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## **Educating the Electorate**

**A Report on the Board of Elections Voter  
Learning Centers**

A Report by Common Cause/New York



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We would also like to acknowledge and express our gratitude to the staff at the Board of Elections learning centers who took the time to answer our questions.

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## EXECUTIVE SUMMARY

Recognizing the challenges that the introduction of new voting machines will present to voters and the importance of the Board of Elections' education programs to familiarize voters with the machines, Common Cause/New York sent four interns to try out the Board of Elections voter learning centers, which have been set up in each of New York City's five boroughs to educate voters on the new voting system.

The attitude of the staffers and how well prepared they were for visitors was recorded, as were the accessibility and visibility of the centers and whether or not they had all the appropriate materials available for the demonstrations.

It cannot be overstated that these learning centers are an excellent idea. They are largely well thought out and staffed with helpful and knowledgeable Board of Elections staff. There were many positive aspects of the learning centers that this investigation uncovered, including the helpfulness of the BOE workers, their knowledge of the machines, and the realistic simulation of voting on Election Day. We are sure that New Yorkers who have an opportunity to visit the centers will find the experience worthwhile, as we did.

There are some ways that the Board of Elections can improve their learning centers. There is a systemic problem with the new machines when a double-vote<sup>1</sup> is cast; the machines are programmed to treat a double-vote as a vote for the candidate under the ticket of the largest party by which he or she is nominated by, which may not be the voter's intention. Although we found the staff at all the centers knowledgeable, very helpful and generally upbeat, the Board should stress to workers the importance of a positive attitude, which would reassure voters as they prepare to vote on Election Day. Finally, we were disappointed that the centers were not advertised on site. In Queens, the center benefited from signs visible to people walking by, which resulted in more visitors than we saw at other centers.

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<sup>1</sup> A double vote is an instance in which a voter chooses the same candidate multiple times in the same race on different tickets. This is unique to New York State and its fusion voting system.

The report attempts to help introduce these relatively unknown but worthwhile learning centers to a wider audience and includes a number of recommendations for addressing various challenges, in the hope that they will enable more voters to become familiar with the new machines so that Election Day will run smoothly.

## INTRODUCTION

In the fall of 2010, New York will make a momentous shift in the way its elections are conducted. It will abandon its traditional direct recording “lever” machines, which have been in use without interruption for more than a century,<sup>2</sup> and will instead introduce new optical-scan ballots city-wide in time for the September 2010 primary elections.

Naturally, the City expects some confusion among voters encountering the electronic voting system for the first time. This will be especially true among elderly voters, who tend to vote more at a more consistent rate than any other age group, and who make up ~13.3% of the voting age population in New York (2010 projection).<sup>3</sup> It may also prove to be the case among minority voters, as well as voters who do not speak English as their primary language. Therefore, in the interest of educating voters and preventing confusion on Election Day, the City Board of Elections has established five different voter Learning Centers at each of its branch offices around the city – one in each borough – so that interested prospective voters may have the opportunity to gain experience with the new system on their own time.

With these learning centers serving as the only way for residents of the city to independently<sup>4</sup> test the new machines, Common Cause/New York has determined to test these centers and evaluate how easy they are to find and how effectively they fulfill their stated mission. In order to accomplish this goal, Common Cause/New York dispatched an investigative team of four interns to visit every center and record observations about their locations, the equipment present, the general knowledge of learning center staff, and the ability of learning center staff to adapt to and to explain various voter errors that might be encountered on Election Day. Those on the investigative team acted as though they had never seen or used the new voting system before, and intentionally made a variety of predetermined errors on their sample ballots. They asked a set of standardized questions that had been chosen beforehand. Finally, they did not reveal their affiliation with Common Cause/New York to the learning center staff at any time.

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<sup>2</sup> The older model voting machines were first introduced in upstate New York in 1892, and many have fallen into disrepair or have been cannibalized for replacement parts.

<sup>3</sup> *New York City Population Projections by Age/Sex & Borough: 2000-2030*, New York City Department of City Planning, December 2006.

