have three  
12 or 400 law students and legal volunteers in the  
13 polls on election day. We'll also be hosting a  
14 nationwide hotline, 1-866-OUR-VOTE, which in New  
15 York City alone will have 60 lines staffed by  
16 lawyers and legal volunteers. So we do expect to  
17 continue to engage in these efforts.

18                   Again, we're very heartened by the  
19 committee's considerations of the various bills  
20 that have been discussed today. Intro 728, which  
21 would, of course, provide voter registration forms  
22 to families, and Intro 760 we think are important.

23                   We testified about intro 613 in  
24 August and we continue to think that that would be  
25 a very good thing. Intro 769 would also be very a

1  
2 positive thing in our book. And I won't go into  
3 the details as to why that is because others have  
4 said it so well.

5 And we'd also, of course, you know,  
6 one of the biggest problems that we see is that  
7 poll workers often aren't as well trained as they  
8 could be and we think that anything that would  
9 improve poll worker performance on election day  
10 would very much be a good thing, and so we are in  
11 support of all those efforts as well.

12 So we just would like to thank you.  
13 And for the rest, I will just defer to the  
14 testimony that I've already submitted, as well as  
15 to my colleagues' testimony.

16 CHAIRPERSON BREWER: Thank you, all  
17 three, and all six, and for all of your work. As  
18 I think Dawn Sandow said, it's a real coalition  
19 and we appreciate the input, thank you.

20 Jed Alpert from Mobile Commons,  
21 and, boy, am I appreciative of his waiting, and  
22 Assemblyman Brian Kavanagh.

23 SERGEANT-AT-ARMS: If you have any  
24 statements, have them ready.

25 [Off mic]

1  
2 CHAIRPERSON BREWER: Whomever would  
3 like to begin. I think the gentleman who's been  
4 waiting for, like, three hours should go first.

5 [Off mic]

6 JED ALPERT: Oh, I haven't been  
7 here that long, but thank you.

8 I'm the CEO of Mobile Commons,  
9 which is a New York-based company that provides  
10 mobile connectivity for all kinds of  
11 organizations, including several of New York City  
12 agencies, the MTA, the Obama campaign, lots of  
13 political organizations and lots of charities.  
14 The I guess you might call it testimony that I  
15 circulated is a bunch of statistics about the  
16 ubiquitous nature of mobile, and I can just sort  
17 of very briefly speak in support of mobile text  
18 donations.

19 Mobile phones, and I think the most  
20 interesting thing and the most exciting thing  
21 about mobile donations has been something that  
22 hasn't really been touched on too much yet, which  
23 is mobile is the most ubiquitous form of  
24 communication in the world, and including the  
25 United States and including New York City. It

1 reaches underserved communities better than any  
2 other form of communication. Texting is the  
3 number one way that people communicate other than  
4 face-to-face; so face-to-face number one, text  
5 messaging next, everything else beyond that. In  
6 almost every demographic and every age group we're  
7 probably up to 30%, and in some communities it's  
8 much higher, don't have reliable access to the  
9 Internet, don't have reliable access to e-mail,  
10 they do have mobile phones or are more likely to  
11 have mobile phones than any other form of  
12 communication.

14 To me, the most exciting thing  
15 about mobile donations is not that it will  
16 reinvent how people get money in campaigns, but it  
17 will open up the underserved by the Internet and  
18 the underserved by credit cards to the possibility  
19 of participating economically in a campaign. And  
20 then, because of New York City's fantastic  
21 campaign matching program, it will allow groups  
22 that haven't been previously been catered to or  
23 courted by politicians to have a meaningful voice  
24 and a meaningful interest in the outcome.

25 The other thing we know, and you

1  
2 can look at this from our statistics, is that  
3 people who are engaged via mobile are more likely  
4 to vote, sometimes 5% more likely to vote, which  
5 is very, very statistically significant. And the  
6 active donating--and we provide these services for  
7 all kinds of organizations, including the Obama  
8 for America, the active participating over mobile  
9 is an act of political engagement, not just an act  
10 of donation. Someone who gives \$10, whether it's  
11 1, 5, 10, or \$15, it doesn't really matter what it  
12 is, by a mobile phone is more likely to vote, more  
13 likely to show up to a rally, and more likely to  
14 be engaged, and more likely to engage their  
15 friends than people who aren't engaged in that  
16 way.

