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# 2010 ELECTION SURVEY REPORT December 13, 2010

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**League of Women Voters of New York State  
2010 Election Survey Report**

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## **EXECUTIVE SUMMARY**

### **BACKGROUND**

For the November 2010 general election the League of Women Voters of New York State conducted an online survey of voters' experiences using the new paper ballot optical scanning system that was implemented statewide for the 2010 election cycle. A copy of the survey questions can be found in Attachment 1 of the full report.

#### **Responses**

- A total of one thousand and seventy-two (1072) responses were received.
- Respondents reported from 47 counties in the state including five counties in New York City. A list of respondents by county can be found in Attachment 2. Responses on this attachment do not equal total responses received for the survey due to some respondents who did not identify their county of residence (e.g., anonymous).
- Comments from respondents in New York City were reviewed and compiled by the League of Women Voters of New York City in a separate report, appended to the survey report in Attachment 3.

### **RECOMMENDATIONS**

#### **Increase Voter Education on the Voting Process**

A significant percentage of respondents said that they did not receive adequate instructions on various aspects of the voting process. The State Board of Elections can provide standard template materials which county boards of elections can tailor for their specific needs. Media (electronic media, cable television, county boards of elections websites, print materials) should be utilized more fully. Remaining HAVA funds should be used for this purpose. More signage and provision of written instructions in the polling place (at the ballot distribution point, in the privacy booth, and near the scanner) about the process would decrease voter confusion and erroneously completed ballots. For example, a one page brief instruction sheet could be handed to the voter at ballot distribution, reminding them to check the back of the ballot, informing them of what an over/under vote is and how the scanner will react, and how to protect their privacy. Signage about the availability of assistive devices should be considered with the advice of advocates for persons with disabilities.

#### **Revision of the Paper Ballot for Maximum Usability by Voters**

The survey indicated that about 10-20 percent of voters had problems with completing the paper ballot part of the voting process indicating a need for improving the design of the ballot. Such a study should be an immediate priority so that if legislation is needed to change existing provisions in NYS Election Law, it can be introduced early in the 2011 legislative session.

## **EXECUTIVE SUMMARY**

### **Privacy Issues**

Privacy issues in the polling place and with the paper ballot scored the highest percentage of negative responses from survey respondents. Over 20 percent said they did not have sufficient privacy in marking the ballot, scanning the ballot, or were not given a privacy sleeve or instructed how to use it. Poll workers need to understand that any viewing of the markings on a completed ballot is a violation of the voter's privacy. The State Board of Elections, working with the county boards of elections, should offer additional education and training in procedures which counties can use to maximize voter privacy. The future process should strive to eliminate any need for poll worker involvement once the ballot is marked, make sure that the marks are not visible through the ballot, and improve voter awareness of the utility of the privacy sleeve.

### **Increased Training for All Elections Personnel**

Survey respondents were asked to comment generally or specifically on the voting process. Many spoke of the need for better trained elections personnel, citing age, inexperience as negative factors in the overall voting process. Recruitment of younger people and developing procedures for a split shift process will improve the voting process.

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## BACKGROUND

The League of Women Voters of New York State conducted an online survey of voters' experiences using the paper ballot optical scanning system for the General Election 2010. While the survey primarily targeted League members, it was not limited to that group alone. Using Constant Contact, members and friends were invited to participate and provide comments on their individual experiences with aspects of the voting process. The following introductory paragraph from the survey explains the its purpose:

In the 2009 General Election, LWVNYS members and friends participated in a survey of their experiences in using the new voting equipment deployed in 47 counties for the NYS Board of Elections pilot project. The League received 120 responses which provided useful information for our testimony submitted at post-election hearings held by the NYS Senate and shared with election officials.

In 2010, *all* voters in NYS will use the paper ballot optical scan system or the ballot marking device provided in each polling place. We are asking for your cooperation in a simple survey detailing your experience in using the system and your observations of the procedures in use while you are in the polling place to vote. It is not necessary for you to question the poll inspectors.

The survey results will be shared with the local boards of elections, the chairpersons of the Assembly and Senate Elections Committees, and the NYS Board of Elections so that corrections and improvements to the process can be made.

A copy of the full survey can be found in Attachment 1.

## RESPONSES

A total of one thousand and seventy-two (1072) responses were received. Respondents reported from 47 counties in the state including five counties in New York City. A list of respondents by county is contained in Attachment 2. Comments from respondents in New York City were reviewed and compiled by the New York City League of Women Voters in a separate report, appended to this document in Attachment 3. Totals on County Charts (Attachment 2) do not equal responses received due to some respondents not identifying county of residence.

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## CONCLUSIONS

### **Adequacy of instructions on marking the paper ballot and using the scanner**

Respondents to the survey overall expressed satisfaction with their experience in receiving adequate instructions on how to use the voting machine. (See Question 5)

The following problem areas were identified in the comments to this question:

- A number of people said that inspectors did not *routinely* ask the voter if they would like instruction on the process.
- Information on “under voting” and “over voting” was lacking.
- Voters are often not aware of their election district number. In polling places where scanners were assigned exclusively to one district and voters were not made aware that they should remember their district number when they signed in, going to the wrong scanner led to ballots being rejected. Our understanding is that the scanners can accommodate multiple districts.
- One recurring comment related to lack of notification about a referendum on the reverse side of the ballot. Ballots should have instruction in several places about continuation on the reverse side.
- Sample ballots in large typeface format should be available at entrance to the polling place. Printing of sample ballots in newspapers was noted to be helpful.
- Instructions on use of the privacy sleeve were lacking. Voters were not told about privacy sleeves (usually manila folders), their purpose or how they were to be used.
- Instructions/signage should be available at all stations in the process: how to fill out the ballot in the privacy booth; how to insert the ballot into the scanner at the scanner; what to do if your ballot is rejected, etc.
- County board of elections websites could have better information on ballot content.
- No instructions on how to do a write-in vote were provided.