<sup>4</sup> The Board of Elections also offers community groups the opportunity to host demonstrations of the new system.

What follows are the findings of our team's investigation, as well as background information on the new voting system, and a more detailed set of observations on each individual center. We hope that our experiences can help the centers continue their good work as they seek to prepare and educate the public for the introduction of the new system in the weeks and months to come.

## BACKGROUND

The previous system of switch-and-lever machines is being replaced this year by a system in which votes are cast by filling in bubbles on a pre-printed paper ballot, and then are inserted into an optical scanner to be recorded. The ballot can be inserted face up or face down as the scanner will read both sides of the ballot. Alternatively, a second device – called a ballot marking device (BMD) – is available to all voters to assist in marking the ballot using a touchscreen interface. This optical scanner system leaves a “paper trail” in case a hand-count is needed and is a more secure way of voting than the previous system, which did not leave a paper trail.

In order to ensure privacy and secrecy during the voting process, voters will be shielded by a privacy booth while filling out their ballots. Privacy sleeves (manila folders) should be provided for ballot protection when the voter transfers their marked paper ballot to the scanner. Since the ballot is printed in a small font, a magnifying sheet should also be available inside the privacy booth. Most voters will use the paper ballot and scanner, but for those with physical challenges, the ballot marking device is available to assist any voter in marking the ballot by using an adjustable touch screen, audio headphones, Braille-embossed keypad, rocker paddle or sip and puff device.<sup>5</sup> A blank paper ballot is inserted into the BMD and the machine will guide the voter through their options. The BMD will mark and eject the ballot, which will then be manually inserted into the optical scanner. All voters are welcome to use the BMD but its main purpose is to assist those with disabilities.

In many ways, the BMD is a more useful and accessible tool for marking the ballot. The BMD can enlarge the text on the screen, which makes the options easier to read, and it alerts the voter if they have *undervoted*.<sup>6</sup> While the optical scanner will alert the voter of an *overvote*,<sup>7</sup> the BMD will not allow more than the maximum number of candidates to be selected at all. This is a more effective method of preventing voter error because although the scanner identifies the

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<sup>5</sup> Pictures and detailed descriptions of each of these modalities can be found at:

<http://www.votethenewwayny.com/en/using-the-new-voting-system/marking-the-ballot-marking-device.aspx>

<sup>6</sup> An undervote is an instance in which a voter has not voted for any candidate in a particular race, or the voter has not voted for the maximum permissible number of candidates in a particular race.

<sup>7</sup> An overvote is an instance in which a voter has selected more candidates than are allowable in a particular race. When an overvoted ballot is inserted into the optical scanner, the scanner tells the voter that they have overvoted, but it does not specify what an overvote is. How the scanner handles this situation is the subject of a pending lawsuit against the Board of Elections.

overvote, it gives the voter the opportunity to submit the ballot “as is” despite the fact that the voter’s selection for that race would not be counted. The BMD also prompts the voter to look at all the candidates before moving on to the next race, indicating to the voter that they have not viewed all the options, which is particularly helpful if the voter has used the “zoom” button, as it may appear that there are fewer candidates in the race than there actually are. It *is* possible to move onto the next race without viewing all the candidates; it is simply that the machine makes sure that the voter is aware that there are more candidates who may have been overlooked.

The learning centers allow voters to familiarize themselves with these machines before they go to the polls; therefore the organization of these centers is crucial in educating those who visit them. As a result, an in-depth look at each of the learning centers is important to understand what can be improved to make them more effective, and this detailed analysis can be found in the appendix of this report.

