



# City of New York

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## OFFICE OF THE COMPTROLLER

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Special Report on the Election Day  
Operations of the New York City Board  
of Elections

FK19-113S

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# **THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER**

## **Special Report on the Election Day Operations of the New York City Board of Elections**

**FK19-113S**

### **EXECUTIVE SUMMARY**

The New York City Board of Elections (BOE) was established under the New York State Election Law, Section 3-200(1) and pursuant to that law is responsible for, among other things: selecting poll sites; recruiting, training, and assigning election personnel; maintaining, repairing, and deploying election equipment; operating poll sites; counting and verifying the election results (canvassing); and reviewing original voting records to check the accuracy of the vote totals (recanvassing).

BOE consists of 10 commissioners—two from each of the five Boroughs—who equally represent the two major political parties and are appointed by the New York City Council for terms of four years. BOE appoints an Executive Director and Deputy Executive Director to oversee operations, hire employees to staff its main office and five borough offices (one in each borough), and hire poll workers to staff election events. The five borough offices are each staffed with a bipartisan Chief Clerk and Deputy Chief Clerk who are responsible for overseeing staff and activities which include, among other things, accounting for election materials and staffing poll sites.

When administering elections, BOE must comply with federal and New York State Election Law and its own procedures including The Board of Elections in the City of New York Canvass/Recanvass Procedures, the BOE Basic Poll Worker Manual, and the BOE Coordinator Manual.

We conducted this review to determine whether BOE complied with applicable laws, rules, regulations, and policies and procedures for Election Day operations.

### **Findings and Conclusions**

Based on our review of BOE's records and our observations for the 2019 General Election, BOE generally did not comply with federal and New York State Election Law and its own procedures for Election Day operations. Among other things, we found that BOE failed to document that it accounted for poll site election materials, including scanned ballots and affidavit ballots. In addition, we found deficiencies in BOE's poll site staffing (including interpreters), equipment, accessibility, and the suitability of poll site locations.

In particular, we found that BOE did not document that it received election materials from 989 of the 1,247 poll sites (79.3 percent) that it operated on Election Day. In addition, we found that bipartisan staff did not review Election Night Police/Peace Officer Delivery Receipts for accuracy and sign to verify the items being delivered in 94 instances as required by its own procedures.

We also found that BOE poll sites were not adequately and appropriately staffed because: (1) BOE did not fill poll worker positions or replace poll workers who did not report to work; (2) BOE did not appropriately assign interpreters to poll sites to provide bilingual assistance to minority groups; (3) BOE did not equally distribute poll workers between the major political parties; and (4) BOE poll workers did not follow voting procedures and behaved inappropriately. Further, BOE did not provide us with documentation to show that poll workers received required training.

In addition, we found that BOE poll sites were not properly equipped, accessible, and suitable and safe. Furthermore, BOE staff did not always accurately report poll site supply and accessibility issues on checklists. Consequently, management and other stakeholders may not be aware of the above-mentioned supply and accessibility issues and take appropriate corrective action for future elections.

## Recommendations

To address these issues, we make a total of 23 recommendations, including that the BOE should:

- Ensure that borough office Chief Clerks and Deputy Chief Clerks review Election Night Police/Peace Officer Delivery Receipts from the 2019 General Election to determine whether any election records are missing and, if so, immediately attempt to recover any missing items;
- Ensure that borough office staff comply with The Board of Elections in the City of New York Canvass/Recanvass Procedures for accounting for election materials including, but not limited to: completing and signing the Election Night Police/Peace Officer Delivery Receipt listing all items dropped off by the officer; placing a checkmark in the relevant column for all materials received; reviewing the receipt for accuracy; and signing to confirm that the officer and bipartisan Board staff agree on the items being delivered;
- Explore all options and continue to expand its outreach efforts to recruit additional poll workers;
- Continue to expand its outreach efforts to recruit additional interpreters to ensure that it provides bilingual assistance to voters in accordance with Section 203 of the Federal Voting Rights Act;
- Equally distribute poll workers between the two major political parties;
- Verify that poll workers and coordinators receive appropriate training and pass exams each year;
- Review Coordinator Journals to identify poll workers that do not comply with guidelines, rules, and procedures; take appropriate corrective action; and if necessary, prohibit poll workers from working future elections;
- Test equipment prior to deployment to ensure that it is functioning properly, including but not limited to, poll books, cradlepoints, and ballot scanners;

- Ensure that Voting Equipment Operations Unit-Poll Site Division (VEOU) staff and supervisory staff accurately complete ED Supply Cart Checklists to ensure that poll sites are receiving the supplies and resources necessary to conduct the election;
- Take all necessary steps to fully comply with the Americans with Disabilities Act (ADA);
- Review ADA Checklists, Accessibility Complaint Logs, Coordinator Journals, and call center logs for the 2019 General Election to identify poll site accessibility issues and take corrective actions to rectify reported issues;
- Remind poll site Coordinators and Accessibility Clerks to report all accessibility issues on the ADA Checklist; and
- Select alternative poll sites for any sites found to be unsuitable or unsafe including, but not limited to, poll sites located within businesses which are licensed to sell alcohol and poll sites that are not located on the main or ground floor.

## Discussion of Results

The matters covered in this report were discussed with BOE officials during this review and at the conclusion of this review on February 20, 2020. A preliminary draft report was sent to BOE on March 6, 2020. A formal exit conference was scheduled to be held on March 9, 2020 to provide BOE an additional opportunity to discuss the preliminary draft report findings. BOE officials declined to meet on that date or on alternative dates thereafter. BOE informed us that it currently lacks the resources to meet with us and respond to the preliminary draft report findings because it is preparing for several upcoming elections and may need to change its Election Day Operations in response to COVID-19.

In light of the foregoing, we are submitting this special report to BOE so that it will have adequate time to review the findings and recommendations and appropriately consider them.

# SPECIAL REPORT

## Background

BOE was established under the New York State Election Law, Section 3-200(1) and pursuant to that law is responsible for, among other things:

- Selecting poll sites;
- Recruiting, training, and assigning election personnel;
- Maintaining, repairing, and deploying election equipment;
- Operating poll sites;
- Counting and verifying the election results (canvassing); and
- Reviewing original voting records to check the accuracy of the vote totals (recanvassing).

BOE consists of 10 commissioners—two from each of the five Boroughs—who equally represent the two major political parties and are appointed by the New York City Council for terms of four years. BOE appoints an Executive Director and Deputy Executive Director to oversee operations, hire employees to staff its main office and five borough offices (one in each borough), and hire poll workers to staff election events. The five borough offices are each staffed with a bipartisan Chief Clerk and Deputy Chief Clerk who are responsible for overseeing staff and activities which include, among other things, accounting for election materials and staffing poll sites.

On January 10, 2019, the New York State Assembly passed legislation which mandated a nine-day period of Early Voting. For the 2019 General Election, BOE operated 61 poll sites during Early Voting (October 26, 2019 through November 3, 2019), and 1,247 poll sites on Election Day (November 5, 2019), as detailed in Table I below.

**Table I**

Number of Poll Sites for the 2019  
General Election

<b>Borough</b>	<b>Early Voting Poll Sites</b>	<b>Election Day Poll Sites</b>
Brooklyn	18	408
Queens	14	292
Manhattan	9	273
Bronx	11	193
Staten Island	9	81
<b>Total</b>	<b>61</b>	<b>1,247</b>

When administering elections, BOE must comply with federal and New York State Election Law and its own procedures including The Board of Elections in the City of New York

Canvass/Recanvass Procedures, the BOE Basic Poll Worker Manual, and the BOE Coordinator Manual.

## **Objective**

The objective of this review was to determine whether BOE complied with applicable laws, rules, regulations, and policies and procedures for Election Day operations.

## **Scope and Methodology Statement**

This review was conducted in accordance with the responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

This review covered the period of January 1, 2019 through December 31, 2019. Please refer to the Detailed Scope and Methodology at the end of this report for the specific procedures and tests that were conducted.

## **Discussion of Results**

The matters covered in this report were discussed with BOE officials during this review and at the conclusion of this review on February 20, 2020. A preliminary draft report was sent to BOE on March 6, 2020. A formal exit conference was scheduled to be held on March 9, 2020 to provide BOE an additional opportunity to discuss the preliminary draft report findings. BOE officials declined to meet on that date or on alternative dates thereafter. BOE informed us that it currently lacks the resources to meet with us and respond to the preliminary draft report findings because it is preparing for several upcoming elections and may need to change its Election Day Operations in response to COVID-19.

In light of the foregoing, we are submitting this special report to BOE so that it will have adequate time to review the findings and recommendations and appropriately consider them.



## FINDINGS AND RECOMMENDATIONS

Based on our review of BOE's records and our observations for the 2019 General Election, BOE generally did not comply with federal and New York State Election Law and its own procedures for Election Day operations. Among other things, we found that BOE failed to document that it accounted for poll site election materials, including scanned ballots and affidavit ballots. In addition, we found deficiencies in BOE's poll site staffing (including interpreters), equipment, accessibility, and the suitability of poll site locations.

In particular, we found that BOE did not document that it received election materials from 989 of the 1,247 poll sites (79.3 percent) that it operated on Election Day.

- For seven poll sites, BOE did not provide us with Election Night Police/Peace Officer Delivery Receipts used to account for election materials returned to BOE borough facilities.
- For 982 of the 1,240 poll sites for which Election Night Police/Peace Officer Delivery Receipts were produced, BOE failed to document that the borough offices received one or more items, including coordinator return bags, election district return bags, return of canvass envelopes, and ballot bins. The items for which no receipt confirmations exist contain, among other things, paper ballots that have been scanned, affidavit ballots, and special ballots, all of which are necessary to enable BOE to verify the accuracy of election results, audit poll site scanners to verify the accuracy of electronic voting system results, record write-in candidate names, conduct court-ordered recounts, and count affidavit and special ballots.

In addition, we found that bipartisan staff did not review Election Night Police/Peace Officer Delivery Receipts for accuracy and sign to verify the items being delivered in 94 instances as required by its own procedures.

After we presented our findings to BOE, BOE officials did not directly contest our finding that it failed to follow its own detailed procedures for documenting the initial receipt of election materials from each poll site. Rather, BOE officials stated that while the Election Night Police/Peace Officer Delivery Receipts are used to document the initial receipt of election materials returned to BOE borough facilities, BOE undertakes a subsequent detailed accounting of election materials returned. However, BOE did not provide us with any documentation to support its claim or with access to borough office Chief Clerks and Deputy Chief Clerks who we were informed are responsible for the detailed accounting of election materials. Consequently, we could not review this process and determine whether BOE did in fact at any point adequately account for all election materials returned from poll sites.