17 So I'm happy to answer any  
18 questions about how it might work and would happy  
19 to give a demonstration of how it might work and  
20 the software works at any later date to be--

21 CHAIRPERSON BREWER: [Interposing]  
22 Okay. Well I'm going to ask you a couple  
23 questions before--

24 JED ALPERT: Sure.

25 CHAIRPERSON BREWER: --we hear from

1  
2 the Assemblyman 'cause I really feel bad that--I  
3 know Rich Robins [phonetic] had to leave so I  
4 appreciate both of you.

5 JED ALPERT: And I would just say I  
6 know Rich very well and he's very much in accord  
7 and, as a former AT&T executive, believes that  
8 there will be an effective way to do this through  
9 the carriers.

10 CHAIRPERSON BREWER: He was my next  
11 door neighbor for years.

12 JED ALPERT: I'm sure he's a good  
13 neighbor.

14 CHAIRPERSON BREWER: And I've  
15 missed him, but he moved like five blocks, it's  
16 terrible. How was the program working on the  
17 federal level? 'Cause we heard some--

18 JED ALPERT: [Interposing] It's  
19 brand new, it was basically introduced to both  
20 presidential campaigns after the convention, so  
21 it's being rolled out slowly. It works very, very  
22 well. You know, the technology of it works.  
23 Someone texts the word "give" to a five-digit  
24 number. In addition, with the Obama campaign and  
25 in addition to them getting a confirmation,

1  
2 they're asked a couple questions like is this a  
3 corporate phone, you know, or is this your own  
4 phone; or, you know, things like that, any kind of  
5 pedigree information that's needed. But they also  
6 do things like say what's your e-mail address,  
7 what's your zip code, so that the engagement  
8 doesn't end at the giving, the giving is in the  
9 middle or the beginning of a longer relationship  
10 with that campaign.

11 CHAIRPERSON BREWER: The board or  
12 the CFB talked a little bit about some of the  
13 middlemen issues. I guess there's a high  
14 percentage being charged by the carriers for  
15 processing and I didn't know if that's been a  
16 deterrent on the federal level or that's something  
17 that's all been worked out.

18 JED ALPERT: It's been worked out  
19 enough to work at the federal level, I think it's  
20 going to get worked out even more. It is more  
21 costly than a credit card donation, I think it  
22 will always be more costly than a credit card  
23 donation, but these are very small donations and  
24 not entirely about the money.

25 The issue of there is a--you give

1  
2 donation over a mobile phone, the processing of  
3 that payment in the normal course of business if I  
4 were a company making that charge and not a  
5 political campaign, it would take me about 90 days  
6 to get that money. The solution that's come up is  
7 that the intermediaries are acting as guarantors  
8 of that payment and we sort of associated with the  
9 term factoring, although it's a little bit  
10 different, where they will pay down a number--that  
11 number is, it's something like 80%, so if I give  
12 \$10, \$8 is paid very quickly to the campaign.  
13 That's not a loan in the sense that it would have  
14 to be paid back if I never paid my bill, that's a  
15 payment where the risk then is transferred to the  
16 factor, the aggregator factor, much like if I make  
17 a credit card payment and I don't pay my bill, the  
18 campaign does not have to return that money.

19 So I think there are definitely  
20 resolvable ways of dealing with this that are  
21 resolvable and conform with, I think, the  
22 principle and spirit of what the CFB does.

23 CHAIRPERSON BREWER: And the FEC  
24 did something regarding AT&T and what they could  
25 or couldn't charge, did that get--how did that--



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[Crosstalk]

JED ALPERT: [Interposing] Well AT&T--and I'm not--I think it's being worked out now. AT&T asked to charge less than--

CHAIRPERSON BREWER: Right.

JED ALPERT: --they normally would and not have it be considered a political contribution.

CHAIRPERSON BREWER: Correct.

JED ALPERT: And they wanted to do that because I think charging a lot of money seemed unseemly there from the political side, I don't know exactly their thinking. The FEC approved that and said that AT&T was allowed to charge political campaigns--which I think they charge the same amount for the Obama and the Romney campaign--but was allowed to do that and lower their price. I think this is going to have a general net effect of lowering the carrier commissions on this, which seems to me--

CHAIRPERSON BREWER: Good thing.

JED ALPERT: --universally positive, yeah.

