



Report on “All Votes Count” Community Forum

Hosted By

New York State Senator Bill Perkins

on

October 4th, 2010

at the

Harlem Hospital

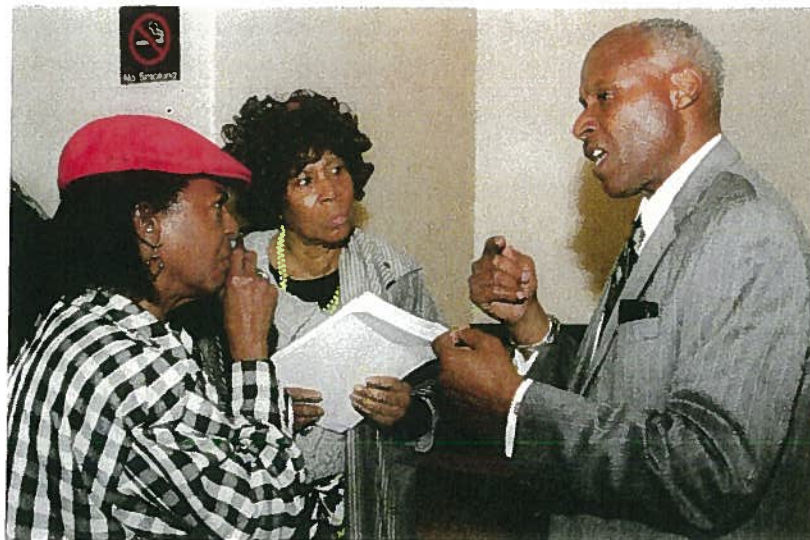


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Introduction

On October 4th, 2010 I held a public forum at Harlem Hospital to address the questions and comments held by voters and poll workers on the new voting system. I invited the Board of Elections in the City of New York ("the Board") to attend to help me address the concerns of the public. Although many questions were answered, some still require further clarification. Below I have outlined key points from the forum that I believe the Board should further address. It is important that these issues get addressed to allow voters to feel confidence in the new system and have a thorough understanding of the process. If voters become frustrated with the process and are not treated in a respectful manner, many may leave the poll site and not cast their vote. The right to vote is vital to our democracy and every vote counts!

Employment

During the forum, poll workers presented questions regarding their roles with the Board. These questions included employee benefits, the need for W-4 forms and how the polling sites should be handled. Though the Board responded to these questions, they should give the poll workers better notification regarding their duties upon hiring them. This notification should include information regarding the set up of the poll sites and explain the way in which the privacy booths, scanners, ballot marking devices as well as the election district tables should be set up. With this notification, the Board should also notify the workers of the reasons why W-4 forms have to be filled out and explain that poll workers are per diems and not full-time employees and therefore not eligible for benefits.

Poll workers were also concerned about the lack of cooperation and teamwork between poll workers, coordinators and chairpersons. I recommend that during training workers are taught each aspect of the job in order to encourage more teamwork. Poll workers were also upset that other workers had showed up without going through training. It is my recommendation that district leaders must appoint individuals who are responsible, knowledgeable and willing to be trained as poll workers. The Board of Elections should also make it clear that you cannot work as a poll worker unless you are trained.

Training

One important issue that repeatedly came up was the question of more training for poll workers, coordinators and chairpersons. Though the Board responded by alerting poll workers to the learning center in Manhattan, they said there will not be any more local training for poll workers. There will however, be re-training for all coordinators and AD monitors. The Board has learning centers in each borough that allow for poll workers to come in and train on their own with the new system. The Board also stressed the importance of the training manual and the training DVD as a way of relearning important aspects of their job. Though the Board did provide people with options for training on their own, I recommend that they should have more training sessions in local areas especially to reach those who cannot travel to the learning center due to disabilities.

There should also be more than one learning center available preferably in the Northern Manhattan area.