### **Marking the Paper Ballot**

Although most survey respondents to questions on completing the ballot (see Questions 7 through 11) did not have significant problems in filling out their ballot, the comments indicated that improvements to the ballot design should be considered for the future in the following areas:

- Need for better delineation between offices. Multiple columns for an office make it difficult to distinguish from offices on adjacent rows.
- Difficulty in filling out the ballot where the office required voting for more than one candidate.
- Print was too small; contrasting fonts and shades of black/grey should be used; size of oval or square should be larger (difficult for persons with arthritis, etc.)
- There should be one type of marking pen for the ballot (some counties used one type for the front of ballot and another for the reverse side).

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- Some types of markers bled through the ballot, compromising privacy.
- Voters were not told about magnifying lenses (where they were available). Voters who were aware of the aids found them beneficial.
- Usability of marking areas on the ballot (squares vs. ovals and marking with an “X” vs. filling in the oval).
- Write-in space is not large enough.

### **Privacy Issues**

Privacy issues involving ballots and privacy booths elicited the most negative comments from voters. The comments indicate a need for county boards of elections to solve logistical problems of locating privacy booths in the polling places and to train election inspectors more thoroughly on how to protect voter privacy throughout the voting process. (See Questions 6, 12, 13, 14, 18):

- Privacy booths were too small for the size of the ballot; unsteady; inadequately lit; not placed so that basic privacy was maintained.
- In at least one location, there were no privacy booths because an elementary school cafeteria was used and voters were told to use tables and chairs too small for adults.
- Inadequate number of privacy sleeves; privacy sleeves not identified as such and not large enough to cover the ballot.
- Voters were not routinely given privacy sleeves.
- Poll workers removed the ballots from privacy sleeves and inserted them in the scanners, compromising the privacy of voters’ ballots.

### **Ballot Scanning Issues**

While most respondents did not report problems with the scanning operation (see Questions 14, 15, 16, 17, 19) there are operational issues that could be remedied by adequate instructions at the scanner:

- Voters need more information on how to use the scanner and whether ballots should be placed face up or face down. This could be achieved by printing instructions on the privacy sleeve and providing them at the scanner. Using a dedicated preprinted privacy sleeve (as Michigan does) designed to fit the scanner opening would improve this part of the process.
- Some problems inserting ballots in the scanners occurred because the privacy sleeves did not fit the scanner openings. Polling inspectors then assisted voters by removing ballots from the sleeves and inserting them, thus compromising privacy.
- Survey respondents indicated a lack of uniformity in procedures for rejected ballots. Voters expressed concern about privacy after rejection of ballots. Some voters said that the inspectors looked at ballots to determine the possible causes of rejection instead of destroying them.
- Where scanners failed, respondents were concerned about whether their completed ballots were eventually counted. More information about this part of the process,

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and the chain of custody procedures in place to protect ballot integrity, would result in greater voter confidence.

- Some voters wanted to be able to use the ballot verification function at the scanner before pressing the “cast ballot” button, but were unable to do so for the following reasons:
  - the verification function had to be pre-set on that machine;
  - the function was not available on the scanner and voter was advised to use the BMD function.

If the verification function is available on county scanners, information on it should be included in voting materials provided by the county.

### **Ballot Marking Device**

Most survey respondents were unaware of the location of the Ballot Marking Devices (BMD) in the polling places and did not observe anyone using them. (Questions 21, 22) Comments varied widely but indicate that more education on the purpose and availability of these devices should be available. One voter’s experience is quoted below:

“ I had a good experience at the polls. Inspectors willing to help. My blind friend voted at Mid-York Library, and she had been the only one. She was persistent and asked to use the BMD. After some hesitation, the inspectors got the devices out and assembled for her to use. Had some trouble getting sound (voice) on earphones. Got help from county BOE quickly to get the machine on the right track. She voted each race and was given privacy sleeve to cover her printed ballot, and was assisted in feeding ballot into machine. In all, things went well, and was a “teaching moment” for all involved!”

## **RECOMMENDATIONS**

Responses from the 2010 Voter Survey identified the same areas for immediate attention and improvement as those in the 2009 Voter Survey. It is noteworthy that the 2009 survey did not include results from the counties which did not participate in the 2009 Pilot Project - New York Cities' five counties, Westchester, Suffolk, and Nassau. The expansion of the survey to all counties in the state resulted in responses from 47 counties, which give a more comprehensive picture of where energy and resources should be directed.

*Conclusions for Improving the Voting Process with the New Machines*, contained in Testimony presented before the New York State Senate Elections Committee, November 30, 2009, are excerpted below (bulleted and bolded) and are even more relevant in 2010:

1. **Increased intensive voter education on the new voting process** from beginning to end using the media, printed materials, as well as the web is needed. One of the goals of the Help American Vote Act (HAVA) 2002 is to achieve uniformity and

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standardization in election administration. The NYS HAVA Coalition has advocated for adoption of measures on a statewide basis which provide the same core procedures and materials for all voters. Using remaining HAVA funds for this purpose will reap dividends in voter satisfaction, especially in the introductory years with new voting equipment and procedures.

For example, a 2010 survey respondent said: “It went better than I expected, given that I had not gone to any demonstrations of the machines beforehand. I had, however, reviewed the instructions and the list of candidates provided to me by the LWV. That material was very helpful. It seems to me that the state should provide similar info to all registered voters, including info on Propositions. That’s what California does and it makes voting a very enjoyable experience. Voters feel very involved and well acquainted with the issues and candidates that will be on the ballots.”

