

What Is Wrong With The Board Of Elections?

by {ga=admin}

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The chaos surrounding Florida's presidential election counts and recounts may have cost New Yorkers the president of their choice. But for New York City there is a thin silver lining around this national cloud. The presidential election debacle triggered a scrutiny of the city's election machinery that has forced the city's creaking Board of Elections to take steps -- albeit baby steps -- to run a better election this year. And, if we're lucky, very lucky, this new scrutiny from the press, the politicians, and our perennial watchdog groups will prompt real change in the way elections are run in the city -- starting with scrapping the Tammany-era patronage system that operates our election system.

We have been given a Mayor's task force, a Governor's task force, and, yes, even an ex-Presidents' task force on election reform. They aren't all worrying about New York City's elections, but they are studying election processes, making recommendations, issuing reports. The mayor's belatedly-appointed task force is charged with serving as a kind of intermediary between the Board of Elections and the rest of city and state government in the hope that this fall's elections are not so chaotic that New York gets a "black eye like Florida," as the task force's chairman, former Senate Minority Leader Manfred Ohrenstein, has said. The mayor's task force has been raising important issues that the Board of Elections seemed content to let sit. But even the task force members themselves wonder what can be accomplished by a task force appointed by the mayor only four months before the September 11 primary. Meanwhile, the city's civic groups have been hammering at the issues surrounding the forthcoming election since the new year. The Citywide Coalition for Voter Participation, led by the New York Public Interest Research Group and Common Cause, pressed the City Council and the mayor's office to give the Board of Elections enough money to run this year's election properly -- even while recognizing that the board suffers from serious management problems that should be the focus of long-term reform. Citizens Union has stepped in with a kind of citizen self-help program by recruiting at least 300 voters to serve as new poll workers throughout the City. In addition, the New York Public Interest Research Group and Citizens Union have been closely monitoring the Board of Elections since January, sending observers to every Board meeting.

Prodded by all this scrutiny and even its own fear of a Florida redux, the Board of Elections has lumbered toward some improvements. It is in the process of hiring its first Chinese speaking staff members and is said to be making extra efforts to ensure that ballots are properly translated to avoid a repeat of last year's humiliation when some Chinese ballots listed the Democratic candidates as Republicans and vice versa. The board is also promising to improve its recruitment and training of poll workers, who are mostly patronage hires and are considered by many to be the weakest link in the city's election process. The board is pushing the legislature and the mayor to increase the poll workers' pay, recognizing that \$130 for a relentless 16-hour day is a major barrier to recruitment.

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There is little question that these improvements should mitigate the chaos at the polls on primary day and result in a better election. But the board's last minute scramble to prepare for the primary reveals the chronic management flaws that hobble every election. For instance, the board, working with the mayor's task force, began only six weeks before the primary to try to figure out how to count the 100,000 paper ballots expected to be cast in the Democratic primary in time for the runoff two weeks later. Because the races this year are historically crowded and competitive, these ballots -- absentee, affidavit, and emergency ballots -- could decide whether there is a runoff and who is in it. How many days after September 11 will two or three candidates -- and the voters -- be waiting to find out who is in the runoff?

Word seeped out recently that the board was considering asking the legislature to postpone the primary runoff because the Board was worried it couldn't count the paper ballots fast enough to identify the winners in time. The board's executive director disputes this report and swears he is doing everything he can to ensure that the paper ballots will be counted promptly. Civic groups and others are pressing the mayor to give the board the \$800,000 it has requested to hire enough workers to count the votes quickly.

The money should be allocated -- the city's voters should not be punished further because the board has been sloppy. But why wasn't the board prepared better for this? When everyone has known for months that this year's elections are unusually crowded and competitive, why did the board wait until July to declare this emergency? Indeed, just last year, it took 45 days for the board to count the paper ballots in the Goodman-Krueger state senate race, and a recent report from the State Board of Elections laid the blame for this chaos at the feet of the city Board. And, in 1997, a series of mishaps -- called a "pattern of ineptitude" by a federal judge -- left city voters wondering for 10 crucial days whether there would be a runoff between Ruth Messinger and Al Sharpton. With this history, why wasn't the board fretting about the paper ballot count in January?

Every election it seems there is some snafu that in a close election could seriously undermine the integrity of the results and in other elections simply wears down voters' confidence. Along with the Goodman-Krueger fiasco, last year's elections were shot through with serious problems. Many voters faced broken machines, seemingly interminable lines, poll workers whose poor training made it harder to vote, inadequate translations, jammed phone lines, and names that had disappeared from the voter registration rolls. In 1988, voters in the city's minority neighborhoods turned out in record numbers to cast votes for Jesse Jackson in the presidential primary. They met with widespread disenfranchisement in the form of broken machines and disappearing registrations.

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We are often quick to blame the city's 40-year-old voting machines. Yes, they need to be replaced in time, but they are not the problem. A recent MIT/CalTech study of the presidential elections determined that the old lever machines can be one of the most reliable methods of voting. But not in New York City. According to this study, New York City -- particularly Brooklyn and the Bronx -- had "residual" vote rates that exceeded Florida's and rivaled counties with the infamous punch card ballot. (Residual votes are made up of uncounted, unmarked, and spoiled ballots; the MIT/CalTech team considered this the best measure of a voting system.) New York City's undervote was three times that of the rest of New York State. What's wrong here? We have machines that should be among the most accurate, but for some reason our city's votes are getting thrown away.

The real problem rests with the board and the patronage system that runs it. By law, the board is evenly split between Democrats and Republicans. By law, most of its workforce is also bipartisan. What this means is that the board is a patronage system to its core. Everyone -- from administrative assistants to machine technicians to translators -- is hired through contacts with local party bosses. A recent administrative position was listed as "Staten Island Democrat" -- in other words it was to be filled by the Staten Island Democrats. While the bipartisan composition of the board is written into the state's constitution, there is nothing to stop the City Council, which selects the board members, from demanding that the board cease operating as a patronage machine.

This election will be over in November. If there is no disaster, the city's problems with its election systems will likely slip from view until election season rolls around again. But New York City's voters will continue to be disenfranchised as our votes are lost through bad management. The scrutiny that began for this election season must continue until real change is made. The only true way to reform New York City's election process is to scrap the patronage system that runs the board today -- as it has for decades -- and substitute an accountable, nonpartisan agency. Will any of our elected officials take this on?

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