CHAIRPERSON BREWER: Okay. So I

1  
2 think it's exciting and it sounds like LA is going  
3 well from the best of your knowledge or some of  
4 the other places mentioned earlier?

5 JED ALPERT: It is, there are  
6 currently no programs running at the non-federal  
7 level. There are only two--there are currently  
8 only two mobile donation political campaigns  
9 happening right now, Obama and Romney, that will  
10 change very, very quickly. It's only been active  
11 for about 45 days, less actually.

12 CHAIRPERSON BREWER: Very cutting  
13 edge if we were able to get this through.

14 JED ALPERT: It is, it's both  
15 cutting edge and I think for the way New York is,  
16 it could be extremely positive for New York.

17 CHAIRPERSON BREWER: I want to give  
18 Will Colgrove credit in our staff, he really  
19 deserves it. Anyway, if you want to go, you  
20 should feel free, I--

21 [Crosstalk]

22 JED ALPERT: [Interposing] I'm  
23 happy to answer any other questions or--

24 CHAIRPERSON BREWER: [Interposing]  
25 Okay. No, I think we're fine and I--

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JED ALPERT: Okay.

CHAIRPERSON BREWER: --really appreciate your staying as long as you did and--

JED ALPERT: Oh, my pleasure.

CHAIRPERSON BREWER: --just tell Rich he shouldn't have moved five blocks.

JED ALPERT: No, I'll get on him.

CHAIRPERSON BREWER: Assembly Member, you're on.

ASSEMBLY MEMBER BRIAN KAVANAGH: Thank you, I don't know if I'm the last voice you will hear this--

CHAIRPERSON BREWER: [Interposing] Oh, you're not.

ASSEMBLY MEMBER BRIAN KAVANAGH: Oh, really, okay. Well I appreciate the opportunity to testify, I realize it's been a very long day and I do have some written testimony, which I'll submit, but I will try to paraphrase and keep it relatively short.

CHAIRPERSON BREWER: Thank you.

ASSEMBLY MEMBER BRIAN KAVANAGH: Anyway, as always, I appreciate, Council Member Brewer, your extraordinary leadership on these

1  
2 issues and the leadership of this committee and  
3 the Council. And I appreciate the opportunity to  
4 testify today on some of the issues that arose in  
5 the context of the September primary and in the  
6 board's preparation for the general election.

7 I just briefly want to talk about  
8 ballot design, I know you've talked about this a  
9 little bit today. This was, once again, one of  
10 the biggest concerns we've had and, as usual, the  
11 ballots in New York City were too cluttered, the  
12 print was too small, the design was not as clear  
13 as it should be. The board should be complimented  
14 for unilaterally taking the step to raise the size  
15 of the font, particularly for candidates names for  
16 up to nine point from seven point. I've seen the  
17 proofs of these, and it is actually a significant  
18 improvement, but it's starting from a very tough  
19 place. And we do need to go further and I'll  
20 discuss, you know, legislative solution to that in  
21 a second.

22 A big change, as already been  
23 mentioned, also came out of poll site changes,  
24 and these were not, as far as I can tell, just  
25 related to redistricting. The board seems to have

1  
2 systematically gone around the city and moved lots  
3 of EDs for different poll sites for reasons that  
4 are inexplicable. I think the site that was  
5 mentioned during the last panel was a site in my  
6 district, at Renwick Gardens Apartments. What has  
7 been the largest poll site in my district for a  
8 very long time, and for reasons I can't understand  
9 yet, the folks who live in that building--and it's  
10 a residence with people some very significant  
11 mobility issues--the entire ED that the building  
12 is located in and the adjacent ED were sent to a  
13 poll site five blocks away. The location  
14 continued to be a poll site, and I still don't  
15 have any idea why that decision was made. Having  
16 said that, the board has now agreed to change that  
17 ED back to--so that folks live in that building  
18 will be voting at that site.

