

SENATE STANDING COMMITTEE ON ELECTIONS LAW  
ASSEMBLY STANDING COMMITTEE ON ELECTION LAW  
JOINT COMMITTEE HEARING ON EARLY VOTING IMPLEMENTATION

Testimony of Susan Lerner, Executive Director, Common Cause/NY

November 20, 2019

Thank you for the invitation to testify at this joint committee hearing on early voting implementation. I am Susan Lerner, Executive Director of Common Cause/NY. Common Cause is a nonpartisan, nonprofit organization founded to serve as a vehicle for citizens to make their voices heard in the political process. We fight to strengthen public participation and faith in our institutions of self-government and lead the grassroots component of the nationwide Election Protection effort. Common Cause/NY is among the largest and most active state chapters and is a founder and leader of the statewide Let NY Vote coalition. Accordingly, the orderly administration of elections and insuring that our elections are accessible and fair is part of our core mission to promote civic engagement and accountability in government. I submit this written testimony to supplement and expand on my oral testimony.

## EARLY VOTING WAS SUCCESSFULLY IMPLEMENTED

Passing Early Voting has been a priority of Common Cause/NY, as well as the Let NY Vote coalition, so we have been most happy to help New York become the 39<sup>th</sup> state to implement early voting. Our coalition mobilized our grassroots and organizational membership to educate voters throughout the state to the availability of early voting and participated in surveying the public and our members regarding their experiences voting early. The League of Women Voters will be testifying to the results of the survey, but conversations with our coalition grassroots activists from around the state, as well as personal experience speaking with voters in New York City, indicate that the roll-out of early voting was a resounding success.

Page 9 of this testimony contains the photos and transcripts of the videos of 3 voters who I personally recorded after they voted at the early voting location in Brooklyn Heights in New York City. Their comments (“Seamless” “It was really quick. People were very helpful and friendly. I was in and out.”) were indicative of the comments I uniformly heard from voters leaving the polling place throughout the day on Sunday, November 3. While there is always room for improvement and this testimony and the testimony of our coalition partners will make suggestions for improvement, we want to emphasize

the success of early voting and to compliment the boards of elections for their diligence in implementing this popular reform.

## VOTER EDUCATION EFFORTS

Thanks to the generous support of the Patti and Everett B. Birch Foundation, honoring the legacy of Mrs. Birch, a lifelong supporter of strengthening our democratic institutions, Common Cause/NY and the Let NY Vote coalition was able to launch an extensive public education campaign to inform voters of the availability of 9 days of early voting, branded as Vote Early NY.

We engaged the Let New York Vote Coalition to solicit feedback and insights on what materials would be most useful for engaging their communities in early voting education efforts. Those conversations led to the development and printing of palm cards, stickers, posters and individual county specific one-pagers in multiple languages.

The materials clearly communicated when early vote is happening, provided phone number (the 1-866-OURVOTE national hotline) and website to obtain additional information and encouraged New Yorkers to be part of history by voting early. Our educational efforts were greatly benefited by the mostly donated expertise of Order Design, an award winning design firm, who developed the branding and graphic look of the campaign, and designed palm cards, posters, social media, subway and LinkNYC ads. Materials were made available on our website and on the VoteEarlyNY website to download and print so anyone with internet could access them.

In all, we printed over 200,000 pieces to distribute to coalition partners and organizations in 38 counties across the state, including palm cards and posters in Haitian Creole, Spanish, and Chinese, as well as English, and material on demand in Bengali, Arabic, and Russian. We were pleased to provide numerous legislators' district offices with our materials.

Examples of the materials produced and photos of their use are provided as an Addendum to this testimony.

**Material Distribution:** We provided the early vote materials free of charge to any coalition partner and activist that wanted them. We received over 120 orders for materials from partners and activists to distribute in 38 counties across the state.

In New York City, the Chief Democracy Officer has placed special versions of our advertising in subway cars (see photo in Addendum) and on the LinkNYC electronic kiosks throughout the city. We distributed Halloween candy to families in New York City and Yonkers through tenant associations, and through our base-building partners in Buffalo, as well as provided candy to partners to distribute as part of tabling efforts.

Our coalition partners and activists represent a diverse set of organizations and communities. Materials were distributed to a diverse set of communities and networks. Some examples:

- Advocacy Organizations: Make the Road, New York Immigration Coalition, Chinese American Planning Council, United Neighborhood Housing, Citizens Union, NY Civic Engagement Table, and Community Votes and individual voter rights activists across the state
- Civic Institutions: All New York City Libraries, All YMCA of New York City, Erie County Libraries, Beacon Libraries and over 20 Universities across the state through Generation Vote, Elected Officials across the state
- Civil Rights organizations: NAACP, Urban League, LGBTQ Center of New York, Council on American-Islamic Relations
- Community Organizations: Harlem Defender Services, Brooklyn Defender Services, Brooklyn Voters Alliance, Voice Buffalo, Push Buffalo
- Unions: SEIU, RWDSU and CWA

**GOTV Activities:** Events across the state took place in the two weeks before early voting to give voters information on how and where to vote early. We supported those events with materials development and attendance recruitment. We also helped to facilitate groups early voting together, including support of Souls to the Polls efforts on early voting Sundays in both the Hudson Valley and Brooklyn, NY.