We also found that BOE poll sites were not adequately and appropriately staffed because: (1) BOE did not fill poll worker positions or replace poll workers who did not report to work; (2) BOE did not appropriately assign interpreters to poll sites to provide bilingual assistance to minority groups; (3) BOE did not equally distribute poll workers between the major political parties; and (4) BOE poll workers did not follow voting procedures and behaved inappropriately. Further, BOE did not provide us with documentation to show that poll workers received required training.

In addition, we found that BOE poll sites were not properly equipped, accessible, and suitable and safe as follows:

- 23 of 30 sampled Early Voting and Election Day poll sites (76.7 percent) were not provided with any of certain voting equipment and supplies or with sufficient quantities of them, or that were properly functioning. Most notably, BOE did not provide eight poll sites with properly functioning electronic poll books used to sign in voters. Some poll books could not be used when poll sites opened because BOE had not charged them, did not provide extension cords to plug-in cradlepoints which provide internet connectivity to poll books, did not provide properly functioning cradlepoints, or did not provide poll workers with log-in credentials. BOE also provided seven poll sites with one or more ballot scanners that did not work at all, or that broke during the day.
- 21 of 30 sampled Early Voting and Election Day poll sites (70.0 percent) were not accessible to voters with disabilities because they: (1) were not equipped with required signage, temporary equipment, and accessibility aids; or (2) were not staffed with Accessibility Clerks or Ballot Marking Device Inspectors.
- 7 of 30 sampled Early Voting and Election Day poll sites (23.3 percent) were not or may not have been suitable or safe because they: (1) did not have adequate or operable electrical outlets for voting equipment, lighting, heat, or restrooms; (2) were located within a business which is licensed to sell alcohol; or (3) were not located on the ground floor.

Furthermore, BOE staff did not always accurately report poll site supply and accessibility issues on checklists. Consequently, management and other stakeholders may not be aware of the above-mentioned supply and accessibility issues and take appropriate corrective action for future elections.

These findings are discussed in the following sections of the report.

## **BOE Did Not Document That It Received Election Materials**

At the time each poll site closes, BOE poll workers are responsible for collecting and packing election materials and BOE Coordinators are responsible for ensuring that all election materials are accounted for and, as part of that process, compiling election materials in envelopes, bags, and bins. The Board of Elections in the City of New York Canvass/Recanvass Procedures states:

At the close of the polls on Election Night, materials used at the poll sites are packaged according to New York State Election Law, New York State Board of Elections Rules and Regulations, and BOE in NYC policy and standard operating procedures. The materials are given to the designated police/peace officer and they are transported by the designated officer to the specified borough facility. In each borough, teams of bipartisan Board staff are present to document the receipt of the election materials. . . .

As the materials arrive, bipartisan teams of Board staff account for all expected materials by using the appropriate checklists. . . . If any materials are missing, Board staff members notify the Chief Clerk and Deputy Chief Clerk of the borough immediately.

Further, The Board of Elections in the City of New York Canvass/Recanvass Procedures states that when Police/Peace Officers deliver election materials to borough offices, bipartisan borough office staff must

Complete and sign the **Election Night Police/Peace Officer Delivery Receipt** listing all items dropped off by the officer. Place a checkmark in the relevant column for all materials received. . . .

Review the receipt for accuracy and confirm that the officer and bipartisan team of Board staff signed at the bottom of the receipt verifying they agree on the items being delivered. [Emphasis in original.]

The borough office Chief Clerk and Deputy Chief Clerk are responsible for overseeing staff and activities which include, among other things, accounting for these election materials.

For all 1,247 poll sites for the 2019 General Election, we requested Election Night Police/Peace Officer Delivery Receipts used to account for election materials returned to BOE borough facilities. Those receipts acknowledge delivery of: (1) Poll Site Return Bags, each of which should contain Election District Return Bags, a Coordinator Return Bag, and a Return of Canvass Envelope; and (2) ballot bins which contain paper ballots completed and scanned by voters. Table II below details the election materials that should be contained in each of these bags, envelopes, and bins, and Appendix I describes each of the below-mentioned election materials in further detail.

**Table II**

Poll Site Return Envelope, Bag, and  
Bin Contents

<b>Return Envelope, Bag, and Bin</b>	<b>Contents</b>
Election District Return Bag	Valid Emergency Ballots, Special Ballots, Excess Ballots, Void Paper Ballots, Affidavit Ballots, Partially Used Ballot Packages, Signed Challenge Oaths, Signed Court Orders, Completed Voter Registration Forms, Ballot Transmittal Sheet, Referral Slip, and Affidavit Ballot and Court Order Log Book
Coordinator Return Bag	ADA Checklist, Accessibility Complaint Log, poll worker Notice to Work Envelopes, Interpreter Journal, Coordinator Journal, Site Coverage Reports, and poll worker timesheets
Return of Canvass Envelope	Return of Canvass forms for each of the Election District Tables within the poll site
Ballot Bins	Paper ballots completed and scanned by voters

Based on our review, BOE did not document that it received election materials for 989 of the 1,247 poll sites (79.3 percent)—which include, among other things, scanned ballots, affidavit ballots, and special ballots.

Of the 989 poll sites for which BOE did not document that it received all of the election materials back from those poll sites, BOE failed to provide delivery receipts for seven of them. For the remaining 982 poll sites, BOE failed to document that it received one or more items on an Election Night Police/Peace Officer Delivery Receipt including coordinator return bags, election district return bags, return of canvass envelopes, and ballot bins. Those items contain critical voting records which include, among other things, scanned ballots, affidavit ballots, and special ballots.

Notably, for 43 poll sites, BOE did not document that it received all of the ballot bins which contain the paper ballots completed and scanned by voters as required.

Since BOE did not provide us with required documentation to support that it accounted for election materials at 989 poll sites, we do not have adequate assurance that BOE has received all elections materials—including scanned ballots, affidavit ballots and special ballots—which are necessary to: (1) review original election materials to verify election results; (2) audit poll site scanners to verify the accuracy of electronic voting system results; (3) record write-in candidate names; (4) conduct court-ordered recounts, and (5) count affidavit and special ballots.

After we presented our findings to BOE, BOE officials stated that Election Night Police/Peace Officer Delivery Receipts are used to document the initial receipt of election materials by the borough facilities. According to BOE officials, subsequent to the initial receipt of election materials, BOE conducts a detailed accounting of the election materials received. BOE officials emphasized that all portable memory devices (PMD) and ballots are accounted for and informed us that ballot scanners, ballot bin liners, and PMD pouches are tracked using radio-frequency identification (RFID).<sup>1</sup> However, BOE officials did not tell us what protocols or other guidance exist that dictates how detailed counts were conducted, what oversight there was over the reviews, if all election materials were verified as received, what protocols were followed in the event any items were found not to have been received, and what documentation exists of the results.

On January 17, 2020, we requested to meet with each borough office Chief Clerk and Deputy Chief Clerk who we were informed are responsible for the detailed accounting of election materials to obtain information about the processes employed to account for election materials. To date, BOE did not provide us with access to borough office Chief Clerks and Deputy Chief Clerks. On January 31, 2020, BOE stated that BOE staff could not meet with us because they were surveying poll sites and preparing for five upcoming elections through June 2020. Consequently, we could not review this process to determine whether it was in place and followed and ultimately, whether BOE accounted for all election materials.

## **Bipartisan Staff Did Not Review and Account for Election Materials**

The Board of Elections in the City of New York Canvass/Recanvass Procedures states that

In each borough, teams of bipartisan Board staff are present to document the receipt of the election materials. . . . As the materials arrive, bipartisan teams of Board staff account for all expected materials by using the appropriate checklists.

Further, the procedures state that bipartisan Board staff must review Election Night Police/Peace Officer Delivery Receipts,

for accuracy and confirm that the officer and bipartisan team of Board staff signed at the bottom of the receipt verifying they agree on the items being delivered.

As previously stated, the borough office Chief Clerk and Deputy Chief Clerk are responsible for overseeing staff and activities which include, among other things, accounting for election materials.

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<sup>1</sup> A PMD is a portable media or flash drive used to record paper ballots completed and scanned by voters.

For all 1,247 poll sites for the 2019 General Election, we requested Election Night Police/Peace Officer Delivery Receipts to determine whether bipartisan staff reviewed them for accuracy and verified the items being delivered. As previously stated, BOE did not provide us with Election Night Police/Peace Officer Delivery Receipts for seven poll sites. Therefore, we could not determine whether bipartisan staff reviewed and accounted for election materials. In addition, for 94 poll sites (7.5 percent), bipartisan staff did not review Election Night Police/Peace Officer Delivery Receipts for accuracy and sign to verify the items being delivered because either: (1) only one BOE staff member signed receipts (92 poll sites); or (2) BOE staff members did not sign receipts at all (2 poll sites).

After we presented our findings to BOE, BOE officials stated that the borough office Chief and Deputy Chief are bipartisan and that they each assigned their own bipartisan staff to perform tasks which include, among other things, accounting for election materials. However, as previously stated, BOE did not always document that bipartisan staff reviewed Election Night Police/Peace Officer Delivery Receipts.

Bipartisan reviews act as a system of checks and balances to ensure the integrity of the election process and the accuracy of election results.

## **Recommendations**

BOE should:

1. Ensure that borough office Chief Clerks and Deputy Chief Clerks review Election Night Police/Peace Officer Delivery Receipts from the 2019 General Election to determine whether any election records are missing and, if so, immediately attempt to recover any missing items;
2. Ensure that borough office staff comply with The Board of Elections in the City of New York Canvass/Recanvass Procedures for accounting for election materials including, but not limited to: completing and signing the Election Night Police/Peace Officer Delivery Receipt listing all items dropped off by the officer; placing a checkmark in the relevant column for all materials received; reviewing the receipt for accuracy; and signing to confirm that the officer and bipartisan Board staff agree on the items being delivered; and
3. Ensure that borough office Chief Clerks and Deputy Chief Clerks review Election Night Police/Peace Officer Delivery Receipts to ensure that all Election Day records are received, reviewed, and recorded for all poll sites.

## **BOE Did Not Adequately Staff Poll Sites**

New York State Election Law §3–400(1) states that “[t]here shall be for each election district of the state four election inspectors.” Further, according to New York State Election Law §3–400(2),

At every general election in each election district where two voting machines are used, there shall be two clerks in addition to the four inspectors of election . . . . When deemed necessary in any election or primary, the board of election may require additional poll clerks to be designated in any election district.

In addition, the BOE 2019 Annual Report, Basic Poll Worker Procedures Manual, and Coordinator Manual detail the required poll worker positions, responsibilities, and minimum required staffing levels for New York City elections. (Please refer to Appendix II.)

The BOE Election Day Operations Department is responsible for recruiting and training poll workers and it, along with each borough office, is responsible for assigning poll workers to poll sites in their respective boroughs. Additionally, BOE borough offices are responsible for deploying standby poll workers to fill vacancies or to replace absent poll workers during Early Voting and on Election Day.