Some poll workers also encountered problems such as the words "printing error" and "close machine" being displayed on the ballot marking device. In these cases poll workers did not know what to do as there were no instructions in their training manual for this situation. When they proceeded to contact the Board technicians and the manufacturer technicians, they were given conflicting information on how to fix the machines. It is very important that the Board technicians and the manufacturer's technicians give the same solutions to problems. This will save time and alleviate any additional confusion.

There also must be more sensitivity training for poll workers in dealing with the elderly, disabled and handicapped voters. Many of these voters were confused by the new system and it is important for the poll workers to be sensitive and patient with them. It is important that voters do not become discouraged and decide not to vote. Though sensitivity training is explained in the manual and on the DVD, it is important for the Board to make sure their poll workers comply.

Privacy

Another key concern was the issue of privacy. Many voters felt that the new process was not as private as the previous one because there is much more open space and no curtains. Voters felt that the privacy booths were too close together and that their vote could be seen by others. Some voters expressed concern regarding the process of taking their ballot to the scanner and scanning it. Many were unaware that there were "privacy sleeves" that the ballot could be placed in which would allow the ballot to be shielded from view while walking to the scanner.

In order to preserve privacy, poll workers should make sure that the booths are facing the wall in order to allow voters to feel more secure. Once at the scanner, many voters were concerned that the ballot would be scanned face up thus allowing others to see their choices. Since ballots can be placed in the scanner face down, poll watchers should be encouraged to tell voters that their ballots can be placed in the scanner any way they prefer to place it so they feel confident that their privacy is being protected.

Poll workers questioned why they should walk voters through the entire process, from obtaining the ballot to the voting booth to the scanner, etc. The Board reminded poll workers that they should only approach voters when they need assistance. Only the voter and not a poll worker should insert the ballot into the scanner. This would help to ensure the voters privacy through each step of the process.

Ballots

The main issue concerning the ballots was the small font and the magnifying glass. Many voters, especially elderly and disabled voters, complained of the small font on the ballots and needed assistance. Since the font size is defined by state law, the legislature will have to draft new legislation to enlarge the font.

With regard to the magnifying glasses that were provided at the voting booth, many voters felt that they were inadequate. Though the Board reiterated that the ballot

marking devices were available for those who needed assistance marking their ballot, there should be better magnifying glasses that would magnify more clearly.

Poll workers were concerned with how the ballots were stapled. On the day of the primary election the ballots had been packed a hundred at a time with staples in the corner. When poll workers handed out the ballots they became torn due to the staples and the scanner would not scan them. This caused an inconvenience to both the poll worker and the voter because a new ballot needed to be filled out and scanned. The Board representatives stated that they were aware of the problem and had already corrected it.

The New Voting System

The first question with regards to the new voting system was why this system of using scanners was chosen to replace the previous one. Though the Board had explained that the new system is in compliance with the "Help America Vote Act" many still question why this particular model was chosen.

An important question brought to our attention was what should be done in the event that the scanner is not working. In this scenario the Board of Elections response was that there should be two scanners per site and in the event that both scanners do not work the emergency ballot box is to be used.

Another question that was asked many times was why there were so many tags and seals on the voting machine. These tags and seals had caused a lot of the poll workers to be confused. The Board explained that the reasoning behind the tags and the seals that are found all over the scanner were for security purposes. All tag information is explained in the manual.

Some voters who allow their children to watch them vote questioned how they could have their children watch them with the new booths. The Board specified that there were two different types of privacy booths, the standard booth and the American Disability Association approved booth. The American Disability Association approved booth is lower and therefore would allow voters to let their children watch them vote.

Recommendations

Based on the information gathered I make the following recommendations to the Board:

- This includes informing them of how to set up and close the polling sites correctly. With this notification the Board should also notify workers of the reasons for filling out a W-4 and explaining to them that they do not receive the same benefits as full-time Board of Election employees because they are per diem.
- All poll workers should be trained in all aspects of the job such as coordinator, chairperson and poll watcher duties with an emphasis on the opening and closing of the poll site. Poll workers should be given notification regarding their specific duties upon hiring them.