19 I will say that--and this is a  
20 point that's been emphasized to me by Doug  
21 Kellner--but the part of the responsibility for  
22 making sure that poll site assignments makes sense  
23 does rest in our bipartisan election  
24 administration system with the local  
25 representatives of party and both parties, and

1  
2 there does seem to have been a breakdown this year  
3 in terms of getting poll site maps and assignments  
4 and information out to the folks that are supposed  
5 to review it at the local level. So I know that  
6 my district leaders were given some opportunity to  
7 look at this stuff but were not actually sent the  
8 maps. But it is important that folks--I am now  
9 getting calls from colleagues of mine, assembly  
10 colleagues, who have concerns about other poll  
11 site assignments and trying to go, you know, work  
12 with the board to address them on a case-by-case  
13 basis. But it is important that we all--Council  
14 Members, Assembly Members, local party officials,  
15 others--who have concerns about this do recognize  
16 that you have an opportunity to review, I mean,  
17 the--

18 CHAIRPERSON BREWER: [Interposing]  
19 It just scares me because the mailing's going out  
20 October 19th, with perhaps--

21 ASSEMBLY MEMBER BRIAN KAVANAGH:  
22 [Interposing] Right, it--

23 CHAIRPERSON BREWER: --challenges.

24 ASSEMBLY MEMBER BRIAN KAVANAGH:  
25 Yeah, I mean, to the extent we're resolving stuff,

1  
2 you know, we should--I've been talking about a few  
3 of these--

4 [background noise]

5 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
6 for a while, but they can be resolved before those  
7 mailings are made final. And I mean, although,  
8 again the board has a tricky question now with  
9 respect to theoretically these changes require  
10 Department of Justice approval, they were telling  
11 us that, I'm not sure where they are in terms of  
12 how late they're willing to make changes, but if  
13 there is a change that is necessary in order to  
14 make the system more just and give people access,  
15 like, for example, in this case in my district,  
16 which is very clear, it should be made.

17 The notification that's already  
18 been talked about a lot. It is a remarkable thing  
19 that the election law has a single notice [off  
20 mic] which is mid-August. That means that there  
21 was no requirement at all to notify people before  
22 the June congressional primary, there is no  
23 requirement at all to notify people before a  
24 special election, and, oddly, there is no  
25 requirement at all to notify people before a

1  
2 general election in November. It is a very good  
3 thing that the City and the Council, with your  
4 leadership, and the board have now found the money  
5 to do this, but the fact that we were discussing  
6 whether the City of New York and the city board  
7 have enough money for postage to tell people that  
8 there's a major national general election coming  
9 at a poll site that they may have never been to  
10 before is really quite shocking and I think we do  
11 need to look at it as a legislative issue in  
12 Albany. But it is great that that has been  
13 resolved and it should reduce some of the  
14 confusion we saw in September.

15           The election that results, you  
16 know, we've talked about this before, this is  
17 something I've been pushing for a long time to get  
18 the city board to use electronic digitized data  
19 rather than the paper and pencil and, you know,  
20 tape and scissors approach they've been using in  
21 the past. It is a major step forward that the  
22 city board has now acknowledged that they can use  
23 that electronic data for the purpose of reporting.

24           There do seem to have been some  
25 glitches in that, but the police department and



1  
2 the board are to be commended for getting that off  
3 relatively effectively and with a fairly high  
4 level of accuracy. Most EDs did seem to come in  
5 in a reasonable time. The results of my race got  
6 substantially worse when the last few EDs came in,  
7 but nobody seems to have noticed 'cause by  
8 midnight there were 93% of them in.

9 But anyway, that's a big step, but  
10 we do need to--people should not have the illusion  
11 that they've done what they need to do. They are  
12 still insisting that certain provisions of state  
13 law require them to do some things that are really  
14 quite inefficient and we ought to be--we got to be  
15 moving forward with state legislation.

16 So the two bills on the issues that  
17 we just talked about are, of course, the Voter  
18 Friendly Ballot Act and the Election Night Poll  
19 Site Procedure Act, both of those have passed the  
20 assembly. The Election Night Poll Site Procedure  
21 Act, which is a very substantial revamping of the  
22 reporting process, has been formally approved by  
23 the city board, I mean, a ten to zero vote, the  
24 City Council has been supportive of it. We do  
25 need to tee these up and get the state senate to

1  
2 get it done. I'm hoping, at least, with that  
3 though we might actually get it done before the  
4 end of the year if we get into a special session.  
5 But if we get to January and these bills haven't  
6 passed, I would appreciate your continued strong  
7 support for those 'cause they're both very  
8 important.

9 I have reviewed, I haven't read all  
10 the details of the City Council bills that you're  
11 talking about today and some of the comments of  
12 the advocates about potential changes, but I will  
13 say that I am generally supportive of the various  
14 bills. You know, the bills that bring modern  
15 technology to bear, including e-mail communication  
16 and the opportunity to make contributions through  
17 text message, I think would really be terrific  
18 steps forward, particularly as the gentleman  
19 before me said in terms of bringing demographics  
20 that may not have access to some of the current  
21 means by which we communicate with voters.