Based on our review of BOE's scheduling and timekeeping records for 25 sampled Election Day poll sites for the 2019 General Election, BOE did not adequately staff 19 poll sites—76 percent—because it did not assign enough poll workers to poll sites or did not deploy enough standby poll workers to fill vacancies, as detailed in Table III below and Appendix III.<sup>2</sup>

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<sup>2</sup> We sampled 25 of the 1,247 poll sites that the BOE operated on Election Day (November 5, 2019).

**Table III**

Summary of Poll Site Staffing Levels  
for the 25 Sampled Poll Sites for the  
2019 General Election

#	Borough	Poll Site Name	Poll Site Adequately Staffed?	# of Coordinators Understaffed	# of Inspectors Understaffed	# of Poll Clerks Understaffed	# of Information Clerks Understaffed
1	Bronx	PS 83 ANNEX	No	None	6	2	1
2	Bronx	Shakespeare Senior HDFC	No	None	2	2	1
3	Bronx	PS 41 Gun Hill Road	No	None	8	5	None
4	Bronx	St. Michael's Roman Catholic Church	No	None	6	1	None
5	Brooklyn	PS 206	No	None	2	None	None
6	Brooklyn	Dr. Susan McKinney	No	None	None	None	1
7	Brooklyn	Fort Hamilton Senior Center	No	None	3	3	None
8	Brooklyn	PS 5 New	Yes	None	None	None	None
9	Brooklyn	PS 189	Yes	None	None	None	None
10	Brooklyn	PS 135	No	None	None	None	1
11	Brooklyn	Jimerson Houses	Yes	None	None	None	None
12	Manhattan	Flatbush Park Jewish Center	No	None	5	5	None
13	Manhattan	PS 154	No	None	None	1	None
14	Manhattan	Manhattanville Houses III	Yes	None	None	None	None
15	Manhattan	PS 153	No	None	None	2	None
16	Manhattan	Robert Wagner Middle School	No	None	4	4	None
17	Manhattan	Peter Cooper Village	No	None	1	None	1
18	Queens	High School for Construction Trades	No	None	None	3	None
19	Queens	PS 229-Emanuel Kaplan	No	None	3	2	None
20	Queens	PS 112-Dutch Kills	Yes	None	None	None	None
21	Queens	PS 84-Steinway	No	None	3	2	None
22	Queens	Taiwan Center	No	None	1	None	None
23	Queens	PS 20-John Bowne	No	None	None	2	None
24	Staten Island	IS 24 Myra S. Barnes	No	None	2	7	None
25	Staten Island	IS 75 Frank D. Paulo	Yes	None	None	None	None

After we presented our findings to BOE officials, they stated that BOE's ability to adequately staff poll sites has been made more difficult by the implementation of Early Voting. For the 2019 General Election, BOE was responsible for staffing 61 poll sites for the nine-day Early Voting period in addition to the 1,247 poll sites that it operated on Election Day.



In addition, BOE officials stated that staffing levels for poll site Inspectors and Poll Clerks are mandated by New York State Election Law and that staffing levels for other poll workers are set by BOE policy. BOE officials stated that poll site Coordinators are responsible for reporting vacancies to BOE and for requesting standby poll workers. Upon notification, BOE will either deploy standby poll workers or reallocate poll workers to fill vacancies within the poll site.<sup>3</sup> However, BOE officials stated that in practice, poll site Coordinators may not always report vacancies.

A prior Comptroller's audit issued on November 3, 2017 also found that BOE did not adequately staff poll sites. The prior report stated that "BOE officials acknowledged they had difficulties recruiting staff because of the low pay and the long work day." Further, the prior report stated that "BOE officials told us that they were working with the State Board of Elections and the State Legislature to increase the Election Day pay structure" and "that during the November 8, 2016 General Election they began a pilot program to implement half-day shifts."

To address BOE staffing shortages, the prior audit recommended that

- "The BOE should take appropriate action consistent with its authority to: increase the rate of pay for poll workers."
- "The BOE should ensure that every poll site is fully staffed, including that it has a sufficient number of standby poll workers available to dispatch to poll sites where needed."
- "The BOE should evaluate the pilot program with regard to half day shifts and if applicable should implement staffing requirements that accommodate the needs and preferences of poll workers, including split shift and/or half days options, to attract a larger pool of qualified applicants and improve attendance."

In its audit response dated October 30, 2017, BOE stated that it "makes every effort to fully staff poll sites for each election event, including establishing standby pools for each borough." Further, BOE stated that "[t]he Board consistently evaluates the poll worker process and has made demonstrable efforts in this regard. As stated in the Presidential Commission report . . . poll worker recruitment and retention is a national problem."

In its audit implementation status report dated November 16, 2018, BOE stated that poll worker pay was increased through a Mayoral Executive Order. Further, BOE stated that its split-shift program proved unsuccessful but that it "remains open to exploring all options to expand the pool of qualified poll workers."

On January 17, 2020, we asked BOE to tell us the steps that it took to ensure that every poll site is fully staffed and how it determines the appropriate number of standby workers to have available on Election Day. We also asked BOE to provide us with any: Board of Commissioner requests for changes to the New York State Election Law to raise poll worker pay; recommendations to raise pay; half-day shift pilot program results; and documentation to support its decision to end the pilot program.

In response, BOE stated,

In 2019, the Board worked closely with vendors across all platforms to expand our recruitment and public education outreach. We advertised in local papers, language papers and citywide periodicals both print and digital. We also employed

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<sup>3</sup> Accessibility Clerks cannot be reassigned, however, according to The BOE Coordinator Manual.



subway and ferry ads, link kiosks in various terminals throughout New York City . . . We feel that our campaign was extremely successful resulting in over 18,000 applications received.

BOE also provided us with Board of Commissioner requests for changes to the New York State Election Law to raise poll worker and coordinator compensation to \$300 and \$400 per day, respectively.

BOE officials informed us that BOE uses historical poll worker vacancy rates to determine the appropriate number of standby workers to have available on Election Day. To date, BOE has not provided us with half-day shift pilot program results and documentation to support its decision to end the pilot program.

While the BOE reported that it expanded its outreach efforts, BOE still did not fully address poll worker shortages and ensure that every poll site is fully staffed as required by federal and State Election Law and its own policies and procedures. Based on our review of BOE scheduling and timekeeping records for 25 sampled Election Day poll sites for the 2019 General Election, we found understaffing at 19 of the 25 sampled poll sites. As a result, voters may not have received assistance and may have waited longer to vote which could frustrate voters and depress voter participation.

## **Recommendations**

BOE should:

4. Explore all options and continue to expand its outreach efforts to recruit additional poll workers; and
5. Continue to request changes to the New York State Election Law to raise poll worker pay.

## **BOE Did Not Appropriately Assign Interpreters to Poll Sites**

Section 203 of the Federal Voting Rights Act, 52 U.S. Code §10503(b)(2)(A) states that bilingual assistance must be provided to voters if the Director of the Census determines that voting age citizens are members of a single-language minority group and do not speak or understand English adequately enough to participate in the electoral process. On December 5, 2016, the Director of Census determined that bilingual voter assistance must be provided in New York City as detailed in Table IV below.

**Table IV**

Bilingual Voter Assistance  
Requirements

<b>Borough</b>	<b>Language Minority Group</b>
Bronx	Hispanic
Brooklyn	Chinese (including Taiwanese), Hispanic
Manhattan	Chinese (including Taiwanese), Hispanic
Queens	Asian Indian, Chinese (including Taiwanese), Hispanic, and Korean

In addition, a federal court order mandates that BOE,

provide a sufficient number of election officials who speak, read, write and understand both Spanish and English at the headquarters for the Board of Elections in each county, and at all polling places and places of registration falling, in whole or in part, in an election district, situated within a census tract containing 5 percent or more persons of Puerto Rican birth or extraction pursuant to the most recent census report.

In an email dated December 11, 2019, BOE stated,

Interpreters are assigned to specifically identified poll sites, for every election, including during periods of early voting, pursuant to Section 203 of the Federal Voting Rights Act and applicable judicial decisions. . . .

Following the most recent designation under Section 203, the Board is required to provide assistance to voters with limited English proficiency in specified poll sites as follows:

In Manhattan – Spanish and Chinese (Mandurian [sic] and Cantonese)

In Brooklyn – Spanish and Chinese (Mandurian [sic] and Cantonese)

In Queens – Spanish, Chinese (Mandurian [sic] and Cantonese), Korean and Asian-Indian (presently Bengali & Hindi)

In the Bronx – Spanish.

Spanish is mandated in parts of Staten Island pursuant to a Federal Court-order. . . .

The Board utilizes specific formulas, which use a combination of voter registration and census data, as well as well recognized language specific standards and guidelines for the assignment of Chinese, Korean and Asian-Indian interpreters at poll sites that is adjusted on annual basis. The number of interpreters required to

be assigned is set based on the data generated using the foregoing formulas. Spanish interpreters are assigned on the basis of the Board's prior experience of need as well as community input.

However, in its email, BOE did not acknowledge that it is required to provide bilingual assistance to Taiwanese voters in Brooklyn, Manhattan, and Queens. BOE officials stated that they were unaware of the requirement to provide bilingual assistance to Taiwanese voters. BOE provided us with documentation to show that BOE adopted a Chinese and Korean Voting Assistance Program and submitted it to the Department of Justice for preclearance on January 11, 2008. Subsequently, BOE and the Asian American Legal Defense and Education Fund entered into a Memorandum of Understanding (MOU) in which the parties agreed that

compliance with the Chinese and Korean Language Voting Assistance Program shall constitute compliance by the Board with those provisions of the VRA addressing minority language assistance for Chinese and Korean-language voters. Plaintiffs agree not to file any lawsuit or seek any court order or settlement with the objective of altering the Board's obligations beyond the obligations contained in the Chinese and Korean Language Voting Assistance Program as pre-cleared.

The MOU covered the five year period from May 9, 2008 to May 9, 2013, and was subsequently extended twice—from May 9, 2013 to June 19, 2016, and from June 19, 2016 to June 19, 2019.

However, as previously stated, the Federal Voting Rights Act states that bilingual assistance must be provided to voters if the Director of the Census determines that voting age citizens are members of a single-language minority group and do not speak or understand English adequately enough to participate in the electoral process. On December 5, 2016, the Director of Census determined that bilingual voter assistance must be provided to Taiwanese voters in Brooklyn, Manhattan, and Queens. At that time, BOE should have modified its Chinese and Korean Voting Assistance Program and provided bilingual voting assistance to Taiwanese voters.