- District leaders must appoint individuals who are qualified and willing to be trained as poll workers. The Board should make it clear that everyone is to receive training and pass the test before working on the polls. The Board should notify the district leaders of who passed the test.
- The Board should hold more local training sessions before the general election to ensure that poll workers are knowledgeable in working with the new voting equipment. There should be additional sites throughout the borough to make it more accessible; ideally one site per Assembly district.
- It is necessary for the Board technicians and the manufacturer of the scanner technicians to coordinate amongst themselves so that poll workers receive the same problem-solving information.
- The Board must train poll workers in sensitivity training. Even though it is explained in the training manual and DVD it is vital that poll workers treat the public, especially the elderly, disabled and handicapped, with sensitivity.
- Poll workers must make sure that voter privacy booths are in a position not facing the public in order to ensure the voters' privacy.
- Poll workers should be informed that voters can place their ballots, either face up or face down in the scanner. Poll workers should also inform the voters of this.
- The Board must remind poll workers that it is not necessary to follow voters through every step of the process. Instead workers should only approach voters when assistance is requested.
- The legislature should pass a new law that will require a larger font on the ballot to make it easier for voters to see.
- The Board should obtain better magnifying glasses that allow voters to see the ballot clearer.
- The Board should remind and emphasize to poll workers that only the voter should be placing the ballot into the scanner-NOT the poll worker.

Question and Answer Summary

People: Why was this type of voting machine used?

BOE: The voting machine is in compliance with the Help America Vote Act. It helps those with disabilities vote. The machines also leave a paper trail which was required under the Help America Vote Act. There were two systems certified in 2009 and two commissioners, one from each political party, chose this voting system.

People: Why does the scanner screen turn black?

BOE: The scanner goes into power saving mode after 15 minutes. The screen will also go black if it is not properly plugged in to prevent complete power loss.

People: Why are there so many tags and seals on the machines?

BOE: The tags and seals that are on the machine are required by the New York State Board of Elections. They are all necessary and they protect the security of the machine.

People: Why were the police officers late on Election Day and what can be done to prevent it in the future?

BOE: The NYPD are being debriefed to make sure that they arrive on time on November 2nd.

People: Why is the training manual so large? Many people feel that the manual was overwhelming and very cumbersome.

BOE: The Board of Election tried to make sure all of the material was covered in the 200 page manual. There is also a summary manual that can be read quicker.

People: Will there be more training? Many feel that the training was insufficient and more time needs to be spent on the closing and opening of polls.

BOE: For those that feel that they need to brush up on training there are many options available. One option is to review the manual and watch the enclosed DVD. Another option is to visit a learning center where you can gain much more hands on training. Since the Board of Elections is experiencing problems in their budget, there will only be a limited time in which training classes will be given. Coordinators and AD monitors will be brought in for more training. There is a learning site located at 200 Varick Street; there is one in each borough.

People: How can we get a coordinator at every polling site?

BOE: Every poll site that has two election districts will have a coordinator.

People: For some sites there is no coordinator, no chair person and this causes confusion.

BOE: There may be a possibility for more chair people and they will be included in the training for coordinators.

People: The print is too small to see what can be done to change it?

BOE: The font is defined by state law. A magnifying glass is provided and there is also a ballot marking device. In order to change the font size, a law would have to be passed in Albany.

People: A majority of the people feel that the magnifying glass was inadequate and not strong enough.

BOE: Besides having the magnifying glass provided there is also a ballot marking device available for use for those having trouble reading the ballot.

People: Why are the ballots packed so tight and stapled so that it is difficult to hand the ballots out without ripping them?

BOE: The packing has already been changed. The Board of Elections had already spoken to their printer and instead of packing them a hundred at a time, they are now packed in packs of fifty and the staples are no longer on the sides that were causing the problem.

People: Who is responsible for moving the furniture, setting up the election district tables and the privacy booths?

BOE: The responsibility depends on the site. It can vary from either the custodian to the principal or to the poll workers and coordinators.