The Let NY Vote coalition is seeking foundation support to continue and expand its early voting educational efforts in 2020.

### Official Education Efforts

We have not been able to monitor the outreach and education efforts of all 62 counties, but we have been impressed by the diligence and effort expended by many counties to inform voters and the willingness of election administrators to speak to the media and publicize early voting. We particularly want to commend the New York City Board of Elections for the Vote NYC early voting mailer that went out, which was clear and well designed, as well as the Majority Conference of the State Senate, which provided its members with a clear and well designed mailer to send to constituents about early voting. Both mailers used a calendar graphic to effectively communicate the dates for early voting. We hope that these official educational efforts will continue and be expanded in 2020.

### Areas of Voter Confusion

Even with the extensive education outreach undertaken by election and elected officials and our coalition and others, we found that there were still some voters who needed additional information. Our activists and coalition partners reported that voters were most confused about the following:

- The location of their early voting sites and whether it differed from their election day polling place.
  - Whether they could vote at countywide locations that were convenient or only 1 assigned location.
  - Whether they had to sign up for early voting separately
  - Whether they were required to have voter id, and in New York City, whether the card mailed to each voter was an id card and whether they could vote without it.<sup>1</sup>
- Pollworkers, in some cases, added to the confusion, referring to the card as a voter id or informing voters they needed the card to vote. We understand that the pollworker training in NYC emphasized the actual, non-ID function of the card but apparently that training needs further emphasis.

## Recommendations

We want to emphasize that the experience with the number of voters using early voting and the limited amount of voter areas of confusion is consonant with experience in other states. As voters gain more familiarity with early voting, the number of voters using it is highly likely to increase and questions or confusion about it diminish.

We recommend the following regarding future early voting education:

- More government resources be devoted to educating voters to the availability of early voting and dispelling the areas of confusion experienced by some voters.
- Counties should receive financial support for education efforts as well as design and messaging templates. We would be happy to expand and share our materials and advertising, working with counties or the state board of elections to develop a uniform statewide education plan with appropriate resource support.
- Uniformity among counties, particularly by instituting county-wide voting centers and setting uniform hours in neighboring counties, should be encouraged to minimize voter confusion and misinformation.

Common Cause/NY joins in the recommendations of our coalition partners regarding increased enforceability of the State Board of Elections' regulations and guidance, improved pollworker training, better and increased locations for early voting, as well as improved pollworker allocations and shifts for early voting. We particularly support recommendations that all counties be required to provide countywide voting centers and that consideration be given to allowing citywide voting in New York City.

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<sup>1</sup> Precisely how to communicate this information more effectively is difficult to determine, as the language of the New York City mailer was clear in explaining the purpose of the card was to help the voter "skip the information table".

## VOTER HOTLINE ISSUES

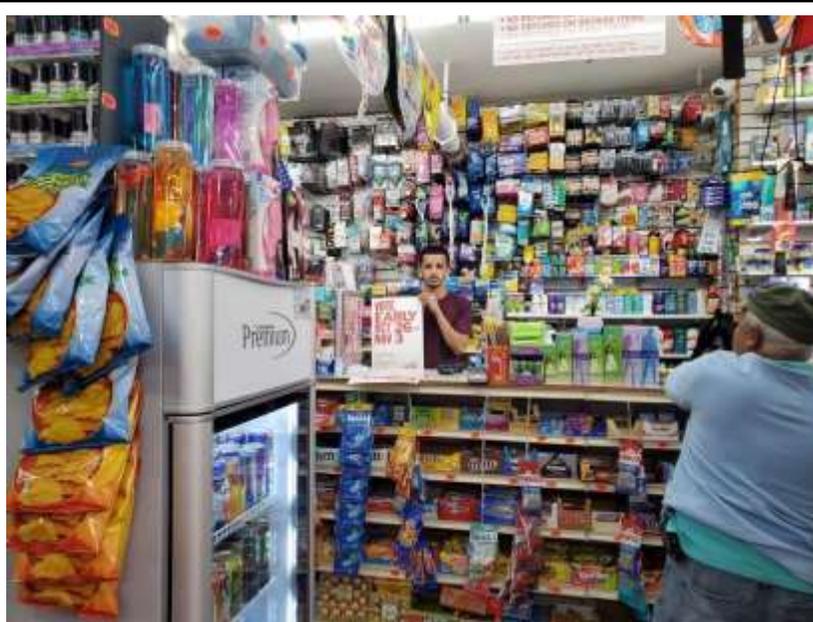
The 1-866-OURVOTE national hotline, the Election Protection hotline maintained by the Lawyers Committee for Civil Rights, received 74 calls from New York voters, of which 30 were during the early voting period. Most calls, both during the early voting period and election day, were questions regarding verifying registration and locating the voter's polling place. 7 calls indicated confusion about voter ID, including 3 which referred to poll workers requesting voter's ID.