## Learning Centers Report Card

Criteria	Manhattan	Bronx	Brooklyn	Queens	Staten Island
<i>Location</i>					
Visibility of BOE from street	I	G	I	E	I
Signage for learning center	I	I	I	E	I
<i>Layout</i>					
Similarity to Election Day conditions	E	G	G	G	E
Availability of privacy booth	E	G	I	I	G
<i>Staff</i>					
Familiarity with voting process including mechanics of optical scanner and BMD	E	E	E	E	E
References handicap accessibility	I	G	G	E	E
Anticipates common voting errors	G	E	G	G	E
Explains overvote and undervote	I	E	G	E	E
Positive demeanor	G	E	G	E	E

E = Excellent, G = Good, I = Could Improve

## FINDINGS AND RECOMMENDATIONS

The introduction of new voting machines after a century long status quo requires a significant education effort as the voting process is updated for the 21<sup>st</sup> century. Between education centers in Board of Elections offices and local community demonstrations facilitated by the Board of Elections, there is a serious effort being made to provide voters with access to try the machines prior to Election Day, which is highly commendable.

### *Visibility and Location*

The most important (and arguably, the easiest to correct) problem for the learning center network is simply that very few people are aware that they exist. With the exception of the Queens learning center, where we had to wait on line to get our demonstration, the centers conceded that they have had few (if any) visitors. In fact, the receptionist for at least one office was unaware of exactly what training we were seeking, and had to consult with a supervisor. It is little surprise that the one center that had a line to get in (Queens) was also the one center with a large sign in front of the building. In the Manhattan office, when we asked about advertising, they told us that they were arranging advertisements on NY1 and in some newspapers.

**While advertising in media is important, placing signs outside of the buildings that contain the learning centers could be a significant help to draw in people who might be walking by on the busy streets. We suggest that the Board of Elections mandate that all borough offices follow the good example of the Queens office, and advertise the learning centers outside using posters and signs.**

### *Layout and Quality of Simulation*

In general, each of the centers has been able to establish a fairly accurate simulation of how actual polling places will be arranged on Election Day. The Board should be applauded for reproducing these election conditions and ensuring that the equipment used at the learning centers will be the same equipment used on Election Day. However, there was a lack of available privacy booths for public demonstration at all of the learning centers. While some centers had

privacy booths present, they were not always on display and in some cases were only shown when we asked about them.

**The Board of Elections can continue to improve the quality of its election simulations by standardizing precisely what equipment ought to be present at its learning centers. This standardized layout should provide the public with the opportunity to use the new privacy booths as well as ensure that both pens and magnifying sheets will be present inside of the privacy booths, as they will be on Election Day.**

### *Staff Knowledge, Proficiency, and Demeanor*

Overall, staffers at all five borough offices were well-versed in the general process of voting using the new system. However, the level of intimate knowledge of the machines and process varied from office to office. In Staten Island, the staffers went above and beyond in explaining how to use the machines in a way that was informative and helpful, and in Queens, the staffer ably informed us in detail on how to use the machines, what an overvote is, how to use the BMD and most importantly assured us that the new system was easy to use. The other centers could have elaborated more on the accessibility of the new system without prompting from us, and ensure that visitors fill out their ballots correctly.

**The Board should ensure that instructions from staffers are clear, and that they continuously monitor visitors at the learning center in order to correct any problems on the ballots as they occur. Staffers should remind voters to turn over the ballot to see the propositions; they should also remind voters to fill in the correct number of bubbles per race, to avoid overvoting; and they should stress the availability of voting assistance like the magnifying sheet and the BMD's audio, Braille, rocker paddle and sip and puff devices. While it is difficult to imagine that every learning center can have exactly the same script, basic details can and should be provided, including: warnings about common mistakes when filling out a ballot, information on the mechanics of the system and the availability of aids for voters with disabilities. While every center had a good level of each, if all of these are conveyed in a positive and constructive way, the learning center experience could be even better.**

While attitudes towards the new machines were positive, there were isolated instances in which staffers voiced some frustration with the new system. There was concern that unfamiliarity with the new system would lead to confusion and longer lines on Election Day and there was some displeasure with the change in machines, in light of the confusion that stemmed from our double-vote.