People: We feel that many districts were not reported accurately.

BOE: The reporting has stayed the same. It did take longer to close polls and get the unofficial numbers.

People: Was there a trial period?

BOE: Other counties other than New York City had a pilot program. New York City did not.

People: Many people had concerns over the privacy of the process.

BOE: There are many ways to keep privacy through the process. The ballots can be placed in privacy sleeves and the ballots can also be placed face down into the scanner. Also, the voting booths should always be placed facing the wall.

People: Will there be overtime pay?

BOE: There will not be overtime pay.

People: Can the tallying process be made easier other than taking the tallies from the scanner and transferring them to the canvas?

BOE: It is a new system that requires results on every scanner to be transferred to the canvas.

People: Why should we bring voters to the scanners?

BOE: Poll watchers should not be moving or following voters through each step. Poll workers should stay at their stations and if they want they can rotate stations. They should not approach voters unless asked.

People: Why can people who never took training classes show up and work as poll workers?

BOE: State law allows for people who do not take training classes to be poll watchers. Sometimes there are backups and they are called in when needed. There is however, a problem with those who intend to be poll watchers who intentionally do not go to the training.

People: A lot of Republicans tend to not show up and Democrats have to be used as substitutes.

BOE: We are trying to encourage people to become poll workers by going into colleges and doing outreach with the Democrat and Republican clubs within the schools.

People: What are you doing for district leaders so that they get good poll workers?

BOE: District leaders get to pick their poll workers first.

People: We didn't have mock trials of the machines and some of them broke because there was no test done on them.

BOE: New York City did not participate in trials. The Board of Elections held mock elections to test them.

People: The scanners had jammed causing ballots to be rolled up and the Board of Elections technicians and the manufacturer technicians gave conflicting troubleshooting solutions.

BOE: You should remind people how to feed the ballot through the scanner. The Board of Elections will be making sure that everyone is on the same page and that the technicians do not give conflicting answers.

People: Some of the ballot marking device machines did not have keys.

BOE: Call the Board of Elections and they will help track down the keys.

People: Why were there only two scanning machines at some sites?

BOE: The amount of scanners at a site depends on the size of the polling site. There is a minimum of two scanners per site.

People: There needs to be more sensitivity shown for the elderly, disabled and handicapped.

BOE: Within the manual and training classes there are specific sections that deal with sensitivity training.

People: Why do we have to be there at 5 a.m.?

BOE: The machines need time to boot up, particularly the ballot marking device which has audio files that have to be loaded.

People: The ballot marking device was broken and kept saying "printing error" and

“close machine”.

BOE: For all errors make sure you eject the ballot. The voter may also have to remark the ballot and reinsert it.

People: What federal bureau demanded the new voting machines?

BOE: The Help America Vote Act required the new machines be in compliance with leaving a verifiable paper trail. The new process requires that the affidavits are counted. If there is a difference in the numbers on the scanner and the number of ballots than the difference is investigated. There is also random testing of the scanners done to make surer that the numbers match the ballots.

People: Why do the machines take so long to boot up?

BOE: The machines should be turned on at 5 a.m. so that they have sufficient time to boot and not when the voter comes in.

People: Since poll watchers work for the Board of Elections do they get the same benefits?

BOE: Poll watchers do not receive the same benefits that the employees of the Board of Elections do because they are paid as “per diems” and therefore are not eligible.

People: How do we allow our children to watch us vote with the new tables?

BOE: There are two kinds of privacy booths. Each site should come with the standard privacy booth and the ADA approved one. The ADA approved booth is lower and therefore may allow your child to watch you vote.

People: Coordinators should not be responsible for everything it should be a team effort.

BOE: There should always be a team effort to make the process easier.

People: Why did it take so long to open the polls?

BOE: There were a few holidays before the primaries and some of the machines were delivered late. Custodians and principals were also late to open the buildings.

People: How do poll workers vote?

BOE: There is a special ballot enclosed in the back of the training manual that you can detach and send in.