22 Poll site recruiting and training,  
23 again, I'm going to summarize, but it seems like  
24 expanding the use of city employees in that  
25 program and making it more thorough seems like a

1  
2 great step. I would note that there are probably-  
3 -it probably would make sense to try to go  
4 through--potentially go through other employers,  
5 other large employers in the city and see if we  
6 can figure out how to expand it. I mean,  
7 employers like Google that have this strong  
8 commitment to their workers being involved may  
9 well be willing to participate in a program like  
10 that.

11                   And that, you know, again, this has  
12 been talked about before, but the half day shift  
13 issue is just, I mean, we passed a statute in  
14 Albany, no mean feat to agree on these sorts of  
15 things, to explicitly enable part-day shifts. It  
16 is absolutely baffling that the city Board of  
17 Elections will not consider implementing that.  
18 There just seem to be so, so many people who might  
19 be willing to work on election day for whom  
20 signing up for a 15 or 16 hour shift is just not  
21 feasible. Anybody with childcare  
22 responsibilities, a college student with a single  
23 class that they can't miss, somebody with any kind  
24 of a job that they have to be at cannot serve as a  
25 poll worker if you insist that the only way to do

1  
2 it is to work at a 16-hour shift. The board  
3 argues that that would double the number of  
4 workers they need. First of all, I would point  
5 out that we're not saying that you can't work the  
6 whole day if you want to, so those workers that  
7 are inclined to do that, but it just seems that we  
8 would vastly expand the pool. Agreeing to work  
9 eight hours for the service of democracy is  
10 something lots of sensible--smart people might do;  
11 agreeing to do 16 hours is just a much more--it's  
12 a rarified set of people, and some of them are  
13 wonderful and God bless them for doing it, but  
14 really we should push the board to consider that  
15 at least in a pilot basis.

16 Voter registration, you're  
17 considering a lot of bills that are aimed at  
18 improving registration, increasing the percentage  
19 of eligible voters who are registered to vote is a  
20 critical goal, and I support all of the measures  
21 and concept that you're talking about today, and  
22 increasing the engagement of the Department of  
23 Education, tracking performance. And I would note  
24 specifically, as somebody who spent a lot of years  
25 in a prior job toiling to create the Mayor's

1  
2 Management Report, that there is a lot of  
3 precedent for non-mayoral agencies appearing in  
4 that document. The New York City Housing  
5 Authority, which is a non-Mayoral agency created  
6 by state law and that's basically pursuant to  
7 federal rules has reported in for many years. The  
8 New York City Board of Education, when it was not  
9 a mayoral agency and was not, in fact, even  
10 majority controlled by the Mayor reported  
11 routinely very elaborate statistics and that. So  
12 there was not some terrible precedent that would  
13 reduce the effectiveness or the independence of  
14 the board if they were included in that, and you  
15 certainly should pursue that.

16 I will say that, notwithstanding  
17 some very creative ideas and particularly focusing  
18 on mandated voter registration agencies at the  
19 city level, you know, these are all terrific  
20 ideas, but we really, as has been said during some  
21 of the testimony today, getting the registration  
22 system right really would require some very  
23 substantial changes in the registration system.  
24 The goal should be that the default is that any  
25 eligible voter in the state of New York is

1  
2 registered to vote unless they actively seek not  
3 to register. Basically, any contact with any of a  
4 variety of enumerated agencies should result in a  
5 registration unless the voter, you know, really,  
6 really actively as a matter of their expressive  
7 rights doesn't want to do that.

8           We have a bill called the Voter  
9 Empowerment Act, I'm hoping that if we get the  
10 Voter Friendly Ballot Act and Election Night Poll  
11 Site Procedure Act done, we really can make  
12 registration the next big thing. But it's been  
13 introduced in both houses. It is a comprehensive  
14 revamping of the system and uses modern technology  
15 at all levels, similar to what they're doing at  
16 the DMV already, but dealing with a wide range of  
17 agencies, making sure data is transmitted in a  
18 digital format. It reduces errors, reduces the  
19 work at local Boards of Elections, and it also  
20 clears away some of these unreasonable deadlines  
21 that we have in New York.