2. **Revising the paper ballot for maximum usability for the voter** will reduce the number of spoiled ballots and rejection by the scanner. Minimum standards for lighting and usability in the privacy booths should be examined. The League’s Voter Survey indicated about 10-20% dissatisfaction with issues surrounding marking the ballot. (See Questions 7-11).

There are many resources which should be consulted on improving usability of the New York ballot. A comprehensive review of voter reports of ballot problems which might require legislative action to make ballot changes should be a top priority of the NYS Board of Elections.

The Brennan Center’s Task Force on Ballot Design has published several studies on this topic, most recently, “Better Ballots,” (July, 2008) whose key findings are listed here:

- Poor ballot design frustrates voters, undermines confidence in the electoral process, and contributes to related Election Day problems;
- Tens or hundreds of thousands of votes are lost or miscast in every election year as a result of poorly designed ballots;
- All voters are at some risk for lost or misrecorded votes;
- The risk is greater for particular groups of citizens, including older voters, new voters, and low-income voters;
- In June 2007, the U.S. Election Assistance Commission (the “EAC”) published Effective Designs for the Administration of Federal Elections, several hundred pages of guidelines intended to assist election officials in designing more usable election materials. The EAC report was prepared by Design for Democracy, an initiative of AIGA, which also published a book on effective ballot design;
- In October 2007, Professors David Kimball and Martha Kropf, two of the nation’s leading academics in the area of ballot usability, published *Dos and Don’ts of*



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Ballot Design for the AEI/Brookings Election Reform Project.<sup>9</sup> In that report, they listed twelve ballot features to avoid and provided historical examples of how these features have previously led to thousands of “residual” votes;

- In 2008, the Brookings Institution published a book by several academics called *Voting Technology: The Not-So-Simple Act of Casting a Ballot*, which sought to use empirical research to quantify voters’ reactions to different voting systems, including their abilities to use these technologies to accurately cast their intended choices.

One of the 2010 survey respondents noted, “The ballot should be redesigned by an experienced graphic designer so that it is easy to read and easy to mark. It should be designed to function on paper, not to resemble what appeared on the old machines.”

3. **Privacy Issues** Privacy issues in the polling place and with the ballot scored the highest percentage of voters expressing concern and outright indignation at what they perceived as a loss of privacy in voting their ballots. Over 29% of voters answering question 6 and 21% of voters answering question 12 said they did not have sufficient privacy in the privacy booths, where available, and were neither as a matter of routine procedure instructed in the use of the sleeve nor provided with a privacy sleeve for their ballots. Specifically, privacy was compromised or absent when the voter was at the scanner. Solutions to privacy issues should be addressed by the NYS Board of Elections in their training materials with county boards of elections. Standardized procedures for situations occurring when a voter’s ballot is rejected must be developed and be a part of election inspector training.

The ideal process should strive to eliminate the need for any interaction between the voter and the poll workers once the voter has received her ballot. For that to happen, a continuous improvement model pursuing that end should be the modus operandi. Whether the solutions involve signage, instructions, or sample ballots, they should be identified and implemented statewide in a standard fashion.

4. **Ballot Scanning Issues** were identified by some voters responding to Questions 14, 15, 16, 17 and 19 and in most cases can be addressed by better inspector training of appropriate procedures at the scanner to minimize handling of the ballot except by the voter. If voters had better information about procedures at this stage of the process there would be fewer complaints of violations of privacy. Uniform statewide procedures for rejected ballots should be implemented. Scanner failure was noted in a few cases. Those failures should be reported to the NYS Board of Elections for documentation and analysis so that corrections to particular systems or procedures can be made.
5. **Ballot Marking Device** issues for survey respondents were inconclusive and would be better addressed by advocates for the disabled. However, several

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respondents noted that they were unaware of the availability of assistive devices at the polling place and recommended that better signage and information should be prominently displayed. A sign at the table where voters sign in should indicate that assistive devices are available to all voters. All election inspectors should receive instruction on the operation of the device and be alert to offering it in a non-discriminatory way. Training on disability etiquette should be a standard part of the training election inspectors receive annually.

### GENERAL COMMENTS

Survey question 20 offered voters the opportunity to comment, generally or specifically, on the voting machine, the process or the poll workers. It generated 709 responses which touched on aspects of the voting experience that were not identified by the other questions. Some samples are given below:

- “I know that the budget is strained, but there are ways to make the new ballot system easier for everyone to use. There must be better training for the workers at the tables. Pairing an experienced person with the newcomer at each table would help. Also give more training to the supervisors, and review the process at the door for people to find their ED.”
- “I think it would have been helpful to have a place aside from the polling area, where someone could explain the process to someone who needed it, before they got to the sign in table. There were 2 very elderly people who had no idea there was a new system. The worker just said to them, “fill in the circles.”
- “A worker should be at the entrance to direct voters to their polling stations and briefly explain the process.”
- “I live in a county with an excellent board of elections. We simply have to find a better method of attracting younger, swifter poll workers.”
- “The poll workers were very attentive, trying to anticipate voter confusion and/or questions. Another voter asked what to do if he made a mistake on his ballot and the poll workers were kind and patient with him, explaining the process, helping him void his first ballot and getting him a second ballot. The voter was embarrassed and kept apologizing but the poll workers were very supportive and tried to make him feel better. I was impressed.”
- “I found the poll workers to be professional and caring. They really seemed to want to make sure that I understood the new system.”

No question on the survey directly addressed the issue of how to enlarge the pool of trained election inspectors. Two bills that were signed into law in 2010 could significantly and positively impact the supply of personnel: 1) allowing county boards to utilize “split shifts” for inspectors, and 2) allowing 16 and 17 year olds to serve as election inspectors. Both the NYS Board of Elections and county boards should explore ways to implement these laws.