In addition, based on our review of 25 sampled Election Day poll sites, BOE did not provide Chinese interpreters as required. BOE officials stated that the Department of City Planning (DCP) receives census data and uses it to identify poll sites that require Chinese, Korean, Bengali, and other Asian-Indian interpreters. From our sample of 25 poll sites, BOE should have provided interpreters at eight of those poll sites. However, based on our review of BOE scheduling and timekeeping records, BOE did not provide interpreters at three of the eight poll sites. Specifically, BOE did not schedule Chinese interpreters to work at two poll sites, for the third, a Chinese interpreter was scheduled but did not show up and no replacement was provided.

Finally, BOE assigns Spanish interpreters based on "the Board's prior experience of need as well as community input." However, as previously stated, BOE is required to assign Spanish interpreters based on census data.

Since BOE did not provide bilingual assistance to Chinese voters and may not have provided appropriate bilingual assistance to Hispanic voters, BOE has increased the risk that some voters may not have been able to participate in the electoral process.

After we presented our findings to BOE, BOE officials stated that interpreters are assigned citywide. Since interpreters may have to travel long distances to assigned poll sites, they sometimes do not report to work. BOE officials stated that if interpreters fail to report to work, BOE will ask bilingual poll workers to assist voters.

A prior Comptroller's audit issued on November 3, 2017, also found that BOE did not provide enough interpreters to assist bilingual voters. Consequently, the prior audit recommended that "[t]he BOE should ensure that the required numbers of interpreters skilled in the languages needed at each polling site are on site and available to provide assistance to voters." In its audit implementation status report dated November 16, 2018, BOE stated it provides interpreters as required.

On January 17, 2020, we asked BOE to tell us the steps that it took to ensure that every poll site is fully staffed. In response, BOE stated that in 2019, it has "expanded our grassroots efforts to focus on filling vacancies in Chinese and Korean with a third party vendor." However, as evidenced by our current findings, some poll sites were not fully staffed with Chinese interpreters and did not provide Chinese interpreters at all as required.

## **Recommendation**

BOE should:

6. Continue to expand its outreach efforts to recruit additional interpreters to ensure that it provides bilingual assistance to voters in accordance with Section 203 of the Federal Voting Rights Act.

## **BOE Did Not Equally Distribute Poll Site Staff between Political Parties**

New York State Election Law §3-400(3) states that "[a]ppointments to the offices of election inspector or poll clerk in each election district, shall be equally divided between the major political parties." As previously stated, the BOE Election Day Operations Department, along with each of the five borough offices, are responsible for recruiting and training poll workers and assigning them to poll sites.

The 25 Election Day poll sites we sampled for the 2019 General Election, contained a total of 81 election districts. Based on our review of BOE scheduling and timekeeping records, BOE did not equally distribute poll workers between the major political parties for 46 of these election districts (56.8 percent), as detailed in Table V below. For those 46 election districts, there was a shortage of Republicans at 30 election districts and there was a shortage of Democrats at 16 election districts.

**Table V**

Election Districts for Which Poll  
Workers Were Not Equally  
Distributed between the Major  
Political Parties

<b>Borough</b>	<b>Number of Election Districts Reviewed</b>	<b>Number of Election Districts Not Equally Distributed Based on Political Party</b>
Bronx	10	6
Brooklyn	23	12
Manhattan	20	14
Queens	18	11
Staten Island	10	3
<b>Total</b>	<b>81</b>	<b>46</b>

After we presented our findings to BOE, BOE officials stated that they do not have enough Republican poll workers. BOE officials informed us that poll workers may take an oath to serve another political party. In addition, BOE officials stated that there is adequate oversight of the election process and that overall it is bipartisan. However, New York State Election Law requires bipartisan staffing for elections to act as a system of checks and balances. Bipartisan staffing is a key control to ensure the integrity of the election process and the accuracy of election results.

On February 24, 2020, we asked BOE to provide us with documentation to show that poll workers may take an oath to serve another political party. In response, BOE provided us with a memorandum dated March 5, 2020, which stated that NYS Election Law,

Section 3-404 prescribes the method of designating poll workers. Each of the two major political parties may file with the Board a list of persons recommended to serve as poll workers by May 1 of each year. They can also file supplemental lists. The actual appointment of poll workers is vested in the Commissioners of Elections [§ 3-404(4)].

In the event that an insufficient number of poll workers are recommended by either major political party within the statutory time frame, § 3-404(7) provides that the ‘members of the board who represent the political party in default, **shall designate the persons to be appointed as election officers.**’ (emphasis added).

However, in its response, BOE did not address the requirements of NYS Election Law §3–404(5) which states that,

If a political party shall fail to submit a list or the list shall be exhausted, the board of elections shall request from the appropriate political party an original or

supplemental list. If after ten days no list is filed by that party, the board of elections may appoint qualified persons, enrolled members of the political party in default, to act as election inspectors, poll clerks or election coordinators.

Furthermore, BOE did not assert or provide us with documentation to show that: (1) original lists and supplemental lists of persons recommended to serve as poll workers by the two major political parties were exhausted; (2) BOE requested that the major political parties provide supplemental lists of persons recommended to serve as poll workers; and (3) the two major political parties failed to provide those supplemental lists within 10 days.

## **Recommendations**

BOE should:

7. Equally distribute poll workers between the two major political parties.
8. Request and maintain supplemental lists of persons recommended to serve as poll workers by the two major political parties when original lists and supplemental lists are exhausted.

## **BOE Did Not Provide Documentation to Show That Poll Workers Were Appropriately Trained**

New York State Election Law §3–412(3) states that “[e]lection inspectors, poll clerks and election coordinators as required by this section shall, upon their original designation, and every year thereafter, complete a course of instruction, and, before certification, pass an examination thereon.” As previously stated, the BOE Election Day Operations Department is responsible for recruiting and training staff and assigning them to poll sites.

On January 17, 2020, we requested access to the S-Elect System to determine whether 50 sampled poll workers completed a training course and passed an exam. To date, BOE did not provide us with access to the S-Elect System. On January 31, 2020, BOE stated that BOE staff could not accommodate our request because they were preparing for five upcoming elections. Consequently, we could not determine whether the 50 sampled poll workers were qualified to serve in their respective positions, administer elections, and assist voters.

## **Recommendation**

BOE should:

9. Verify that poll workers and coordinators receive appropriate training and pass exams each year.

## **BOE Poll Workers Did Not Comply with Guidelines, Rules, and Procedures**

The BOE Basic Poll Worker Manual details poll workers’ mission, responsibilities, and the guidelines, rules, and procedures that they must follow. The manual states,

Throughout this manual and in training classes, we will be focusing on customer service – how we can best serve the voter. You are the frontline of the voting process on Election Day, representing the entire Board of Elections for New York City. It is up to you to treat voters with courtesy and respect and to conduct yourself in a professional manner that ensures fair and impartial elections.

We reviewed BOE Coordinator Journals for 30 sampled Early Voting and Election Day poll sites for the 2019 General Election.<sup>4</sup> Based on our review of BOE timekeeping records, there were 821 poll workers at the 30 sampled poll sites. For 14 of the 30 sampled poll sites, Coordinators reported that at least 21 poll workers did not follow procedures or were cited for other performance issues which included, among other things,

- Five poll workers improperly issued affidavit ballots to voters, mishandled or closed ballot scanners early, and improperly asked a voter for identification. For example, a Coordinator reported that a poll worker did not follow the proper procedures for issuing ballots to registered voters. The poll worker improperly gave out affidavit ballots “to voters to put into the scanner” and the poll worker came to the Coordinator “with 18 [affidavit] ballots asking can something be done.”
- Seven poll workers refused to assist voters or were rude or disrespectful. For example, a Coordinator reported that a poll worker was “running voters away” and that several voters complained that this poll worker was loud and rude.
- Nine poll workers did not follow procedures and directions; arrived late, took extended breaks during the day, and left early; and improperly used their cell phone or slept on the job. For example, a Coordinator reported that a poll worker took a three and a half hour break, slept at the door and had to be woken up, and left early.

After we presented our findings to BOE, BOE officials stated that they visit poll sites and are in contact with Coordinators during elections and that central office and borough office staff review Coordinator Journals and debrief Coordinators after elections. If BOE identifies poll workers or Coordinators that do not follow procedures or have other performance issues, BOE will take corrective action including meeting with poll workers or Coordinators, requiring them to take additional training, removing them from poll sites, or prohibiting them from working in the future.

On February 24, 2020, we asked BOE to provide us with documentation to show the corrective actions it took for the above-mentioned 21 poll workers. To date, BOE has not provided us with requested documentation.

A prior Comptroller’s audit issued on November 3, 2017 found that BOE poll workers did not comply with federal and State Election Law and its own policies and procedures for verifying voter registration and issuing ballots, assisting voters, processing affidavit and voided ballots, and closing poll sites. Additionally, the prior audit report found that the BOE poll worker training was inadequate in that instructors did not cover all training topics and that the training curriculum did not cover all poll worker responsibilities and provided only limited hands-on training. The prior audit also found that the BOE poll worker open-book exam was of questionable value.

To address those issues, the prior audit recommended that:

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<sup>4</sup> We sampled 5 of the 61 poll sites that BOE operated during Early Voting (November 2, 2019) and 25 of the 1,247 poll sites that BOE operated on Election Day (November 5, 2019).



- “The BOE should take appropriate action consistent with its authority to. . . improve the knowledge base of poll workers through training, supplemental resources, assessments of knowledge, and enhanced oversight.”
- “The BOE should re-evaluate its current training curriculum for poll workers, as well as coordinators, so it puts greater emphasis on basic Election Day protocol, requirements for handling affidavit ballots, and hands-on training sessions, especially pertaining to the usage of devices such as scanners, BMDs and tablets.”
- “The BOE should consider extending the hours of training sessions, providing more in-depth instruction for poll workers and coordinators.”
- “The BOE should redirect the focus of the exam, so it more accurately measures a poll worker’s proficiency with Election Day protocols.”

In its audit response dated October 30, 2017, BOE stated that its “efforts to improve the training process are on-going and are a significant focus of the Board’s work in between election events. Over the past several years, the Board has been working very closely with its consultant, Election Center (a nationally recognized elections administration consultant).”

In its audit implementation status report dated November 16, 2018, BOE stated that it continues “to work with Election Center and implement various additional and/or improved training modules accordingly.” BOE also stated that Election Center recommended not to extend poll worker training hours because “no other jurisdictions hold classes as long as those in New York City.”

On January 17, 2020, we asked BOE to tell us whether it re-evaluated its training program and made changes to its training curriculum. We also asked BOE to provide us with documentation of its efforts to work with Election Center to develop new training or improve existing poll worker training and documentation to support any changes that were made to the training curriculum, including but not limited to, any changes made to training content, hours, and/or examinations.

On February 3, 2020, BOE provided us with PowerPoint slides for the Basic Poll Worker and Coordinator training classes, and stated that the PowerPoint presentation “is developed by Election Center and updated every election training cycle.” However, BOE did not specify changes it made to its training content and exams.