22           New York is the only state in  
23 America where, if you did not register by this  
24 past Friday in a party, you did not change your  
25 party if you wanted to change your party or change

1  
2 from being non-party to a party, that you no--you  
3 have now forfeited your right to vote in next  
4 September's primaries. Again, there are a few  
5 states that have--there are a few states that  
6 don't have the very short deadlines, we're the  
7 only state in America where it's before the  
8 preceding election. So we really should clear  
9 away those deadlines that are intended to make it  
10 easier for the parties to predict who's going to  
11 vote rather than for voters to vote. Again, it's  
12 a comprehensive piece of legislation, and I look  
13 to you to play the role you've played with many of  
14 those things of making sure people are aware of  
15 this and helping us to get it done in Albany.

16           Again, thank you for the  
17 opportunity to testify and for your stamina and  
18 endurance and commitment to all of this. Thank  
19 you to the staff, both the committee staff and  
20 Council Member Brewer's staff, for all of your  
21 work on this. And I look forward to continuing to  
22 work with you to make elections fairer and more  
23 open and more efficient, and to improve the  
24 experience of voting. And if you have any  
25 questions at this point, I'd certainly, as always,

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be happy to entertain them.

CHAIRPERSON BREWER: [Interposing]

Well thank you very much. I just have one, why, the board--I mean, first of all, thank you for all your service, you certainly elevated the discussion tremendously and I hope those bills pass the senate. I think Speaker Quinn has just sent a letter--

ASSEMBLY MEMBER BRIAN KAVANAGH:

Yes.

CHAIRPERSON BREWER: --in support

of your bill that would--the comprehensive changes, and hopefully, the senate will take it up. But the font issue, we go from a seven to nine, could the Board of Elections made it even larger or they have to wait for your bill?

ASSEMBLY MEMBER BRIAN KAVANAGH: I

was asked whether seven--the board had asserted that seven was the best they could do under current statute. And then they got a lot of pressure from--

CHAIRPERSON BREWER: Then they went

to nine.

ASSEMBLY MEMBER BRIAN KAVANAGH:



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And they went to nine unilaterally--

CHAIRPERSON BREWER: [Interposing]

I couldn't figure out what that, you know, where the nine come from.

ASSEMBLY MEMBER BRIAN KAVANAGH:

Honestly, as far as I can tell, it occurred to them that there's nothing in the law that says the first name and the last name have to be on the same line, so they said, oh, we can move the first line and the first name above it. And they found a little more space.

I mean, I don't know whether nine is the best they can do. The city board also maintains that they have a higher obligation to standardize font size across ballots at different poll sites and across races. So, for example, in there are jurisdictions that are putting Obama and Biden, which have to be in the same box on their ballots, in a smaller font, because it's two names than, say, Kirsten Gillibrand, which is just one name, and they just make it larger. New York City board would not, as I understand their interpretation of the law, do that, even though I don't read the law to require that.

1  
2 Similarly, the way I read the law  
3 it says that the font has to be consistent in a  
4 given race for people voting at a particular site.  
5 So it does seem like they'd have greater . There  
6 also just still seems to be quite a bit of white  
7 space in these boxes, but, again, I will say seven  
8 to nine is a--it really is a very substantial  
9 increase--

10 CHAIRPERSON BREWER: [Interposing]  
11 I'm aware of that, no, I'm aware of that, we all  
12 know--

13 [Crosstalk]

14 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
15 so it is a good step forward but--

16 CHAIRPERSON BREWER: Okay.

17 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
18 whether they could have done more is an open  
19 question. What the bill does is it--first of all,  
20 it says you should do a 12, we had a Council  
21 Member, I believe Council Member Fidler, who was  
22 very focused on this issue--

23 CHAIRPERSON BREWER: Very.

24 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
25 and we had a discussion on the issue of whether we

1  
2 could do 12 point in this. The bill now says,  
3 partly because of that input from the Council,  
4 that they should do 12 point if at all possible  
5 for candidate names, and it also clears a lot of  
6 other stuff that doesn't need to be on the ballot,  
7 there's still the requirement of the pointing--

8 [Crosstalk]

9 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
10 index finger and all that. So--

11 CHAIRPERSON BREWER: --bill.

12 ASSEMBLY MEMBER BRIAN KAVANAGH: So  
13 by reducing the range of some of the clutter, it  
14 should allow more space--

15 CHAIRPERSON BREWER: Right.

16 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
17 and allow them to get closer to 12.