## REPORTING DURING EARLY VOTING

We very much appreciated the daily reporting of the number of voters who voted early in different counties. With the use of e-pollbooks, even more information can be made available on a daily basis. Organizations engaged in GOTV efforts should be given daily access to lists of those voters who have already voted early, so as not to waste resources contacting voters who have already voted. It is our understanding that, at least in New York City, that information was available to some campaigns or partisan political organizations on a selective basis. Such information should be freely and promptly available to any organization that agrees to use it solely for election purposes, as with the general voter list.



## ADDENDUM



### Material Distribution

We provided the early vote materials free of charge to any coalition partner and activist that wanted them.



### Material Design

Print and digital materials were designed to communicate:

- Dates and times of early voting
- Voting rights
- Contact information to find your poll site

*Statewide palm card in English*



Translations

Materials were translated into Spanish, Haitian Creole, Chinese, as well as Russian, Bengali, and Arabic upon request.

*Statewide palm card in Haitian Creole, Spanish, and Chinese.*

# VOTE EARLY OCT 26 – NOV 3

FOR THE FIRST TIME IN HISTORY, NEW YORKERS HAVE A CHOICE: VOTE EARLY OCT 26 – NOV 3 OR VOTE ON ELECTION DAY NOV 5

**KNOW YOUR RIGHTS:**

- You are entitled to an affidavit ballot, even if you're not in the poll book.
- Wait times should not exceed 30 minutes.
- You have the right to vote if you're in line when polls close.
- Most New Yorkers who have been involved with the criminal justice system have the right to vote, even when incarcerated. If you are in custody and unsure about your status, check with your parole officer.
- Poll sites must provide non-English language voting materials and assistance as guided under federal law.
- Poll sites must comply with the Americans with Disabilities Act.
- You are allowed to bring help, including but not limited to your own interpreter, as long as the other person is not your boss or union representative.

**ROCKLAND COUNTY**

**LOCATION & HOURS:**  
VoteEarlyNY.org

**ISSUES & SUPPORT:**  
1(866)OUR-VOTE

## ROCKLAND COUNTY

SUN OCT 27 8AM-5PM	MON OCT 28 12PM-6PM	TUE OCT 29 8AM-5PM	WED OCT 30 12PM-6PM	THU OCT 31 8AM-5PM	FRI NOV 1 8AM-5PM	SAT OCT 26 8AM-5PM
SUN NOV 3 8AM-5PM	TUE NOV 5 ELECTION DAY! 8AM-5PM					

All information was correct when Rockland County adopted September 21, 2017. Check for updates from the Board of Elections.

**WHERE DO I VOTE:** VOTE AT ANY COUNTYWIDE VOTE CENTER.

Your Early Voting Poll Site and your Election Day Poll Site may not be the same. Check [VoteEarlyNY.org](http://VoteEarlyNY.org) for more information, or call Rockland County's Board of Elections at (845) 639-5172.

**EARLY VOTING POLL SITE**

- Clarkstown Town Hall  
10 Maple Avenue  
New City, New York
- Haverstraw Town Hall  
1 Poconos Road  
Garnersville, New York
- Orangetown Town Hall  
26 West Orangetown Road  
Orangetown, New York
- Roseton Town Hall  
237 Route 58  
Suffern, New York

Share your experience at [VoteEarlyNY.org/MyExperience](http://VoteEarlyNY.org/MyExperience).

*English “one-pager”  
handout for  
Rockland  
County*



Halloween candy given to families New York City and Buffalo, as well as distributed through coalition partners.



**“It was fantastic. Well first of all, it was convenient to come out and vote and not be beholden to a very tight window. The service was really good and everyone seemed really happy to support the vote”**



**“It was really quick. People were very helpful and friendly. I was in and out. Very easy to understand what was on the ballot and there are even magazines in there to tell you if you’re confused at all so it was a good experience.”**



**“It was seamless. Just walked in, they got my information, they gave me a ballot, and I voted. So that was two seconds.”**



Website Development

We provided support for the re-branding of the [VoteEarlyNY](http://VoteEarlyNY) web page. The website allows users to find their polling location, download materials, host events and report their early voting experience.

WHERE Can I Vote Early?





Events

Email outreach package, social media, pledge to vote, event support package ...

*Voters pledge to vote early at an event hosted by New York Civic Engagement Table in Newburgh.*



*Ivelisse Gilestra from College & Community Fellowship speaking at the Let NY Vote Early Voting Rally.*



*On the G Train*

## Subway and Ferry Ads

In New York City, the Chief Democracy Officer placed special versions of our advertising in subway cars, on the Staten Island Ferry, and on the LinkNYC kiosks throughout the city.



*On the Staten Island Ferry*



*Link NYC kiosk on 14th Street*