## **Recommendations**

BOE should:

10. Review Coordinator Journals to identify poll workers that do not comply with guidelines, rules, and procedures; take appropriate corrective action; and if necessary, prohibit poll workers from working future elections; and
11. Re-evaluate its current training curriculum for poll workers and coordinators on basic Election Day protocol, affidavit ballots, and usage of devices such as scanners, BMDs, and tablets.

## **BOE Did Not Properly Equip Poll Sites**

New York State Election Law §7–203(1) states,



The board of elections shall provide a sufficient number of voting machines to fully equip all election districts within its jurisdiction. Such voting machines shall be used at all general, special and primary elections conducted pursuant to this chapter.

Additionally, New York State Election Law §7–202(1)(g) states the voting machine or system shall be provided with a lock or locks, or other device or devices, the use of which, immediately after the polls are closed or the operation of the machine or system for such election is completed, will absolutely secure the voting or registering mechanism and prevent the recording of additional votes...

Further, New York State Election Law §4–134(1) states,

The board of elections shall deliver...sufficient ledger seals and other supplies and equipment required by this article to be provided by the board of elections for each polling place... In the cities of New York . . . the board of elections shall cause such ballots, supplies and equipment to be delivered to the board of inspectors of each election district approximately one-half hour before the opening of the polls for voting...

The BOE Voting Equipment Operations Unit-Poll Site Division (VEOU) and Voting Machine Facilities (VMF) employees in each borough are responsible for ensuring that poll sites are equipped with electronic poll books used to sign in voters, cradlepoints which provide internet connectivity to poll books, ballot scanners, and supply carts which contain items such as voting forms, poll worker administrative forms, and envelopes, bags, and seals used to secure election materials.

For 30 sampled Early Voting and Election Day poll sites for the 2019 General Election, we reviewed BOE poll site Coordinator Journals and Election District (ED) Supply Cart Checklists. Based on our review of BOE records, BOE did not provide 23 poll sites (76.7 percent) with certain voting equipment and supplies at all or sufficient and properly functioning voting equipment and supplies as detailed below.

- BOE did not provide eight poll sites with electronic poll books that were properly functioning or operable. Poll books could not be used when poll sites opened because BOE did not charge poll books, did not provide extension cords to plug-in cradlepoints, did not provide properly functioning cradlepoints, or did not provide poll workers with log-in credentials.
- BOE provided seven poll sites with one or more ballot scanners that did not work at all, or that broke during the day. Poll site Coordinators reported that ballot scanners turned off or got jammed with ballots.
- BOE did not provide nine poll sites with the election materials and administrative forms necessary to conduct the election. For example, poll site Coordinators reported that they were not provided with return of canvass forms, Coordinator Journals, and Accessibility Complaint Logs.
- BOE did not provide eight poll sites with envelopes, bags, and seals to secure election materials after the poll sites close.
- BOE did not provide 11 poll sites with enough signage, tables, chairs, power cords, and other miscellaneous supplies such as pens and markers.

To ensure that poll sites receive the supplies necessary to conduct the election, VMF staff pack ED Supply Carts and VEOU staff complete and review ED Supply Cart Checklists which lists the supplies that are required to be included in each cart. The ED Supply Cart Checklist is initialed by a preparer and signed off by a reviewer to indicate that supplies are present. However, based on our review, VMF staff did not include required supplies in carts and VEOU staff and supervisory staff did not review cart contents to ensure that required supplies were in fact provided.

After we presented our findings to BOE, BOE officials stated that this was the first election for which BOE implemented electronic poll books. For all 1,247 Election Day poll sites, BOE officials stated that BOE visited poll sites prior to the elections to test cradlepoint connectivity and monitored cradlepoints remotely during the 2019 General Election to ensure that they were working properly. BOE officials also stated that they debriefed poll site Coordinators and were aware of and are working to correct poll book charging issues.

On February 26, 2020, we requested that BOE provide us with: (1) confirmation in writing that BOE visited all 1,247 Election Day poll sites and tested the cradlepoint internet connectivity for each poll site; and (2) any documentation and/or correspondence regarding cradlepoint issues including, but not limited to, BOE and vendor complaint and/or service logs, internal and external discussion and/or correspondence regarding cradlepoint issues, and actions taken to resolve issues. To date, BOE has not provided us with requested documentation.

In addition, BOE officials stated that there are multiple ballot scanners at each poll site and that voters can scan ballots in any scanner. Further, BOE officials stated that the 2019 General Election had the lowest percentage of scanner jams.

Finally, BOE officials stated that some supplies are packed by BOE staff and some are packed by an external vendor. BOE officials informed us that BOE central and borough office staff review Coordinator Journals and ED Supply Cart Checklists after elections to determine whether BOE staff and or its vendor provided poll sites with supplies as required. If supplies were not provided, BOE will retrain staff or take disciplinary action. BOE officials also informed us that it periodically inspects supplies packed by its external vendor.

Since 23 of the 30 sampled poll sites were not properly equipped and supplied, poll workers were not given the necessary and adequate resources to serve voters, voters may have waited longer to vote which may depress voter participation, and election materials were not properly secured after poll sites closed.

## **Recommendations**

BOE should:

12. Test equipment prior to deployment to ensure that it is functioning properly, including but not limited to, poll books, cradlepoints, and ballot scanners;
13. Fully charge electronic poll books prior to deployment to poll sites;
14. Ensure that it provides poll workers with valid log-in credentials;
15. Ensure that VEOU staff and supervisory staff accurately complete ED Supply Cart Checklists to ensure that poll sites are receiving the supplies and resources necessary to conduct the election; and

16. Review Coordinator Journals to identify supply and equipment issues and take corrective actions to rectify those issues.

## **BOE Poll Sites Were Not Accessible**

New York State Election Law §4–104(1)(a) states that “[e]ach polling place shall be accessible to citizens with disabilities and comply with the accessibility guidelines of the Americans with Disabilities Act of 1990.” Further, New York State Election Law §4–104(1)(b) states,

The county board of elections shall cause an access survey to be conducted for every polling site to verify substantial compliance with the accessibility standards cited in this section. . . . Any polling place deemed not to meet the existing accessibility standards must make necessary changes and/or modifications, or be moved to a verified accessible polling place within six months.

The BOE Accessibility Unit is responsible for ensuring that poll sites are accessible and comply with the Americans with Disabilities Act (ADA). To that end, the BOE Accessibility Unit continually evaluates poll sites to assess what equipment is needed. For each poll site, BOE must provide at least one Ballot Marking Device (BMD), ADA Privacy Booth, and other accessibility aids.<sup>5</sup> BOE may also provide poll sites with temporary accessibility equipment such as ramps.

In its Annual Report for 2019, BOE reported that its VEOU worked with the ADA Unit to make poll sites, travel paths, entrances, exits, and voting areas accessible. The VEOU reviewed poll site accessibility surveys, identified barriers, and implemented solutions including, among other things, installing door props, handrails, cones, ramps, and mats in poll sites.

The BOE Coordinator Manual 2019-2020 states that the “Coordinator and Accessibility Clerk are responsible for making sure the site is and remains accessible throughout the day.” Each borough office is responsible for staffing poll sites with an Accessibility Clerk who is responsible for ensuring that “the alternate accessible entrance to a Poll Site is accessible throughout the day and performs other duties to assist voters with disabilities.” The poll site Coordinator is responsible for completing the ADA Checklist every two hours to verify accessibility. This includes ensuring that ADA equipment and signage are in place, any necessary doorbells are working, and obstacles are cleared.

For 30 sampled Early Voting and Election Day poll sites, we reviewed BOE ADA Checklists, Accessibility Complaint Logs, and poll site Coordinator Journals for the 2019 General Election. Based on our review of BOE records, 21 of the 30 sampled poll sites—70.0 percent—were not accessible to voters with disabilities and did not comply with the ADA, New York State Election Law, and BOE internal policies and procedures for one or more reasons as detailed in Table VI below.

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<sup>5</sup> In its Basic Poll Worker Manual, the BOE states that a BMD is a “machine that assists voters with marking their selections on the scannable paper ballot. It also offers viewing the ballot in different languages or font sizes. It is available for any voter who requests to use it whether or not they have a disability.” Voters can also use the BMD privately and independently to make selections using a touch screen, a Braille-enhanced keypad, a sip and puff device or rocker paddle, and can also hear the ballot presented in audio format using headphones. The BOE Basic Poll Worker Manual states that an Accessible Privacy Booth is a “voting booth accessible by wheelchair.”

**Table VI**

Summary of Accessibility Issues  
Reported for 21 of the 30 Sampled  
Poll Sites for the 2019 General  
Election

<b>Accessibility Issue</b>	<b>Number of Sampled Poll Sites with Accessibility Issues</b>	<b>Percentage of Sampled Poll Sites with Accessibility Issues</b>
<b>Accessibility Staff Issues</b>		
Poll site was not staffed with BMD/Privacy Booth Inspectors	9	30.0%
Poll site was not staffed with an Accessibility Clerk	7	23.3%
<b>Accessibility Aids Issues</b>		
Poll site BMDs were not working	6	20.0%
Poll sites were not equipped with accessibility doorbells	2	6.7%
<b>Poll Site Issues</b>		
Poll site accessibility directional signs not posted	4	13.3%
<b>Temporary Accessibility Equipment Issues</b>		
Poll site was not equipped with ramps	1	3.3%

After we presented our findings to BOE, BOE officials stated that formerly, BOE had been subject to a federal court order that mandated that BOE maintain facilities and equipment to make poll sites temporarily accessible to and usable by persons with disabilities.<sup>6</sup> On January 10, 2020, the federal court's jurisdiction over this matter ended. BOE officials stated that if there were any significant accessibility issues, the court would have retained jurisdiction.

In addition, BOE officials stated that poll site Coordinators should request standby poll workers if BMD/Privacy Booth Inspectors or Accessibility Clerks do not report to work. BOE officials also stated that BMD's are old and are breaking down.

A prior Comptroller's audit issued on November 3, 2017 also found that BOE poll sites were not accessible to voters with disabilities and did not comply with ADA. The prior audit recommended that "[t]he BOE should ensure that every poll site is fully accessible to disabled voters" and "establish a working group to identify and implement needed changes and to ensure that voting sites are fully operational and accessible on Election Day. These include determining how best to

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<sup>6</sup> In connection with United Spinal Association and Disabled in Action against BOE, the United States District Court Southern District of New York issued a modified order dated May 13, 2013, that detailed a remedial plan for poll site accessibility. The modified order stated that "[t]he Court shall maintain jurisdiction over compliance with the Order through December 31, 2016. 30 days before the expiration of this period, the parties shall submit briefing to the Court on the BOE's compliance with the Order, and make recommendations as to whether the Court should retain jurisdiction over the matter."

approach the issue, including the feasibility of accepting the \$20 million in funding that was offered by the Mayor's Office."