**Learning center staffers should maintain a positive attitude toward the voting machines and convey to voters not just how to use the system but also how easy the system is to use. How smoothly these first elections proceed will depend enormously on how much information and comfort voters have with the new machines; the staffers at learning centers can contribute immeasurably to voter assurance simply by maintaining a positive attitude about the new system, which for the most part they are doing.**

## **CONCLUSION**

The New York City Board of Elections has done an admirable job of creating centers to increase voter education and proficiency with the new polling systems before they are ever used in an election. This pilot program represents a remarkable step forward for an agency not known for its innovative outreach efforts, and for that, it deserves applause. This effort has a few kinks, but we believe that we have presented constructive suggestions for correcting these issues to make the program even more effective. We hope to see these recommendations put into action, and therefore have a better informed and better prepared voting public on Election Day, which the centers are more than capable of producing.

## **APPENDIX**

### **LEARNING CENTER IN-DEPTH OBSERVATIONS**

#### **Manhattan**

##### *Location*

The learning center in Manhattan is located on the tenth floor of an ordinary office building at 200 Varick Street, which is easily accessible by subway. There is no exterior indication of an election learning center being within the building, nor is there any indication in the office itself that there is a learning center available for use. The learning center is housed in the Election Training Room, which is large and accessible through a door that leads directly to the elevator bank. It could significantly benefit from better advertisement as it is large enough to handle a greater number of interested voters.

##### *Layout*

The layout of the Manhattan center most closely resembled the conditions that voters themselves are likely to experience at their polling place on Election Day.

A table was set out immediately upon entering the learning center, upon which were set ballots to be cast – as well as privacy sleeves to conceal the ballots and magnifying sheets that could be used if voters found the text printed on the ballot too small to read. Immediately to the left were two optical scanning machines and a ballot marking device, which was active and ready for use. To the right, a privacy booth was set up so that voters might see the station where they would be filling out their ballots. However, the booth lacked the standard pen and magnifying sheet that will be inside of it on Election Day.

The Board of Elections in Manhattan has established an open and understandable layout for its learning center that should allow voters to transition easily into the actual polling process in September.

## *Staff*

The BOE staffer who led us through the voting machine demonstration was proficient in the voting process and could explain how to complete the paper ballot properly, use the BMD, and insert the ballot into the optical scanner. The staffer was commendably fluent in the basic voting procedure, but occasionally the disability aids were overlooked. There was also slight confusion over what could be used to magnify the ballot.

In terms of familiarity with common issues, the staffer had a fair knowledge of overvoting and undervoting. When one of us overvoted, the staffer correctly instructed that person to take his ballot back, although he was a little hesitant in explaining that the vote would not count. Although the staffer was clearly familiar with the proper procedure in the case of an over-vote,<sup>8</sup> he did not focus on the details of how the system processes those votes.

The staffer was highly informative and generally matter-of-fact about the use of the machines albeit somewhat worried about voting delays on Election Day since the BMDs are quite slow to use.

## **Staten Island**

### *Location*

The BOE learning center in Staten Island is a short walk from the Clifton stop on the Staten Island Railway, four stops from the Staten Island ferry terminal. The office block is at 1 Edgewater Plaza and the BOE office is on the fourth floor. To the right of the reception desk is an open space surrounded by offices and the machines sit to the right of this space next to a table with literature about the machines as well as demonstration equipment. Again, this learning center could be improved with signs advertising the learning center both in the office building and outside of it. However, this is the one center which is not located in a busy area and therefore the signs may not attract as many visitors as might be the case in some of the other locations.

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<sup>8</sup> In the event of an overvote, poll workers are trained to instruct the voter to choose not to cast their vote and to provide a new, blank ballot. A voter will have two opportunities to submit a corrected ballot (for a total of three).

### *Layout*

The Staten Island learning center is located in the middle of a large, otherwise empty space in the center of the BOE office. A table is set up in the center of the room with ballots and brochures about how the new voting system works. These brochures were eagerly given to us by the staffers there, who made sure to note how the brochures emphasize the simplicity of “voting the new way.” A single optical scanner and a BMD are just beyond the table.