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**In conclusion, as one survey respondent said,**

**“I believe it will take more time to adjust to the new machines but obviously they are the perfect answer to establishing the paper trail we have all been hoping for.”**

This headline appeared in a New York Times article of November 16, 2010, “New York State’s Voter Turnout This Year was Lowest in U.S.” “Despite contests for every statewide office for the first time in decades, a smaller share of eligible voters turned out two weeks ago in New York than in any other state.” Only 32.1 percent of the 13.4 million New Yorkers who were eligible (citizens 18 and older who are not convicted felons in prison or on parole) actually voted.

The attention of election administrators, policy makers, and advocates to improving the voting process and making it more voter friendly may not have a direct effect on voter participation, however, if voters have confidence and a positive voting experience they will have one less excuse to choose not to vote.

## **ATTACHMENT #1 2010 Election Survey**

In the 2009 General Election, LWVNYS members and friends participated in a survey of their experiences in using the new voting equipment deployed in 47 counties for the NYS Board of Elections pilot project. The League received 120 responses which provided useful information for our testimony submitted at post-election hearings held by the NYS Senate and shared with election officials. In 2010, all voters in NYS will use the paper ballot optical scan system or the ballot marking device provided in each polling place. We are asking for your cooperation in a simple survey detailing your experience in using the system and your observations of the procedures in use while you are in the polling place to vote. It is not necessary for you to question the poll inspectors. The survey results will be shared with the local boards of elections, the chairpersons of the Assembly and Senate Elections Committees, and the NYS Board of Elections so that corrections and improvements to the process can be made.

### **Please enter the information indicated below**

First name, last name, address, city, state, zip, email address, county Name, League name (if member of a League) and polling place. (Questions # 1-4)

### **Questions on Voting**

5. Were you given adequate instructions on how to use the new voting machine by the poll workers? If no, please explain.
6. Did the privacy booth give you adequate space and privacy? If no, please explain.
7. Were the instructions to complete the ballot easy to understand and in large enough print? If no, please explain.
8. Was it easy to find races and candidate names on the ballot? If no, please comment
9. Were races and candidate names in large enough print?
10. Did you have difficulty in filling out the ballot? If YES, please explain
11. Was the layout of the ballot clear so that you could easily determine how to vote for the candidates selected? If not, please explain.

### **Questions on Scanning Your Ballot**

12. Was a privacy sleeve provided for your ballot?
13. Did you use the privacy sleeve? Please explain if necessary.
14. If a poll worker handled your ballot, did they use the privacy sleeve? Please explain if necessary.
15. Did you have any problem putting your ballot in the scanner? If yes, please explain.
16. Did the scanner accept or reject your ballot? If rejected, please state the reason given.
17. Did any problems occur with the scanner while you were using it? If yes, please explain.
18. While you were in the polling place, did you observe how rejected ballots were handled by poll workers? If yes, please explain.

19. Were there any delays or lines of more than five voters waiting to scan their ballots? Please explain if necessary.

20. **Please provide your comments, general or specific, on the machine, the process or the poll workers.**

**Ballot Marking Devices (BMD)**

21. Was the Ballot Marking Device well located in the polling place to protect the voter's privacy? Was a poll inspector assigned to assist the voter using it?

22. Did you observe any voters using the Ballot Marking Device and having any problems? If you are able, describe the problem