In its audit response dated October 30, 2017, BOE stated that it "takes its responsibilities with respect to accessibility very seriously and dedicates extensive resources (both personnel and financial) to meeting such responsibilities." BOE also detailed numerous steps that it took to comply with the federal court order to ensure that poll sites were accessible which included, among other things,

In 2014, the Board began working with Evan Terry Associates, Inc. (ETA), the federal court-appointed third-party expert responsible for completing surveys for each of approximately 1,200 locations used for poll sites throughout New York City. The Board, in conjunction with the Mayor's Office of Operations, began regular meetings with various City agencies to discuss and ameliorate accessibility issues present at poll site locations.

BOE stated that, in 2015, it began receiving surveys from ETA and requested additional information including, but not limited to, the status of the site i.e., whether it was (1) accessible as is, (2) accessible with temporary solutions, or (3) not accessible and no solution was found. BOE also stated that it implemented a procedure for reviewing, tracking, and implementing ETA surveys and solutions. Additionally, BOE stated that it hired two ADA Coordinators; implemented a pilot ramp program; facilitated training for ramp installation vendors; enhanced or implemented training for BOE poll site Coordinators, Surveyors, and Accessibility Clerks; modified its call center to include a category for accessibility issues; and deployed teams to assess poll site accessibility on Election Day.

In its audit implementation status report dated November 16, 2018, BOE stated that it was "continuing to complete the surveying of all poll sites along with Evan Terry Associates . . ."

On January 17, 2020, we requested that BOE provide us with accessibility information for all poll sites for Calendar Years 2018 and 2019 including poll site surveys completed by BOE, ETA, or any other entities; documentation of BOE consultant performance monitoring activities, results, and evaluations, including but not limited to those performed by ETA; Disability Rights Advocates concerns or complaints; and call center logs. We also requested that BOE provide us with documentation to support changes that were made to training curriculum and training records and the status of accessibility working groups and Mayoral funding.

To date, BOE has not provided us with consultant performance monitoring activities, results, and evaluations; call center logs; changes that were made to training curriculum and training records; and the status of accessibility working groups and Mayoral funding. Consequently, we do not know whether BOE surveyed all poll sites used for the 2019 General Election, the nature and extent of accessibility issues reported to the BOE call center, and whether surveyors, Coordinators, and Accessibility Clerks received accessibility training.

BOE did, however, provide us with 612 poll site accessibility surveys performed by ETA during Calendar Years 2018 and 2019. For the 2019 General Election, BOE used two poll sites that were inaccessible and for which no temporary solutions were found. For one poll site, ETA initially informed BOE that the poll site entrance was not accessible and no temporary solutions were found on March 28, 2016. BOE did not respond to ETA until May 3, 2019, when it asked ETA to resurvey the poll site. On May 14, 2019, ETA revisited the poll site and confirmed that it was still inaccessible. In its final report dated May 31, 2019, ETA recommended "cancelling this site until an accessible entrance has been constructed." ETA surveyed the other poll site on September

24, 2015, and issued a final report to BOE on May 22, 2018, to inform BOE that the poll site entrance was not accessible and no temporary solutions were found.

As previously noted, New York State Election Law specifies that “[a]ny polling place deemed not to meet the existing accessibility standards must . . . be moved to a verified accessible polling place within six months.” Nevertheless, BOE used both poll sites for the 2019 General Election.

BOE also provided us with poll site accessibility surveys performed by Disability Rights New York (DRNY) and the Center for Independence of the Disabled, New York (CIDNY). DRNY and CIDNY surveyed sampled poll sites to identify accessibility issues for 2018 and 2019 elections. The DRNY and CIDNY survey results were consistent with the accessibility issues reported above. For example, the DRNY reported that

During the [2018] General Election, DRNY found that eight [of 31 sampled poll] sites had BMDs that were not functioning. Two sites had contacted the BOE, but had not received responses and one site had multiple BMDs that were experiencing issues throughout the day.

One of the eight poll sites for which BMDs were not working in the 2018 General Election was also included in our sample. For the 2019 General Election, the Coordinator for this poll site reported that the “BMD didn’t have [a] yellow cord,” “unable to connect one manually [sic],” and the “poll rod for [the] BMD is still broken.”

CIDNY sampled 72 poll sites for the 2019 General Election and found that 46 of the 72 sampled sites—63.9 percent—had accessibility issues.

As evidenced by BOE’s own records for the 30 sampled Early Voting and Election Day poll sites and ETA, DRNY, and CIDNY surveys, BOE has yet to ensure that every poll site is accessible to voters with disabilities as required by federal and State election law, and its own policies and procedures. Consequently, voters with disabilities are at greater risk of being disenfranchised.

## **Coordinators Did Not Accurately Report Poll Site Conditions on ADA Checklists**

As previously stated, New York State Election Law §4–104(1)(a) states that “[e]ach polling place shall be accessible to citizens with disabilities and comply with the accessibility guidelines of the Americans with Disabilities Act of 1990.” The BOE Coordinator Manual 2019-2020 states that the Coordinator and Accessibility Clerk are responsible for ensuring that poll sites are and remain accessible throughout elections. To that end, the Coordinator must complete ADA Checklists every two hours. For the 2019 General Election, Coordinators were required to complete both electronic and printed copies of ADA Checklists.

For 30 sampled Early Voting and Election Day poll sites, we reviewed BOE ADA Checklists, Accessibility Complaint Logs, and Poll Site Coordinator Journals for the 2019 General Election. Based on our review and comparison of BOE records, BOE poll workers did not accurately report accessibility issues on ADA Checklists for 21 of the 30 sampled poll sites (70.0 percent) as detailed in Table VII below.



**Table VII**

Summary of Accessibility Issues  
That Were Not Reported on ADA  
Checklists for 21 of the 30 Sampled  
Poll Sites for the 2019 General  
Election

<b>Issue</b>	<b>Number of Instances that Were Not Reported on ADA Checklists</b>
Accessibility Staff	16
Accessibility Aids	7
Temporary Accessibility Equipment	1

For example, Coordinator Journals for one poll site reported that a required accessibility ramp was not installed at the poll site until “around noon.” However, the ADA Checklist for the same poll site failed to report that the ramp was not installed between 5:00 a.m. and 12:00 p.m. The BOE poll worker who completed the ADA Checklist did not answer or did not accurately answer the four questions regarding temporary ADA solutions.

Since BOE did not ensure that its staff accurately reported poll site accessibility issues on ADA Checklists for 21 of the 30 sampled poll sites, BOE management and other stakeholders may not be aware of accessibility issues and may not take appropriate action to correct them for future elections.

We also note that for 3 of the 30 sampled poll sites (10 percent), poll site Coordinators reported that they were not able to complete ADA Checklists electronically through the Coordinator tablet because their log-in credentials did not work. For those three poll sites, poll site Coordinators completed printed copies of ADA Checklists.

## **Recommendations**

BOE should:

17. Take all necessary steps to fully comply with the ADA;
18. Cease using poll sites that were identified as inaccessible and for which no temporary solutions were found;
19. Review ADA Checklists, Accessibility Complaint Logs, Coordinator Journals, and call center logs for the 2019 General Election to identify poll site accessibility issues and take corrective actions to rectify reported issues;
20. Ensure that it provides Coordinators with valid log-in credentials; and

21. Remind poll site Coordinators and Accessibility Clerks to report all accessibility issues on the ADA Checklist.

## **BOE Poll Sites Were Unsuitable or Unsafe**

New York State Election Law §4–104(1) states,

Every board of elections shall, in consultation with each city, town and village, designate the polling places in each election district in which the meetings for the registration of voters, and for any election may be held. . . . No place in which a business licensed to sell alcoholic beverages for on premises consumption is conducted on any day of local registration or of voting shall be so designated. If, within the discretion of the board of elections a particular polling place so designated is subsequently found to be unsuitable or unsafe or should circumstances arise that make a designated polling place unsuitable or unsafe, then the board of elections is empowered to select an alternative meeting place.

Further, New York State Election Law §4–104(6) states,

Each polling place designated, whenever practicable, shall be situated on the main or ground floor of the premises selected. It shall be of sufficient area to admit and comfortably accommodate voters in numbers consistent with the deployment of voting systems and privacy booths.

The VEOU is responsible for ensuring that poll sites are suitable and safe. In its Annual Report for 2019, BOE reported that the VEOU ensured that each poll site had sufficient square footage and visible accessible entrances, and was technology friendly and reliable.

We reviewed poll site Coordinator Journals for 30 sampled Early Voting and Election Day poll sites for the 2019 General Election. We also observed sampled poll sites during Early Voting and/or on Election Day. Based on our review of BOE records and our observations, 7 of the 30 sampled poll sites were not or may not have been suitable or safe. For the seven poll sites, one or more of the following issues were reported or observed:

- Poll sites did not have adequate or operable electrical outlets for voting equipment, lighting, heat, or restrooms; and
- A poll site was located within a business which is licensed to sell alcohol and was not located on the ground floor (Resorts World Casino New York City). The poll site Coordinator also reported that voters complained about the lack of parking and walking distance to this poll site.

After we presented our findings to BOE, BOE officials stated that poll site issues may arise after BOE inspects the poll site and before the election. Further, BOE can deploy “zone trucks” during elections to correct reported issues. For example, BOE may provide additional lighting or electricity to poll sites. BOE officials also stated that the BOE Poll Site Division reviews Coordinator Journals to identify poll site issues and correct them.

In addition, BOE officials stated that BOE counsel approved the use of Resorts World Casino New York City as a poll site. However, that in itself does not establish that the location was appropriate to be used as a poll site. On February 21, 2020, we requested documentation to show that the use of the Resorts World Casino as a poll site was approved by BOE counsel and the basis for



determining that it was in compliance with the New York State Election Law provision prohibiting poll sites from being located within a business licensed to sell alcohol.

In response BOE provided us with a memorandum dated February 28, 2020, which summarized “the discussions undertaken with respect to using a small, select portion of the Aqueduct Race Track facilities” as a poll site. BOE interpreted New York State Election Law Section 4-104(1) “to mean that the Board could not designate as a poll site a location which actually was serving alcoholic beverages (i.e. – bar or restaurant).” Further, BOE determined that the poll site was located in a space that was “separate and apart from both the race track and the racino” and therefore, suitable to use as a poll site. In addition, BOE stated that it consulted with the New York State Gaming Commission and that the Commission believed that “the City Board’s designation was valid under the Election Law.”

However, New York State Election Law states that “[n]o place in which a business licensed to sell alcoholic beverages for on premises consumption is conducted on any day of local registration or of voting shall be so designated.” If BOE had questions about the interpretation of the New York State Election Law and the suitability of poll sites, it should have consulted with the New York State Board of Elections and not the State Gaming Commission.