Against the far left wall are several dozen privacy booths stacked against one another, presumably in storage until the next election. One privacy booth had been pulled out slightly from the rest; we noticed this and were told it was being shown for demonstration purposes, and that it was indeed the type of station at which voters would be able to fill out their ballots on Election Day. There was no magnifying sheet in the privacy booth at the time, but one was quickly offered to us after we complained about the size of the text on the ballot.

Overall, the Staten Island learning center was by far the brightest and largest of any that we visited, and will be best prepared for a large number of interested voters as the elections draw nearer.

### *Staff*

There were two staffers running this learning center who had an exceptional command of the mechanics of the machines. They pointed out all of the voting aids, an on/off button for the BMD screen in case the voter needs help but wants to maintain privacy and suggested that both of us try the BMD to mark the ballot.

The staffers also explained how an overvote, an undervote, and even a double-vote work after we cast ballots in error on each. To demonstrate the effect of our double-vote, the staffers closed the poll and printed the results, which confirmed that the double-vote had indeed been tabulated.<sup>9</sup> Overall, the staffers in Staten Island were very impressive – anticipating all the concerns a voter might have.

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<sup>9</sup> Though we reiterate that a double-vote is, at present, counted as a vote for the endorsing party furthest to the left hand side of the ballot, and that this is not an acceptable solution.

## **Brooklyn**

### *Location*

In a building near Brooklyn Borough Hall, at 345 Adams Street, is the Brooklyn BOE learning center. The center itself is within the large Kings County Board of Elections office complex on the fourth floor of the building, among other conference and training rooms. In order to get to the learning center, one must enter an access door on the opposite side of the elevator bank from the entrance to the BOE offices, walk about thirty feet down a corridor to the right of the reception desk. Through the second door on the left is a small converted office with the voting machines and demonstration equipment. There are no signs, either outside the building, around the reception desk, or on the demonstration room door, that indicate that it is a learning center. There would likely be a greater number of visitors if there were more signs advertising this facility, as it is in a very busy section of downtown Brooklyn, and foot traffic is high.

### *Layout*

The layout of the Brooklyn learning center is cramped – as one might expect a converted office to be – and it would be difficult to accommodate a group of more than four to five people in the center at any one time. Near the door, there is a table with ballots and privacy sleeves laid out. One optical scanner and one ballot marking device face each other from opposite walls. However, privacy booths and magnifying screens were not obvious until we asked for them. Upon asking to see the actual voting stations, we were led down a hallway to a crowded room in which poll-workers were being trained. A single privacy booth was located on the other side of the room, and there was a magnifying sheet and pen inside of it. This is the only BOE center in which the privacy booth appeared exactly as it will on Election Day, albeit at some distance from the optical scanner.

The Brooklyn learning center is constrained by the limited space available in the BOE office, so that in the event that the center becomes popular with the public, it is possible that there may be a wait to use it. With that said, the BOE has done a commendable job of fitting all of the elements of the voting system into a smaller-than-ideal space.

## *Staff*

Reception at the BOE center in Brooklyn was unsure what we were there for and asked if we had an appointment. A second person was then asked for confirmation at which point we were eagerly brought into the learning center.

There were two women staffing the demonstration room who were thoroughly proficient with the machines. They walked us through the voting process, paying very close attention to our votes and even pointing out when one of us double-voted (which we had done intentionally). But once the ballot was accepted, they were very confused as to why a double-vote did not result in the warning screen of an over-vote. After closing the poll,<sup>10</sup> they confirmed that a double-vote is registered for the candidate in the left most column on the ballot, which on Election Day will correspond to either the Democratic or Republican Parties. One of the staffers called her supervisor, a commissioner, who was also surprised by how the optical scanner responds to a double-vote. Afterwards, they showed us a privacy booth elsewhere in the BOE office and told us there would be a pen and a magnifying sheet for filling out the ballot by hand and mentioned that other aids exist to assist voters with disabilities.

One of the staffers suggested we contact the BOE central office to help make sure that the double-vote problem is properly fixed before Election Day. She effectively conveyed that the machines were easy to use, despite expressing some concerns about how the machines would perform on Election Day. At the end of the demonstration, she attempted to recruit us to serve as poll workers, which we thought was a very good approach.