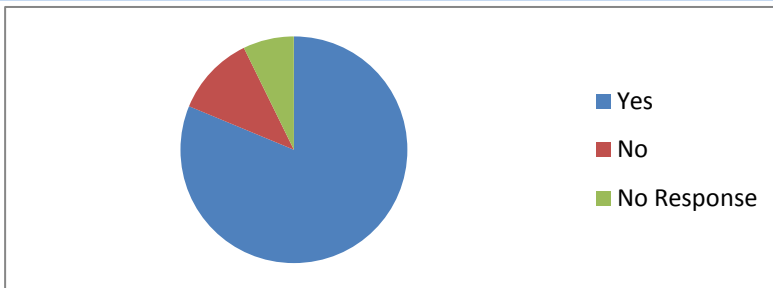
**Thanks for your help.**

## ATTACHMENT #2 Responses to Survey Questions

### Were you given adequate instructions on how to use the new voting machine by the poll workers?

Yes	871
No	123
No Response	78
Total	1072

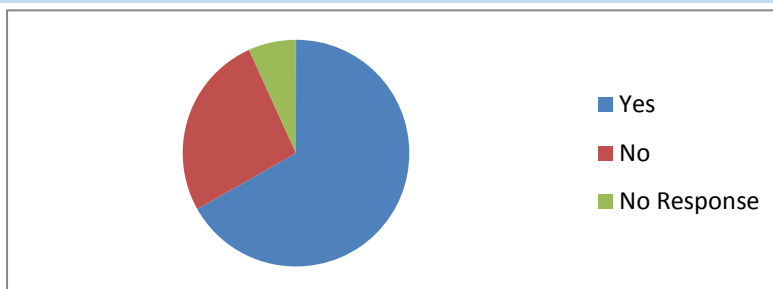
Yes	81%
No	11%
No Response	7%



### Did the privacy booth give you adequate space and privacy?

Yes	716
No	283
No Response	73
Total	1072

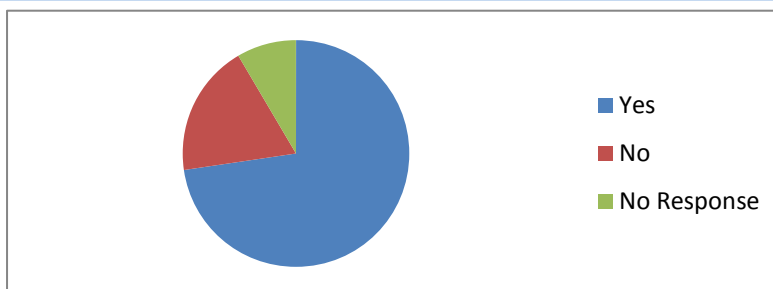
Yes	67%
No	26%
No Response	7%



### Were the instructions to complete the ballot easy to understand and in large enough print?

Yes	779
No	202
No Response	91
Total	1072

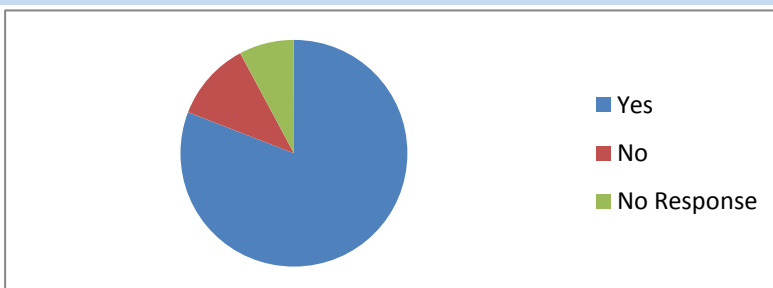
Yes	73%
No	19%
No Response	8%



### Was it easy to find races and candidate names on the ballot?

Yes	867
No	121
No Response	84
Total	1072

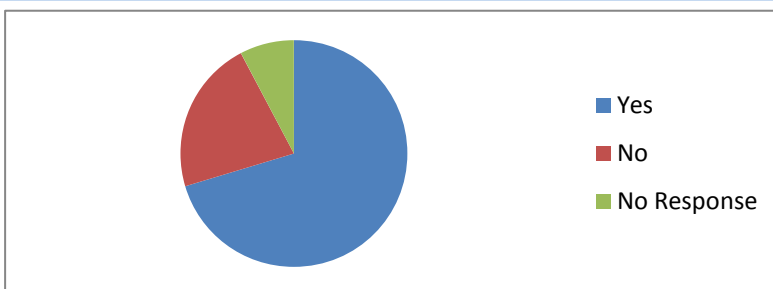
Yes	81%
No	11%
No Response	8%



### Were races and candidate names in large enough print?

Yes	754
No	235
No Response	83
Total	1072

Yes	70%
No	22%
No Response	8%

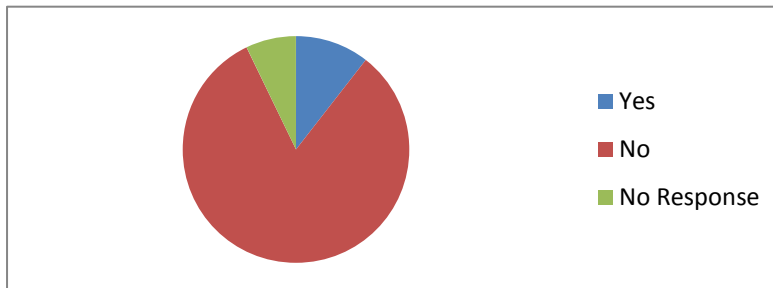


## ATTACHMENT #2 Responses to Survey Questions

### Did you have difficulty in filling out the ballot?

Yes	113
No	882
No Response	77
Total	1072