Finally, BOE officials stated that with the implementation of Early Voting, the total number of poll sites is increasing. However, the number of available poll sites is decreasing because of complaints about using schools for poll sites, particularly for Early Voting. BOE officials stated that staff are in the process of finding and surveying alternative poll sites.

The above-listed conditions may hinder voters and poll site workers and discourage them from participating in future elections.

## **Recommendations**

BOE should:

22. Review Coordinator Journals and call center logs to identify poll site suitability and safety issues; and
23. Select alternative poll sites for any sites found to be unsuitable or unsafe including, but not limited to, poll sites located within businesses which are licensed to sell alcohol and poll sites that are not located on the main or ground floor.

## DETAILED SCOPE AND METHODOLOGY

This review was conducted in accordance with the responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The scope of this review covered the period of January 1, 2019 through December 31, 2019.

To gain an understanding of the rules, regulations, and policies and procedures for which BOE must comply with when administering elections, we reviewed the New York State Election Law, Title II Regulations of the Americans with Disabilities Act (ADA), Section 203 of the Federal Voting Rights Act, the Board of Elections in the City of New York Canvass/Recanvass Procedures, the BOE Basic Poll Worker Manual, the BOE Coordinator Manual, the BOE Poll Site Tablet Manual, and the BOE 2019 Annual Report, all of which formed our testing criteria. We also reviewed the findings and recommendations cited in the *Audit Report on the Board of Elections' Controls over the Maintenance of Voters' Records and Poll Access* (Audit MG16-107A), issued November 3, 2017, and the BOE Audit Implementation Plan. We asked the BOE to provide supporting documentation to support the implementation status of each recommendation.

To evaluate the BOE internal controls over Election Day operations, we obtained a listing of all poll sites citywide for each day of Early Voting and for the General Election. We then selected a judgmental sample of 10 poll sites to perform physical observations during Early Voting and on Election Day. We observed the poll site closing process for five poll sites on November 2, 2019 during Early Voting (one in each borough), and five poll sites on November 5, 2019 for the General Election (one in each borough). In addition to the 10 poll sites which we observed, we selected an additional sample of 20 Election Day poll sites to obtain supporting documentation.

To gain an understanding of BOE's internal controls over its Election Day operations, we interviewed the Election Day Operation's Coordinator and Administrative Associate. We also conducted a walkthrough of the BOE Election operation system, S-Elect, which is used to, among other things, coordinate and document poll worker training and exam results, schedule and assign poll workers to poll sites for Election Day, record poll worker time and attendance records, and issue payments to poll workers.

To determine whether BOE followed its requirements for accounting for poll site election materials, for all 1,247 poll sites for the 2019 General Election, we requested Election Night Police/Peace Officer Delivery Receipts used to account for election materials returned to BOE borough facilities. We reviewed the Election Night Police/Peace Officer Delivery Receipts that BOE provided to determine if all records were accounted for by the borough offices from all poll sites citywide. We also determined if the borough office staff responsible for receiving the election materials from the Police Officer were comprised of a bipartisan team, and if the bipartisan team, as well as the Police Officer, signed off on the receipt after delivery as required.

To determine whether poll sites were provided with adequate supplies and equipment to conduct the election, we reviewed Supply Cart Checklists and Coordinator Journals for the 30 sampled poll sites. For the Supply Cart Checklists, we noted if every item on the checklist was checked off, initialed by BOE staff, and indicated the quantity. We also noted any instances in the Coordinator Journal in which the poll site coordinator stated that either supplies or equipment were missing, inadequate, or malfunctioning at the poll site. For each supply or equipment issue noted, we also determined if the coordinator contacted BOE regarding the matter, and if so, if BOE resolved the issue.

To determine whether poll sites complied with the ADA requirements, we reviewed ADA Checklists, Accessibility Complaint Logs, and Coordinator Journals for the 30 sampled poll sites. We also noted if there were any accessibility issues during our observations of the closing process at 10 poll sites. Lastly, we noted if there were any complaints in the Coordinator Journal regarding the adequacy of the poll site, such as electricity, lighting, heat, facilities, etc. We also reviewed the poll site accessibility surveys to determine whether any poll sites were deemed to be inaccessible and, if so, whether BOE found an alternate location within six months.

To determine whether poll site Coordinators were accurately reporting accessibility issues, we reviewed ADA Checklists, Accessibility Complaint Logs, and Coordinator Journals for the 30 sampled poll sites. We determined if all ADA issues were accurately reported in the ADA checklists.

To determine whether poll sites were suitable and safe, we reviewed poll site Coordinator Journals for 30 sampled poll sites for the 2019 General Election. We also observed the poll site closing process for the sampled poll sites during Early Voting and/or on Election Day.

To determine whether poll sites were adequately staffed in accordance with the New York State Election Law and BOE internal policies and procedures, we reviewed poll site schedules (Site Coverage Reports), and poll worker time and attendance records (Early Voting Payroll Books and ED Forms Booklets). For each of our 25 sampled Election Day poll sites, we used the poll site schedules to determine the number of poll workers that BOE scheduled to work at each poll site for the following titles: inspectors, poll clerks, coordinators, information clerks, accessibility clerks, and interpreters. Next, we used the poll worker time and attendance records to determine the number of poll workers that actually worked, the times poll workers signed in and out for the day, and noted if any of the poll workers were standby poll workers that were not originally scheduled to work at the poll site.

To determine whether BOE appropriately staffed poll sites with interpreters, we reviewed Section 203 of the Voting Rights Act, the most recent designation by the Director of the Census, applicable federal court orders, and New York City Department of City Planning Data that BOE uses to identify poll sites that require interpreters. We determined if any poll sites from our sample of 25 Election Day poll sites were identified in the Department of City Planning data as requiring an interpreter. Lastly, we determined if BOE staffed the appropriate interpreters at those poll sites.

To determine whether BOE equally staffed inspectors and poll clerks among the two major political parties for 25 sampled Election Day poll sites, we reviewed BOE scheduling and timekeeping records. For each Election District, we quantified the number of Democrat and Republican inspectors and poll clerks and determined if those positions were equally distributed among the parties.

To determine whether BOE staffed poll sites with appropriately qualified poll workers, we reviewed Site Coverage Reports to identify the date of the last training class that each scheduled poll worker attended, the type of training, and if they passed the exam for the sample of 25 Election Day poll sites. To determine if poll workers were appropriately trained, we requested access to the S-Elect System to determine whether 50 sampled poll workers completed a training course and passed an exam. To date, BOE did not provide us with access to the S-Elect System.

To determine whether poll workers complied with guidelines, rules and procedures, we reviewed BOE Coordinator Journals for 30 sampled poll sites for the 2019 General Election. We noted any instances in which the poll site Coordinator reported issues with the poll workers.

The above tests, while not projectable to their respective populations wherever a sample was used, provided a reasonable basis for us to evaluate BOE controls over its Election Day operations.

### Description of Election Materials

The table below provides descriptions of election materials as defined in the BOE Coordinator Manual and Basic Poll Worker Manual.

<b>Voting Record</b>	<b>Description</b>
Accessibility Complaint Log	Used to record problems with accessibility.
ADA Checklist	Form completed every two hours verifying accessibility.
Affidavit Ballot and Court Order Log Book	Used to record those voting by Affidavit Ballot or Court Order.
Affidavit Ballots	Used when a voter's registration cannot be verified by the E-Poll Book. This ballot cannot be scanned at the Poll Site. Voter fills out information on envelope and puts voted Affidavit Ballot inside. Not counted at the Poll Site.
Ballot Transmittal Sheet	Contains the number of ballots each table received in the morning and is used to record the number of used and unused ballots at closing of polls.
Completed Voter Registration Forms	Form used to register to vote in elections in New York State, change the name or address on your voter registration, become a member of a political party, or change your party membership.
Coordinator Journal	Used by Coordinator to log visitors, monitor accessibility, and record problems and resolutions. It is sent by mail to Coordinators.
Excess Emergency Ballots	Extra ballots that are left over at the end of counting during Emergency Ballot procedures.
Interpreter Journal	Contains forms used to tally the number of voters assisted during the day and record other questions.
Partially Used Ballot Packages	Ballot Packages are ballots packed in groups of 25 referred to as packages. Partially used ballot packages are ballot packages which have been partially used.
Poll Worker Notice to Work Envelopes	Used to collect Notice to Work Forms from Poll Workers. Notice to Work forms are mailed to Poll Workers prior to the election giving their specific job assignment and Poll Worker Number. It also has Poll Worker's name tag attached which has to be separated and worn on Election Day.

## APPENDIX I

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Voting Record	Description
Referral Slip	Form filled out by any Poll Worker sending a voter to a different Poll Site.
Return of Canvass	A ballot reconciliation sheet, in which all scannable ballots that were used, voided or unused are accounted for at the end of the day. Vote totals from any hand tally are recorded on the back.
Signed Challenge Oaths	Statement signed by a challenged voter stating that he/she is eligible to vote.
Signed Court Orders	An order signed by a New York State Court Judge on Election Day allowing a voter to vote using the Scanner.
Site Coverage Reports	Report that Coordinator uses to take attendance and monitor personnel. Lists names and positions of all workers at Poll Site.
Special Ballots	Ballot which is available to Poll Workers or Board of Election employees who cannot vote at their home Poll Site on Election Day. It can be voted at the Borough Office or received by mail and returned on Election Day to the Poll Site where the Poll Worker is working.
Valid Emergency Ballots	Used when all of the scanners at a poll site break down.
Void Paper Ballots	Paper ballot on which a voter has made a mistake (marked "void v") or Poll Worker has damaged the ballot (marked "void p").

## APPENDIX II

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#### Poll Worker Positions and Functions

The table below outlines poll worker positions, required staffing levels, and a description of their responsibilities based on the New York State Election Law, the BOE Coordinator Manual, Basic Poll Worker Manual, and the 2019 Board of Elections Annual Report.

<b>Poll Worker Position</b>	<b>Required Staffing Levels</b>	<b>Description of Responsibilities</b>
Coordinator	1 or more per poll site as needed	Coordinators are placed in poll sites to serve as the manager, to troubleshoot any problems and ensure that Election Day procedures are being followed. Their goal is to see that voters receive courteous, prompt and proper service. Each poll site now has two tablets which the Coordinator gives to the Information Clerks during the day to assist with directing voters. At closing, the Coordinator uploads the PMDs from the scanners giving the earliest possible results.
Table Inspectors	2 per table: 1 Democrat, 1 Republican	There are two inspectors at each Election District or table, one enrolled Democrat and one Republican — a system of “checks and balances” that is required by New York State Election Law. ED Table Inspectors are assigned to each ED Table in the poll site where voters sign in and are issued their ballots.
Scanner Inspectors	2 per scanner: 1 Democrat, 1 Republican	Scanner inspectors verify that the scanners have not been tampered with, set-up and open the polls on the scanners for voting and assist voters if needed.
Poll Clerks	1 Democrat and 1 Republican for each ED	Poll clerks are divided similarly to inspectors and are mainly used as needed in the voting process in EDs where there are more than 750 registered voters. New York State Election Law states that “[a]t every general election in each election district where two voting machines are used, there shall be two clerks in addition to the four inspectors of election . . .”

