



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
SCOTT M. STRINGER

May 12, 2016

Michael J. Ryan  
Executive Director  
New York City Board of Elections  
32 - 42 Broadway  
New York, NY 10004

Re: BOE Preparations for June 28 Congressional Primary Elections

Dear Mr. Ryan:

I am writing to urge the New York City Board of Elections (BOE) to immediately take several short-term measures to avoid problems reported by voters in the April 19<sup>th</sup> Presidential primary.

While I initiated an audit of the BOE's election procedures immediately following the April election, the findings and recommendations of that audit—which will be conducted and shared with BOE in accordance with Generally Accepted Government Auditing Standards—will not be completed before the general election in November. Therefore, I am writing now to address immediate concerns raised by the flood of complaints my office received about the recent primary. With the June 3<sup>rd</sup> registration deadline looming, there is no time to waste in taking these critical steps.

Over 600 complaints were made to my office from voters who identified a range of problems that they said prevented or interfered with their ability to vote. These included the following:

- 306 voters, or roughly half, reported that they were not on the rolls, either due to the BOE's "purging" of their name, a change in poll location (often reportedly without notice to the voter), or otherwise.
- 78 voters reported encountering significant issues with poll workers, including but not limited to:
  - Directing voters to the incorrect poll site;
  - Inappropriately demanding identification from voters;
  - Failing to show up by 6 a.m. to open poll sites;
  - Telling voters who to vote for or speaking to voters about their selections;
  - Giving voters the incorrect primary ballot (wrong party);
  - Forgetting the separate ballot for the special election; and
  - Confusion about the procedure for affidavit ballots.
- 55 voters reported that they were not listed with the correct party affiliation, which due to New York State's closed primary system affected their ability to cast a ballot in their chosen party's primary.



- 19 voters encountered issues with the ballot or ballot machine, including:
  - Lack of functioning ballot scanners (poll workers deposited ballots in a box);
  - Scanners that were not programmed to accept the Republican primary ballot; and
  - Lack of opportunity to write in a candidate.

We also received complaints about issues—such as the deadline for changing party affiliation and the closed primary system—that are subject to state law and thus are beyond the scope of the BOE’s authority.

However, some of the most common issues faced by voters, including the fact that many were “purged” from the active voter roll and the prevalence of poorly trained or misinformed poll workers on primary day, should be addressed by the BOE immediately.

As a result, while longer-term reform to BOE processes are necessary, as are changes to state laws governing election administration and voter protection, there are several steps the BOE should take in advance of the Congressional primary election on June 28<sup>th</sup> and the deadline for voter registration that precedes it on June 3<sup>rd</sup> to both rectify the issues faced in April and increase voter turnout:

*Addressing the Needs of “Purged” Voters*

1. The BOE’s first priority should be to **identify voters who were improperly removed from the rolls and restore them to active status** in advance of the June primary.
2. The BOE **should prominently display a link on its website for people who were or may have been affected by the “voter purge” that preceded the April 19 primary.** The link should provide instructions about how to confirm voter registration status and information about how to register in order to ensure that voters are on the active voter rolls for the June primary.

By providing voters with clear guidance, BOE will reduce confusion at poll sites and eliminate the need for many voters to cast affidavit ballots, which imposes considerable costs on the Board and engenders uncertainty amongst the public.

*Reaching Affidavit Ballot Voters*

3. The BOE **should reach out to all individuals who voted by affidavit ballot** by mail to inform them of their current voter status and what steps, if any, they must take to ensure that they are on the active voter rolls for the June primary.

*Increasing Voter Registration and Turnout*

4. The BOE should **extend the hours of operation for its phone hotlines** to provide “off-hours” service in the two weeks preceding the registration deadline. The current 9 a.m. to 5 p.m. schedule prevents many individuals from seeking prompt service from the BOE.

5. The BOE should **conduct an enhanced public awareness campaign** directing all eligible voters to register in advance of the June primary and/or to check their voter status on the BOE website.
  
6. The BOE should provide **weekly public updates** on the steps it has taken to restore any voters that were improperly purged to active status, as well as the steps the BOE is taking prior to the June primary and November general election to ensure that all eligible voters will be able to participate in the Democratic process.

Thank you in advance for your swift attention to these issues. With the deadline for registering for the June primary just 22 days away, it is critical that the Board of Elections provide immediate support to individuals affected by the irregularities of the April 19<sup>th</sup> primary and take steps to increase public awareness of the June primary in order to ensure that every eligible New Yorker can cast their ballot.

If you have any questions, please do not hesitate to call First Deputy Comptroller Alaina Gilligo at 212-669-2571.

Sincerely,



Scott M. Stringer  
New York City Comptroller