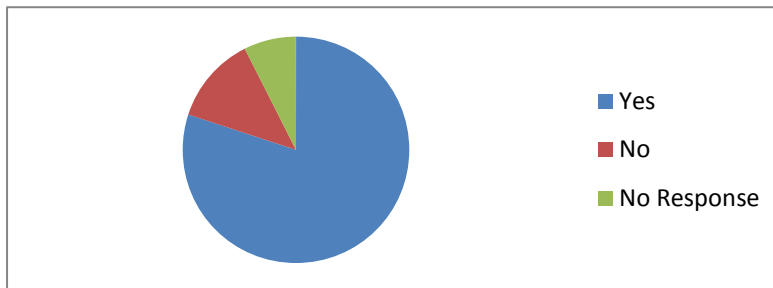
Yes	11%
No	82%
No Response	7%



### Was the layout of the ballot clear so that you could easily determine how to vote for candidates?

Yes	858
No	134
No Response	80
Total	1072

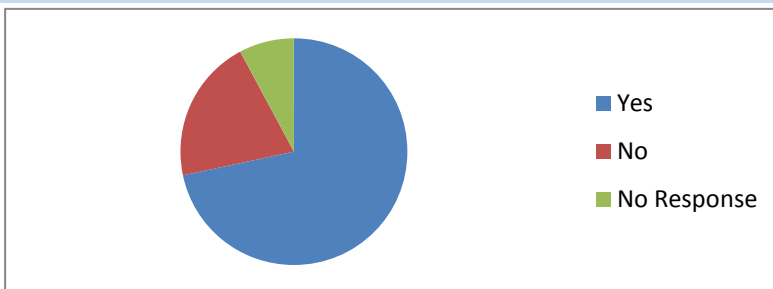
Yes	80%
No	13%
No Response	7%



### Was a privacy sleeve provided for your ballot?

Yes	768
No	220
No Response	84
Total	1072

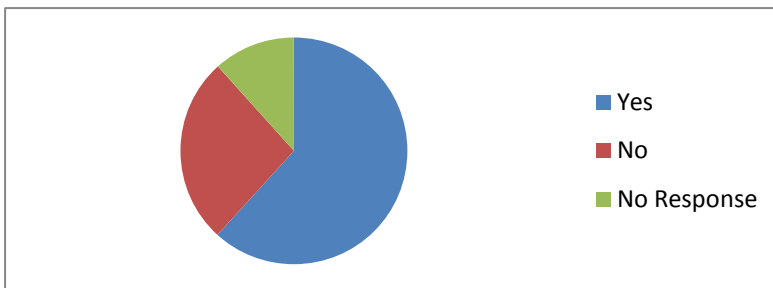
Yes	72%
No	21%
No Response	8%



### Did you use the privacy sleeve?

Yes	662
No	285
No Response	125
Total	1072

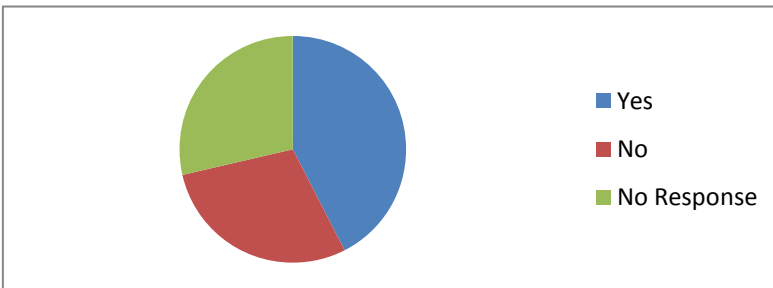
Yes	62%
No	27%
No Response	12%



### If a poll worker handled your ballot, did they use the privacy sleeve?

Yes	455
No	310
No Response	307
Total	1072

Yes	42%
No	29%
No Response	29%

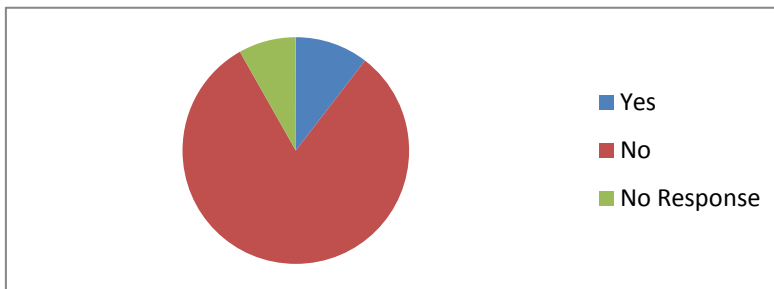


## ATTACHMENT #2 Responses to Survey Questions

### Did you have any problem putting your ballot in the scanner?

Yes	112
No	872
No Response	88
Total	1072

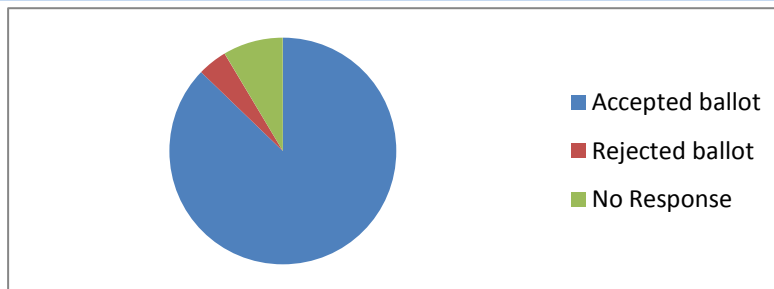
Yes	10%
No	81%
No Response	8%



### Did the scanner accept or reject your ballot?

Accepted ballot	935
Rejected ballot	45
No Response	92
Total	1072

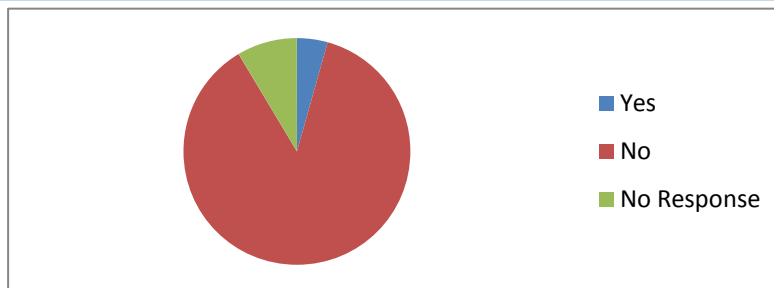
Accepted ballot	87%
Rejected ballot	4%
No Response	9%