## APPENDIX II

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Poll Worker Position	Required Staffing Levels	Description of Responsibilities
Information Clerk	1 per poll site with multiple EDs	Information Clerks are placed at sites with multiple EDs to help direct and guide voters to their correct voting districts and poll sites by using street directories and poll site lists. They now have tablets with an app to also assist with directing voters.
Standby	As determined by borough offices	Poll Workers who have been trained but not pre-assigned to a Poll Site. Can be sent to Poll Sites to fill vacancies and perform various duties.



Summary of Poll Site Staffing Issues  
Inspectors

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	8	8	2	6
2	Bronx	Shakespeare Senior HDfC	8	8	6	2
3	Bronx	PS 41 Gun Hill Road	16	16	8	8
4	Bronx	St. Michael's Roman Catholic Church	8	8	2	6
5	Brooklyn	PS 206	16	16	14	2
6	Brooklyn	Dr. Susan McKinney	8	8	9	None
7	Brooklyn	Fort Hamilton Senior Center	16	15	13	3
8	Brooklyn	PS 5 New	12	12	19	None
9	Brooklyn	PS 189	4	4	4	None
10	Brooklyn	PS 135	8	8	8	None
11	Brooklyn	Jimerson Houses	4	4	4	None
12	Manhattan	Flatbush Park Jewish Center	24	24	19	5
13	Manhattan	PS 154	16	16	16	None
14	Manhattan	Manhattanville Houses III	4	4	4	None
15	Manhattan	PS 153	28	28	32	None
16	Manhattan	Robert Wagner Middle School	24	24	20	4
17	Manhattan	Peter Cooper Village	8	8	7	1
18	Queens	High School for Construction Trades	12	12	23	None
19	Queens	PS 229-Emanuel Kaplan	12	12	9	3
20	Queens	PS 112-Dutch Kills	12	12	12	None
21	Queens	PS 84-Steinway	16	16	13	3
22	Queens	Taiwan Center	4	3	3	1
23	Queens	PS 20-John Bowne	16	16	26	None
24	Staten Island	IS 24 Myra S. Barnes	20	20	18	2
25	Staten Island	IS 75 Frank D. Paulo	20	20	20	None

Summary of Poll Site Staffing Issues  
Poll Clerks

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	4	6	2	2
2	Bronx	Shakespeare Senior HDFC	4	6	2	2
3	Bronx	PS 41 Gun Hill Road	8	8	3	5
4	Bronx	St. Michael's Roman Catholic Church	4	4	3	1
5	Brooklyn	PS 206	8	8	8	None
6	Brooklyn	Dr. Susan McKinney	4	6	4	None
7	Brooklyn	Fort Hamilton Senior Center	8	6	5	3
8	Brooklyn	PS 5 New	6	8	9	None
9	Brooklyn	PS 189	2	6	5	None
10	Brooklyn	PS 135	4	6	8	None
11	Brooklyn	Jimerson Houses	2	6	6	None
12	Manhattan	Flatbush Park Jewish Center	12	8	7	5
13	Manhattan	PS 154	8	8	7	1
14	Manhattan	Manhattanville Houses III	2	6	5	None
15	Manhattan	PS 153	14	14	12	2
16	Manhattan	Robert Wagner Middle School	12	10	8	4
17	Manhattan	Peter Cooper Village	4	6	5	None
18	Queens	High School for Construction Trades	6	8	3	3
19	Queens	PS 229-Emanuel Kaplan	6	8	4	2
20	Queens	PS 112-Dutch Kills	6	8	6	None
21	Queens	PS 84-Steinway	8	6	6	2
22	Queens	Taiwan Center	2	3	5	None
23	Queens	PS 20-John Bowne	8	10	6	2
24	Staten Island	IS 24 Myra S. Barnes	10	4	3	7
25	Staten Island	IS 75 Frank D. Paulo	10	9	10	None

Summary of Poll Site Staffing Issues  
BMD Inspectors

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	2	2	0	2
2	Bronx	Shakespeare Senior HDFC	2	2	0	2
3	Bronx	PS 41 Gun Hill Road	2	2	0	2
4	Bronx	St. Michael's Roman Catholic Church	2	2	2	None
5	Brooklyn	PS 206	2	2	3	None
6	Brooklyn	Dr. Susan McKinney	2	2	1	1
7	Brooklyn	Fort Hamilton Senior Center	2	2	2	None
8	Brooklyn	PS 5 New	2	2	3	None
9	Brooklyn	PS 189	2	2	2	None
10	Brooklyn	PS 135	2	2	2	None
11	Brooklyn	Jimerson Houses	2	2	3	None
12	Manhattan	Flatbush Park Jewish Center	2	2	2	None
13	Manhattan	PS 154	2	2	2	None
14	Manhattan	Manhattanville Houses III	2	2	2	None
15	Manhattan	PS 153	2	2	1	1
16	Manhattan	Robert Wagner Middle School	2	2	1	1
17	Manhattan	Peter Cooper Village	2	2	2	None
18	Queens	High School for Construction Trades	2	2	0	2
19	Queens	PS 229-Emanuel Kaplan	2	2	0	2
20	Queens	PS 112-Dutch Kills	2	2	1	1
21	Queens	PS 84-Steinway	2	2	2	None
22	Queens	Taiwan Center	2	1	1	1
23	Queens	PS 20-John Bowne	2	2	1	1
24	Staten Island	IS 24 Myra S. Barnes	2	2	3	None
25	Staten Island	IS 75 Frank D. Paulo	2	2	2	None

Summary of Poll Site Staffing Issues  
Coordinators

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	1	2	2	None
2	Bronx	Shakespeare Senior HDFC	1	2	2	None
3	Bronx	PS 41 Gun Hill Road	1	2	2	None
4	Bronx	St. Michael's Roman Catholic Church	1	2	2	None
5	Brooklyn	PS 206	1	2	2	None
6	Brooklyn	Dr. Susan McKinney	1	1	1	None
7	Brooklyn	Fort Hamilton Senior Center	1	2	2	None
8	Brooklyn	PS 5 New	1	1	2	None
9	Brooklyn	PS 189	1	1	1	None
10	Brooklyn	PS 135	1	1	1	None
11	Brooklyn	Jimerson Houses	1	1	1	None
12	Manhattan	Flatbush Park Jewish Center	1	2	2	None
13	Manhattan	PS 154	1	1	1	None
14	Manhattan	Manhattanville Houses III	1	1	1	None
15	Manhattan	PS 153	1	2	2	None
16	Manhattan	Robert Wagner Middle School	1	2	2	None
17	Manhattan	Peter Cooper Village	1	1	1	None
18	Queens	High School for Construction Trades	1	1	1	None
19	Queens	PS 229-Emanuel Kaplan	1	1	1	None
20	Queens	PS 112-Dutch Kills	1	1	1	None
21	Queens	PS 84-Steinway	1	1	1	None
22	Queens	Taiwan Center	1	1	1	None
23	Queens	PS 20-John Bowne	1	1	1	None
24	Staten Island	IS 24 Myra S. Barnes	1	2	2	None
25	Staten Island	IS 75 Frank D. Paulo	1	2	1	None

Summary of Poll Site Staffing Issues  
Information Clerks

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	1	1	0	1
2	Bronx	Shakespeare Senior HDFC	1	1	0	1
3	Bronx	PS 41 Gun Hill Road	1	1	1	None
4	Bronx	St. Michael's Roman Catholic Church	1	1	1	None
5	Brooklyn	PS 206	1	1	1	None
6	Brooklyn	Dr. Susan McKinney	1	0	0	1
7	Brooklyn	Fort Hamilton Senior Center	1	1	1	None
8	Brooklyn	PS 5 New	1	1	4	None
9	Brooklyn	PS 189	0	0	0	None
10	Brooklyn	PS 135	1	0	0	1
11	Brooklyn	Jimerson Houses	0	0	0	None
12	Manhattan	Flatbush Park Jewish Center	1	1	1	None
13	Manhattan	PS 154	1	1	1	None
14	Manhattan	Manhattanville Houses III	0	0	0	None
15	Manhattan	PS 153	1	2	2	None
16	Manhattan	Robert Wagner Middle School	1	1	1	None
17	Manhattan	Peter Cooper Village	1	0	0	1
18	Queens	High School for Construction Trades	1	1	1	None
19	Queens	PS 229-Emanuel Kaplan	1	1	1	None
20	Queens	PS 112-Dutch Kills	1	1	1	None
21	Queens	PS 84-Steinway	1	1	1	None
22	Queens	Taiwan Center	0	0	0	None
23	Queens	PS 20-John Bowne	1	1	2	None
24	Staten Island	IS 24 Myra S. Barnes	1	1	1	None
25	Staten Island	IS 75 Frank D. Paulo	1	2	2	None

Summary of Poll Site Staffing Issues  
Accessibility Clerks

#	Borough	Poll Site Name	# Required	# Scheduled	# Actual	# Understaffed
1	Bronx	PS 83 ANNEX	1	1	0	1
2	Bronx	Shakespeare Senior HDFC	1	1	1	None
3	Bronx	PS 41 Gun Hill Road	1	0	0	1
4	Bronx	St. Michael's Roman Catholic Church	1	1	1	None
5	Brooklyn	PS 206	1	1	1	None
6	Brooklyn	Dr. Susan McKinney	1	1	1	None
7	Brooklyn	Fort Hamilton Senior Center	1	1	1	None
8	Brooklyn	PS 5 New	1	1	2	None
9	Brooklyn	PS 189	1	1	1	None
10	Brooklyn	PS 135	1	1	1	None
11	Brooklyn	Jimerson Houses	1	1	1	None
12	Manhattan	Flatbush Park Jewish Center	1	1	1	None
13	Manhattan	PS 154	1	3	2	None
14	Manhattan	Manhattanville Houses III	1	1	0	1
15	Manhattan	PS 153	1	1	3	None
16	Manhattan	Robert Wagner Middle School	1	1	2	None
17	Manhattan	Peter Cooper Village	1	2	2	None
18	Queens	High School for Construction Trades	1	1	1	None
19	Queens	PS 229-Emanuel Kaplan	1	1	0	1
20	Queens	PS 112-Dutch Kills	1	1	0	1
21	Queens	PS 84-Steinway	1	2	2	None
22	Queens	Taiwan Center	1	1	1	None
23	Queens	PS 20-John Bowne	1	0	0	1
24	Staten Island	IS 24 Myra S. Barnes	1	1	0	1
25	Staten Island	IS 75 Frank D. Paulo	1	1	1	None