18 CHAIRPERSON BREWER: Finally, I do  
19 think the whole computerization and the basics is  
20 important. We have, right now the staff has to  
21 look up things in different places, they have to  
22 use two computers to answer a simple question,  
23 there's very little overlay, blah, blah, blah.  
24 But the issue of they're now inputting by hand  
25 almost a gazillion new registrations--

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ASSEMBLY MEMBER BRIAN KAVANAGH:

Right.

CHAIRPERSON BREWER: --and this is a very crazy system. So I think we should have more discussions, not just about the legislation, but some of these operational possibilities.

ASSEMBLY MEMBER BRIAN KAVANAGH:

Right, it says [off mic] even if you have paper applications, you could probably use more scanning and all that sort of stuff.

CHAIRPERSON BREWER: Right.

ASSEMBLY MEMBER BRIAN KAVANAGH:

And a lot of this--some of this stuff could be done administratively, meaning agencies that are currently required to, especially NVRA required registration agencies, probably could be doing a whole lot more--

[Crosstalk]

CHAIRPERSON BREWER: [Interposing]

Right, I think there's a bill [off mic] a real technology--

[Crosstalk]

ASSEMBLY MEMBER BRIAN KAVANAGH:

[Interposing] It's very challenging, but having

1  
2 said that, one of the reasons I'm optimistic we  
3 can do that is that once local boards--I mean all  
4 these boards across the state are funded locally  
5 and they have to hire or pay overtime to an  
6 enormous number of people right around election  
7 time to take all this paper--

8 CHAIRPERSON BREWER: Right.

9 ASSEMBLY MEMBER BRIAN KAVANAGH: --  
10 and try to convert it into voter records and there  
11 should be a substantial savings. And I think if  
12 we can persuade some of my colleagues from other  
13 parts of the state, and especially ones that  
14 happen to control the senate at the moment, that  
15 this is an opportunity to reduce a local mandate,  
16 reduce a state mandate and reduce their costs and  
17 make election administration more efficient.

18 The other thing I'll just say is,  
19 like, a lot of registration improvement efforts  
20 focus on particular subsets of the populations--  
21 students or immigrants or, you know, older people  
22 or, you know, people with particular ethnic  
23 minorities or language minorities--when you do  
24 that, you immediately get partisans on each side  
25 trying to figure out whether that'll help their

1  
2 side or hurt their side. What I am trying to  
3 pitch to people in Albany and everywhere is that  
4 the goal should be universal registration, every  
5 last citizen. So it's like people who want gun  
6 permits as well as, you know, people who may be  
7 inclined to vote for a different party, and I  
8 think that is what we have to strive for.

9           So I have bills that would, just  
10 like some of these bills that would help  
11 particular subsets, but if we could get to the  
12 point where it's just enormous, the default that  
13 you're read, every citizen of eligible voting age  
14 is registered, I think we might be able to  
15 persuade people, then we're just fighting it out  
16 for all citizens and not just trying to improve  
17 the electorate to advantages.

18           CHAIRPERSON BREWER: Thank you very  
19 much.

20           ASSEMBLY MEMBER BRIAN KAVANAGH:  
21 Sure, thank you.

22           CHAIRPERSON BREWER: Okay. Mr.  
23 Britain [phonetic] and Mr. X, last two speakers.  
24 Also, I want to indicate that the UFT sent a memo  
25 of support for the record for Intro 728, which is

1  
2 the Department of Education voter registration  
3 bill.

4 MALE VOICE 1: Madam Chair, you're  
5 ready for me?

6 CHAIRPERSON BREWER: Yes, I am.

7 MALE VOICE 1: I am here to pick up  
8 a check or for a case \$11 million for work that  
9 has been done. What have been said here today is  
10 something that has been done since 205 by three  
11 Republicans--Salvatore Ripicko [phonetic], 58  
12 leader [phonetic], Mariana Bloom [phonetic], 58  
13 leader, and Aubry Mo Britain, 55th leader  
14 Republican party. We set up an office in  
15 Brooklyn, 50--

16 [background noise]

17 MALE VOICE 1: --Albany Avenue had  
18 50,000 voter registration there and we trained the  
19 best poll workers in this city, Republican trained  
20 workers, and we outmaneuvered the Democrat in the  
21 42nd, 55th, 58, 59 Assembly district. In 205.  
22 Where Mayor Michael Bloomberg, his operation took  
23 place from our office countywide in Brooklyn.