### Did any problems occur with the scanner while you were using it?

Yes	47
No	933
No Response	92
Total	1072

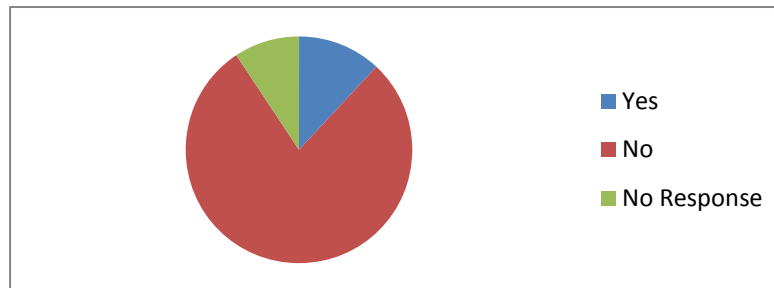
Yes	4%
No	87%
No Response	9%



### Did you observe how rejected ballots were handled by poll workers?

Yes	128
No	844
No Response	100
Total	1072

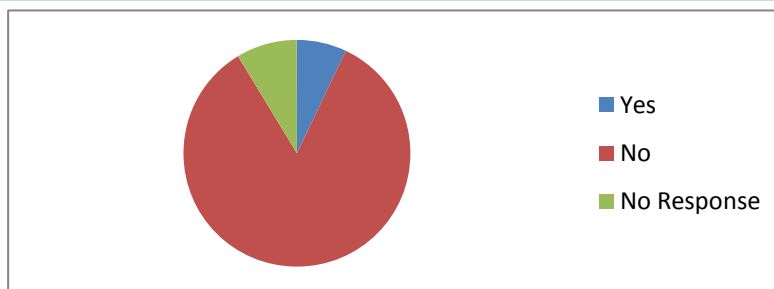
Yes	12%
No	79%
No Response	9%



### Were there any delays or lines of more than five voters waiting to scan their ballots?

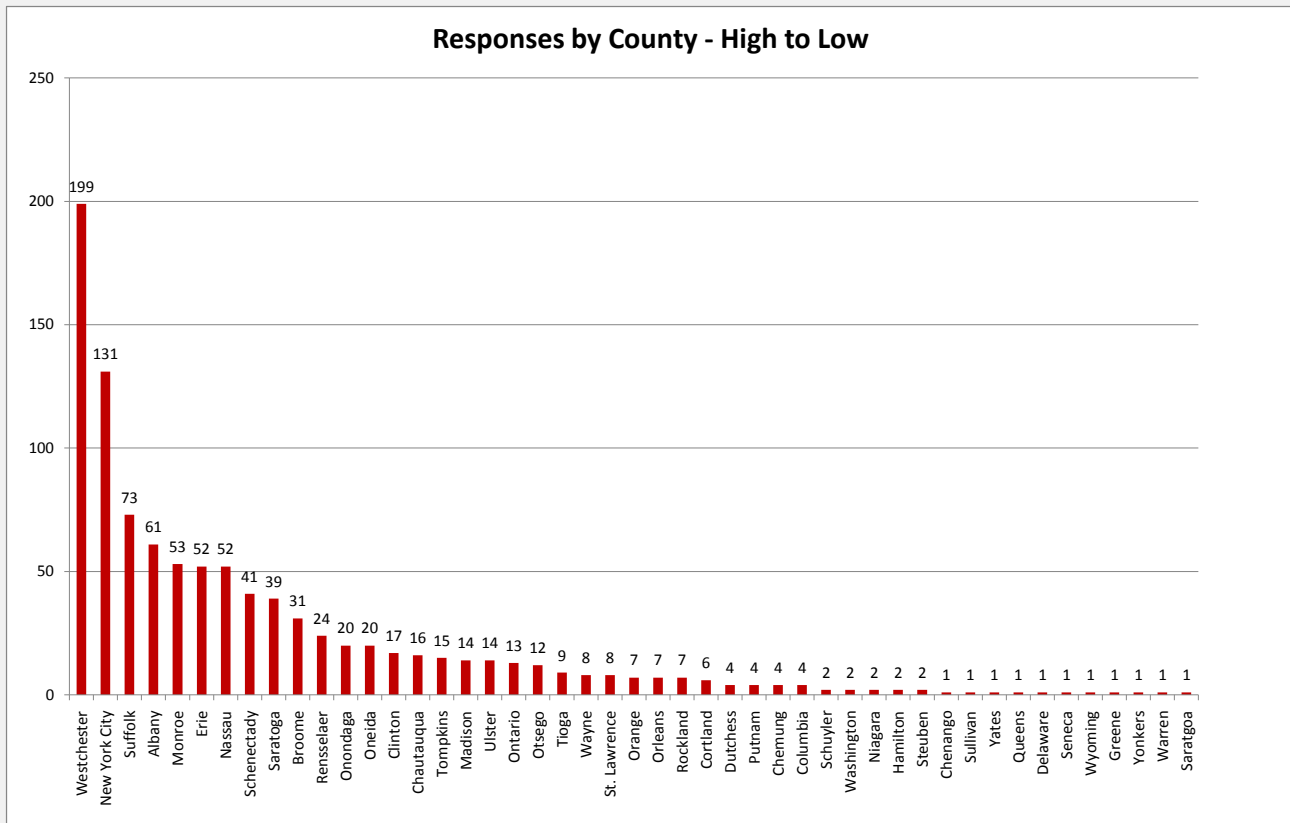
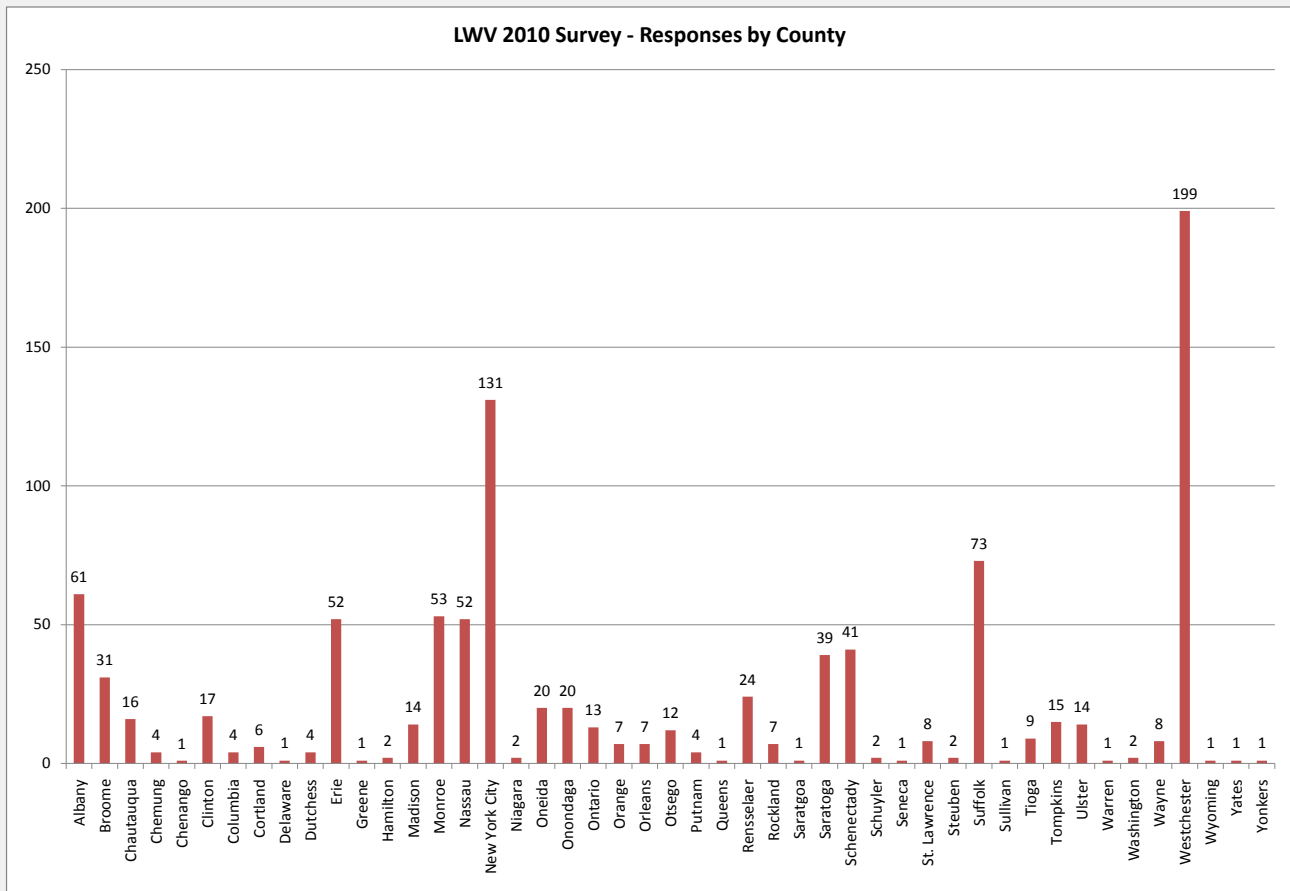
Yes	76
No	903
No Response	93
Total	1072

