Board of Elections Counting Process At Heart of Thompson Concession

by Chester Soria
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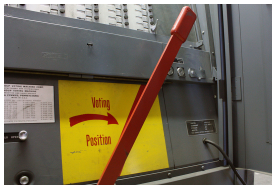

The City Board of Elections' status reclaimed its place as the political punching bag of choice today when former Democratic mayoral nominee Bill Thompson accused the board of making its final count of the votes too slowly.

Currently in the middle of certifying the results of last week's primary, the Board expects to sift through the 67,000 valid absentee and affidavit ballots till Friday.

"Today, almost a week after the primary, we still don't know the outcome of the election," Thompson said even as he conceded to Public Advocate Bill de Blasio.

The board's Executive Director Michael Ryan, however, argued that the body is not to blame for any campaign's ills or strategies, and that the count was exactly where the board anticipated it would be long before.

"We're exactly where we expected to start right before election day," Ryan said, adding that New York State election law dictates that the board does not start counting the affidavit ballots until the Monday following election day.

Among those paper ballots, Ryan contended, were thousands of military ballots.

"How despicable would it be for us to rush the process," Ryan asked, "and preclude military ballots? Our service men and women deserve the right to have their vote counted."

Even so, Thompson maintained today that the slow count was inexcusable.

“We’re not talking about a few voters here or there,” he added. “We’re talking about tens of thousand of votes. That’s a disgrace. Anybody in this city who cares about democracy and the ability our people to express their will through the voting booth ought to be outraged.”

Thompson said that under the circumstances laid out by the Board of Elections, it was impossible for him to campaign and offer voters a meaningful choice during a runoff.

“It would be a disservice to my supporters, a disservice to Democrats but most of all a disservice to the people of New York City who are desperate for new direction after 12 long years,” Thompson said.

Throughout his address, Thompson appeared convinced that the Board of Election’s slow count was at the heart of his decision today.

“The reality is right now the votes have not been counted,” he said during his concession, forceful in his refrain that each and every vote should still be counted. “And it’s by no means clear by when they will be counted. For all we know, given the Board of Election, they may not even finish counting the paper ballots until the runoff, until after its over or until a few days before.”

One of Thompson’s headline supporters, Rep. Charlie Rangel — who last year had to fight off a primary Congressional challenge and was embroiled in his own vote count fiasco — echoed his former candidate’s uneasiness with the board.

“We have a low enough interest in primaries as it is,” Rangel said after the event at City Hall. This type of thing means that if a person makes a special effort, they cannot depend on their vote being counted. I don’t know if the word is frustration, but I’m pretty damn mad about it.”

Even without a resolution in the count, Thompson would have had a rough slough in a runoff. As of late August, de Blasio has about double the balance in campaign funds that Thompson: $2.2 million to Thompson's $1 million, with a $3 million spending limit in the runoff.

The Campaign Finance Board is also still awaiting the full disclosure of expenditures and contibutions made immedidately around the election, and a complete accounting of bills outstanding has yet to be made.

According to the Campaign Finance Board's website, de Blasio had already raised $141,000 specifically for the runoff. Thompson has nothing in his runoff coffers while he waited to find out if there would even be one.

Either way, it left Thompson in what he described a "no-man's land."

Asked by a reporter what would happen if the final count shows de Blasio at below the 40 percent threshold to avoid a primary, Thompson was resigned that the outcome would have been no different.

"And then what, we'd have six days to campaign?" he said.

Complaints about the Board of Election are nothing new. Often the target of Mayor Michael Bloomberg, the Board came under significant fire earlier this year when it announced that it would bring back the old lever machines, last used in 2009, for both the primaries and any runoffs.

The board said that the optical scanning machines it had adopted after pressure from Washington D.C. would not be able to handle a vote count fast enough for a primary in September and a runoff in October.

Problems at polling sites around the city on primary day forced more than 10,000 New Yorker to vote on emergency paper ballots, all of which were counted on the night of election and included in the preliminary count.

Many of those were a result of malfunctioning lever machines, including the vote cast by Republican mayoral nominee Joe Lhota at his Brooklyn Heights polling site.

Still, Ryan told the Gotham Gazette that the lever machines had no effect on its counting process.

“The lever machines have been a valid way of counting votes since the 1960s,” he said. “The timing of the vote counts have nothing to do with the use of the machines.”

Advocates for election law reform remain unconvinced.

“According to the board, the whole reason for using the antiquated lever machines was that it would allow them to count the vote more quickly,” said Common Cause New York Executive Director Susan Lerner outside City Hall.

“And what we see is that’s simply not the case,” she added. “So their explanation on why they took us back to the 19th century simply doesn't hold water.”

Lerner is one voice in a growing chorus of reformers, which includes Gotham Gazette’ sister organization and good government group Citizens Union, in support of instant runoff voting.

Both Citizens Union and Common Cause have come out in favor of a bill in City Council that would allow military and absentee voters to rank their preferred candidates. If the voter’s first candidate of choice is taken out of the running, their second or third pick would be carried into the runoff.

It’s seen by many as a way to make runoffs more efficient and cost taxpayers less. And while there is a bill to expand the instant runoff to the general voting population, a vote on either bill is still a ways off and does not affect the runoff planned for Oct. 1 for the public advocate's race.

Currently tied between state Sen. Daniel Squadron and Brooklyn Councilwoman Letitia James, it’s the only race slated for the runoff and for the often misunderstood seat.

Lerner, for one, already anticipates low voter participation despite the runoff's hefty price tag.

“The annual budget for the public advocate is approximately $2 million,” Lerner said. “It’s estimated that the runoff is going to cost us between $15 and $20 million. Whoever wins could really use a bigger budget, and we have just frittered away a huge amount of money for what’s going to be an extraordinarily low-turnout election.”

Correction: Updated to reflect information used to determine how much the candidates have left to finance runoff campaigns.