24 So I'm here today what the Board of  
25 Election have said that they're doing this and

1  
2 they're doing that voter registration. I have  
3 registered more African-American, Caribbean to the  
4 republican party and democratic party statewide  
5 from 1583 Albany Avenue. High school drop out,  
6 high school graduate, college graduate, teachers,  
7 professionals. And what we need is for you to  
8 remove from the Board of Election budget, which I  
9 am asking, with the State Board of Elections \$12  
10 million and send it down to the community-based  
11 organization. I do have two competent individual  
12 here, an educator, Lerner Philippe [phonetic] and  
13 Rev. Victor Philippe [phonetic] where we can use  
14 their base at 360 East 22nd Street, but you have  
15 to fund the community-based organization that will  
16 and encourage the people, they only serve people  
17 in this city, like Flatbush, East New York, Bed-  
18 Stuy, [off mic].

19 We must not continue to operate  
20 voter registration and voters participation from  
21 Manhattan or Brooklyn, it must go down into these  
22 communities underserved. So, Madam chair, I'm  
23 asking you to make yourself available to come out  
24 into the Flatbush community to see the cluster--

25 CHAIRPERSON BREWER: [Interposing]



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I'm glad to come to the Flatbush community.

MALE VOICE 1: Okay. Therefore, you can give your information to Ms. Lerner Philippe and she can tell you--or you can tell her when you want to come down into the Flatbush community and visit some of the poll sites. And it's about time that you re-continue to encourage the minority to come out and vote.

CHAIRPERSON BREWER: Thank you very much, I completely concur.

MALE VOICE 1: Okay. Thank you, Madam Chair. And, Madam Chair, next time I come back, will I get a check?

[Crosstalk]

MALE VOICE 1: That's all, I am using the method of the Occupy Wall Street, where is my check.

CHAIRPERSON BREWER: That part I can... Go ahead.

MALE VOICE 2: I have some suggestions, Gale, stemming this public hearing, also the August 8 public hearing in which you and your teammates practically went to blows with the elections bureau employees, and I said it remind

1  
2 me of the Survivor series, you almost happen  
3 today. Well I have some suggestions, okay?

4 I'm familiar with Microsoft Word, I  
5 could type a ballot, okay? All you have to do is  
6 just hand me suggestions as to what I should type  
7 up, such as name, party you wish to register in,  
8 which to vote in, or whatever, et cetera. If  
9 that's satisfactory to you, then, yes, you could  
10 send the e-mail that I--

11 [Crosstalk]

12 CHAIRPERSON BREWER: Okay.

13 MALE VOICE 1: --get from this  
14 gentleman here.

15 CHAIRPERSON BREWER: All right.

16 MALE VOICE 2: But, you know, this  
17 is--I'm reading this here, there are several bills  
18 here. No, I don't [off mic] some confusion here.  
19 Okay. The ballots should have--shouldn't be just  
20 narrowed down to Democrat and Republican, that's  
21 outrageous. What happened to Worker Families  
22 park, what happened to Green party? There's no  
23 reason why we can't enroll whichever party we wish  
24 to enroll in, that law needs to be changed.

25 Also, the polls, okay? If you

1  
2 want, on my time, on my free time, my allotted  
3 free time, I can print the poll site information  
4 for you. All you have to do is just give me the  
5 addresses, I could print it for you, and same  
6 applies to your fellow City Council Members too,  
7 and it'll give us some idea as to where that, you  
8 know--

9 CHAIRPERSON BREWER: All right.

10 MALE VOICE 2: --where they should  
11 go.

12 CHAIRPERSON BREWER: Thank you very  
13 much, I appreciate it, thank you.

14 MALE VOICE 2: Thank you.

15 CHAIRPERSON BREWER: Okay. And  
16 this hearing is now concluded. I want to thank  
17 the staff, I want to thank the people who  
18 testified. We have a lot of work to do, but it  
19 was illuminating, and I hope that November 6 goes  
20 well. We will follow up on everybody's question,  
21 and particularly the people who have problems,  
22 hopefully, they will be addressed.

23 Thank you very much.

24 [Gavel]

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Tammy Wittman*

Date November 10, 2012