Yes	7%
No	84%
No Response	9%





**ATTACHMENT #2**  
**Survey Responses by County**



## ATTACHMENT #3 2010 Election Survey



December 8, 2010

### **Report of 2010 LWN NYC Voter Survey**

For a number of years the League of Women Voters of the City of New York has been forwarding reports of complaints and concerns received by our Telephone Information Service up to and through each Election Day to the Board of Elections in New York City.\* For the past three elections we have also conducted an online Voter Survey. In 2010 we conducted our survey in cooperation with the New York State League of Women Voters.

The results of our November 2<sup>nd</sup> Survey indicate that the New York City Board of Elections succeeded in addressing many of the critical problems that arose in the September primary. A majority of New York City voters who completed our survey had little or no difficulty with the optical scanners (78%), and felt that the privacy booths provided adequate privacy (67%). However, the comments from survey respondents and from voters who called our office on Election Day evidence a continuing concern about the training and adequacy of poll workers.

#### **Poll Workers**

We had repeated complaints of the inability of poll workers to use the poll books correctly and find voters' names in a timely manner. We had more reports of lines at ED sign-in tables than at scanners. We received other reports of poll workers giving out inaccurate or inappropriate information. There were instances where voters were told to vote for everyone in the column or that they couldn't "split" their votes between parties. Others complained that some poll workers were too intrusive or took ballots away from voters to scan them even if there was no request for assistance.

#### **Privacy**

While most of our survey respondents agreed that the privacy booths provided adequate privacy, a significant number of voters reported that the booths were not steady, moved while being used or so slanted that the ballot slipped off the desk top. Others reported privacy booths with inadequate or dim lighting.

62% of our respondents reported receiving privacy sleeves, which is a big improvement over the primary, but only 42% used them, most explaining that they didn't know what they were for and several complained that they were shorter than the ballot. This leads us to believe that poll workers were giving out privacy sleeves without instructions.

Of the 120 New York City voters who responded to our survey, more than half complained that the print was too small and many found the magnifying sheets inadequate to help them read the ballots. The survey asked the respondent to check yes or no on this and other questions, but the voters were so concerned about the type size that 48 of them added written comments. We also received a number of calls with the same complaint. The issue became even more acute with the numerical instruction on how many judges to vote for. Voters couldn't read the number. When poll workers were asked for clarification of the number, many couldn't read it either and didn't know the actual number.

### **Ballot Marking Devices**

While we had only one complaint of a broken Ballot Marking Device (BMD) in this election, it was apparent from our survey that most people don't even know of the existence or purpose of the BMD. None of the respondents who found the type too small to read indicated that they had asked to use the BMD or that anyone had offered them use of the BMD.

With our new voting system, even if all of the scanners in the poll site are not working, voters can still vote independently by marking their paper ballots for subsequent scanning. However, if the BMD is broken or the poll workers don't know how to operate it, voters with vision or other disabilities cannot vote independently.

Our survey responses indicate that the scanners worked very well. Only 11% of our respondents had any problem putting the ballot in the scanner and only 1.6% had their ballots rejected by the scanner. However, those voters whose ballots had to be subsequently scanned expressed concern that their votes would not be counted.

Hopefully, as we have more experience with the system and better trained poll workers voters will have greater confidence in the system.

Adrienne Kivelson  
Vice President

Kate Doran  
Chair, City Affairs Committee

\* We are forwarding the complaints and survey results relating to specific election districts to the Board of Elections in New York City.