

New York State Citizens Coalition for Voter Participation and Fair Elections

**Testimony by
Andrea Senteno, Program Associate of Citizens Union and
Chris Keeley, Associate Director of Common Cause/New York
to the
Rules, Privileges and Elections Committee
Re: Appointment Hearings for Commissioners of the Board of Elections in the City
of New York**

January 7, 2009

Good morning Chair Reyna and members of the Rules, Privileges and Elections Committee. Thank you for the opportunity to speak today. My name is Chris Keeley, Associate Director of Common Cause/New York and I am joined by Andrea Senteno, Program Associate of Citizens Union, and we are here on behalf of the New York State Coalition for Voter Participation and Fair Elections. We thank you for the opportunity to speak today regarding appointments hearings for Commissioners of the Board of Elections in the City of New York. Below as our testimony we would like to read a copy of the letter that our coalition prepared and forwarded to the committee for your consideration.

As 2008 is now behind us, preparations are being made at all levels of government for the new year. Here in New York City, district leaders of the major parties have submitted the names of commissioners to be appointed (or reappointed) to the Board of Elections of the City of New York (City Board) before the expiration of the commissioners' terms at the end of the last month. Pursuant to New York State Election Law, the New York City Council is responsible for appointing election commissioners from these party recommendations, and the Rules, Privileges & Elections Committee is responsible for the initial consideration of nominees and approving their nomination before consideration and approval by a full vote of the City Council.

The New York State Citizens Coalition for Voter Participation and Fair Elections (Coalition) is a nonpartisan ad-hoc coalition dedicated to enfranchising the electorate and improving the conduct of elections. Our organizations, many of which interact regularly with the State and City Boards, recognize the importance of election commissioners at the state level, and, more importantly, at the local level in ensuring greater access to the polls, accurate and secure vote counts, and thorough and timely voter education. We believe that the Rules Committee members' role in vetting these nominees and determining whether they are qualified to run our election system is important and should receive increased attention.

Given the significant role that City Board commissioners play in the city's electoral process and the administration of elections, the public and the Coalition knows very little about City Board commissioners, their election experience and positions on city election issues. The approval hearings held by the Rules Committee present councilmembers and voters with the greatest opportunity to learn more about the nominees; not only their views on election issues, but also their background and knowledge about running an agency and administering

elections. The Coalition urges you and your colleagues to use the upcoming nomination hearings as a way to gain better insight into the candidates and create a record of their commitment to upholding the integrity of our votes.

Along those lines, we would like to offer a list of recommended questions or discussion areas that would be relevant to explore with nominees during your proceedings. We encourage you and the committee to use the following recommendations to gain better knowledge about each nominee and their qualifications for the important position to which they have been nominated:

1. Previous experience, in particular, voting-rights, election-related experience and auditing experience;
2. Goals and priorities for election reform in the city;
3. Priorities for improving the current City Board structure or practices;
4. Knowledge of the current City Board structure and commissioner's responsibilities;
5. Experience with community outreach and public education and demonstrated willingness to work with community representatives to ensure appropriate outreach and education formats;
6. Familiarity with current voting rights and election administration issues, including, but not limited to, machine selection, the voter database, poll worker recruitment and training, requirements under the Help America Vote Act of 2002 (HAVA) and other federal voting rights requirements, and preparation for the upcoming elections;
7. Specify how the City Board can utilize innovative technology to expand its voter education and outreach;
8. Some form of disclosure of conflicts of interest - i.e. relationship to county party organization and election-related activities on behalf of specific candidates;
9. Whether the nominee would support making the City Board more transparent and accountable to the public through webcasting their meetings, agreeing to be placed in the Mayor's Management Reports or other measures;
10. As the Board moves towards replacing its stock of lever machines for the upcoming 2009 elections, their thoughts on what voting system should take its place;
11. Experience with computers, especially with respect to vulnerabilities and security issues; and
12. Thoughts about procedures that will assure the public that the selection and management of a new voting system for the city and protocols for mandated post-election audits will be transparent and thorough enough to ensure public confidence and protect the integrity of the election process.

We would also urge the committee to request a written statement from each nominee detailing their thoughts on the above issues that would be forwarded to the committee and made public before your confirmation hearings. We believe this will both underscore the renewed importance of the Commissioners' role in election administration and help hold them accountable throughout their possible terms.

Our groups appreciate your consideration of these recommendations, and hope that you will incorporate them into your protocol for future nomination hearings for City Board commissioners. We welcome the opportunity to work with you and your colleagues towards

achieving meaningful election reform, and look forward to partnering with you in the future on this and other important issues.

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