## **Queens**

### *Location*

The BOE office in Queens has its own building opposite the courthouse at 126-06 Queens Boulevard, which had a high volume of pedestrian traffic outside as a result. There are posters on the glass doors of this building highlighting the learning center facility. There is a

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<sup>10</sup> In order to close the poll, the poll worker must open a panel on the optical scanner and turn a key. The machine will then print out a summary of all votes cast in each individual race.

desk to the left upon entering the building and to the right is a glass wall beyond which is the learning center. The learning center is therefore visible from the lobby, making it easier for people to know that it is there and available to interested voters. In fact, the Queens learning center was the only center where we were not the only people trying the machines.

### *Layout*

The layout of the Queens learning center was the most welcoming of any center that we visited. The fact that there is merely a glass wall between the lobby and the center makes this particular location seem more open to the general public than any other. The layout is fairly standard otherwise; a table is set up with ballots, magnifying sheets, and privacy sleeves and a ballot marking device and optical scanner are available for testing. It is worth noting, however, that no privacy booths are available for inspection or use; this center might consider displaying them so that voters can see how the security of their secret ballot will be guarded while they are making their selections.

### *Staff*

In the lobby, the receptionist asked us to wait a few minutes until the previous group had finished their demonstration of the machines. This told us two things: that the receptionist knew immediately what we were there for and that other voters are aware of this center's existence.

The BOE staffer who performed the demonstration was proficient with the machines and directed us through all of the steps of voting using the paper ballot and the BMD. She told us about all of the voting aids for people with disabilities and when asked about increasing the size of the print, told us that there is a magnifying sheet to help people read the ballot.

Her descriptions were thorough and she warned us about being sure to fill in the right number of bubbles and not to fold the ballot when putting it into the machine. However, she could have paid closer attention to how we filled out the ballot, as when it was shown to her, there was a double-vote that she missed. As a result, the vote was cast, the machine accepted it, and unfortunately we left without instructions about what to do in the case of an overvote.

Overall, her demeanor was very upbeat. She made it clear that these machines are easy to use, and trying them will make Election Day much easier for voters.

## **The Bronx**

### *Location*

The Bronx learning center is fairly difficult to find at 1780 Grand Concourse. From the subway stop, it is a four block walk to a staircase which leads to Grand Concourse, along which is the office building where the BOE office is located. It is difficult to find the entrance as the address of the building is shared with a Medical Center, so it would be useful to have signage to indicate its entrance. The BOE office is two floors below ground level and the learning center itself is situated deep within this office. Ultimately, the Bronx BOE office has to be actively sought out in order to be found and therefore increased advertising might encourage more voters to stop by and try out the machines.

### *Layout*

The layout of the Bronx learning center is also largely standardized, though it (like the Queens learning center) lacks an available privacy booth on display. A table with ballots, privacy sleeves, and magnifying sheets were present as were the two voting machines (the scanner and the BMD). The offices in the Bronx are much like the Brooklyn offices however, and the layout might not be optimal for a higher volume of interested voters as Election Day approaches.

### *Staff*

The Bronx BOE staffer was proficient with the machines and guided us effectively through the voting process. She overlooked the voting aids apart from suggesting that someone use the BMD if they have trouble reading the small print on the ballot.

The staffer made it her goal to convey what happens in the case of an overvote and what we should do. She was excited when one of us overvoted and said that had we not overvoted, she would have completed a ballot with an overvote for us so we could see the effect it had. While she did not mention a double-vote, her background on the overvote was helpful because it revealed that she understood not only how the machines work but also what concerns people will have on Election Day if something goes wrong.

The staffer was upbeat and generally optimistic about how the machines would perform on Election Day. She did not expect voters to have any problems using the machines, but thought the education campaign remained valuable, and she specifically noted the opportunity for communities to request demonstrations of the system. She gave us a great deal of literature about the machines and about community demonstrations, as well as details about how to become a poll worker.