# Testimony of Michael J. Ryan, Executive Director Board of Elections in the City of New York

# **Committee on Governmental Operations**

# Ranked Choice Voting Implementation and Ballot Design

**September 30, 2022** 

Chair Ung and members of the New York City Council's Committee on Governmental Operations, thank you for the opportunity to appear before you on behalf of the Board of Elections (Board). I am Michael J. Ryan, the Executive Director of the Board. Joining me at the table is the Board's Deputy Executive Director Vincent M. Ignizio.

Also present at today's hearing are the Board's:

- Wilma Brown Phillips, Administrative Manager
- Georgea Kontzamanis, Operations Manager

The Board, pursuant to New York's Constitutional and statutory mandates is a bipartisan ministerial agency headed by a 10 member Board of Commissioners and is charged with managing the electoral process within the City of New York. The Board conducts elections and its other activities in accordance with the provisions of the New York State Election Law, State Rules and Regulations, applicable provisions of federal law and several judicial determinations. Given the Board's Page 1 of 8 ministerial authority, the Commissioners have directed that input shall be directed to practical implementation, without endorsement of any particular legislative proposals.

The last several years have been particularly challenging for the City of New York and the Board has shared in such challenges. Throughout the COVID-19 pandemic the Board's doors remained open for public access and conducing elections. The Board's employees and poll workers have heroically served the voters in New York City and ensured that our cherished democracy has the opportunity to continue to flourish.

In addition to keeping The Board's offices and poll sites operating to serve the voters, there has been an unprecedented number of elections and administration activity virtually since the start of the COVID-19 pandemic.

The Board has conducted twenty (20) separate elections (seven (7) thus far in 2022) from March 2020 to the present

(numerous during the height of the COVID-19 outbreak). They are as follows:

- 03/15/2020 Special Election for Borough Queens Borough President canceled after commencement of Early Voting
- 06/23/2020 Presidential Primary (included Congressional, State, Judicial and party positions)
- 11/03/2020 Presidential General Election
- 12/22/2020 Special Election 12<sup>th</sup> Council District, Bronx
- 02/02/2021 Special Election 24<sup>th</sup> Council District, Queens
- 02/23/2021 Special Election 31<sup>st</sup> Council District, Queens (<u>RCV conducted for the 1<sup>st</sup></u> <u>time</u>)
- 03/23/2021 Special Election 11<sup>th</sup> Council District, Bronx (<u>RCV conducted for the 2<sup>nd</sup></u> <u>time</u>)
- 03/23/2021 Special Election 15<sup>th</sup> Council District, Bronx (<u>RCV conducted for the 3<sup>rd</sup></u> <u>time</u>)
- 06/22/2021 Primary Election for City Offices (<u>RCV conducted for the 4<sup>th</sup> time</u>)
- 06/22/2021 Primary Election for District Attorney, Judicial and Party Offices (non-RCV)

- 11/02/2021 Mayoral General Election
- 11/02/2021 Special Election 30<sup>th</sup> State Senate District District, New York
- 11/02/2021 Special Election 86<sup>th</sup> State Assembly District, Bronx
- 01/18/2022 Special Election 68<sup>th</sup> State Assembly District, New York
- 02/15/2022 Special Election 72<sup>nd</sup> State Assembly District, New York
- 02/15/2022 Special Election 60<sup>th</sup> State Assembly District, Kings
- 02/15/2022 Special Election 43<sup>rd</sup> State Assembly District, Kings
- 05/24/2022 Special Election 58<sup>th</sup> State Assembly District, Kings
- 06/28/2022 Gubernatorial Primary Election (included State Assembly and Party Positions)
- 08/23/2022 Primary Elections (included Congressional and State Senate Offices)

Upon the completion of the United States Census conducted every ten (10) years, district lines for New York State Offices are redistricted. The completion of the redistricting process requires the Board to reapportion all of the Election Districts in the City. Ultimately, a court decision required the Board to conduct an additional primary election on August 23, 2022 and to complete the "<u>once</u> every ten years" reapportionment process <u>twice</u> in the span of three (3) months. To state that Board's workload over the past two and one half years has been unprecedented is, in fact, a dramatic understatement. In addition, the foregoing does not address the numerous enacted legislative amendments/mandates related to the process of administering elections.

Board technical staff has reviewed the elements of Intro. # 696 and has determined the same may be implemented within the limitations of the firmware approved for use by the New York State Board of Elections. I have provided sample ballots for your review (1 – sample ballot used in the 2021 Primary Election and 1 – sample ballot prepared as instructed in Intro. # 696).

As the committee members are aware, it is the responsibility of the Campaign Finance Board (CFB) to conduct an RCV voter education program. On-going voter education is also a critical element of election success. For the RCV implementation, the Board partnered with various groups to implement a media campaign akin to poll worker recruitment efforts. The Board also partnered effectively with the Campaign Finance Board (CFB) to ensure message consistency and maximization of coverage.

The Board has worked closely with interested stakeholders to create an effective public and poll worker RCV education program as an effective supplement to the efforts of CFB.

The Board engaged in a multi-dimensional public outreach effort, consistent with agency branding. The effort included comprehensive media advertising in citywide, local and various language-specific newspapers.

The Board included RCV information in a mailing to all 4.7 million active voters which also provided early voting and election day poll site information and other general information. The Board included RCV information in its digital media footprint which included a comprehensive media buy that blanketed available platforms (i.e Facebook, Twitter, News Publications and Community/Language Publications, etc.) The Board purchased outdoor advertising on subways, buses, the Staten Island ferry terminal and Link NYC kiosks (samples of the Board's RCV education materials have been provided).

Again, I must extend a particular note of gratitude to all of the Board staff in the Borough Offices the General Office and poll workers for the hard work and dedication displayed to make all aspects of voting successful. Voting is not possible without the men and women who work long days over a period of months prior to each election planning for each event.

The Board appreciates the outstanding working relationship enjoyed with the New York City Council and looks forward to continuing our cooperative work toward improving the electoral process and increasing voter participation. The City Board is committed to continue working with each of you in our mutual efforts to enhance the voting process and to improving the free and independent exercise of the voter franchise for those eligible in the City of New York. As always, my colleagues and I are available to answer any questions that you may have and to provide you with additional information.

NYC June 2021 Primary Elections Ranked Choice Voting Public Education Campaign Toolkit

Version 1.0

#### NYC'S NEW WAY TO VOTE



PUBLIC EDUCATION CAMPAIGN TOOLKIT



NYC June 2021 Primary Elections Ranked Choice Voting Public Education Campaign Toolkit

SUCCESSFUL PUBLIC EDUCATION CAMPAIGNS ARE BUILT WITH INSIGHT, CREATIVITY AND COHERENCE. This document is a reference guide for exisiting campaign materials to help promote NYC's NEW way to vote— Ranked Choice Voting— and the upcoming NYC June 2021 Primary Elections. The frameworks and examples shown in this document help express the NYC Board of Election's public education campaign across a range of touch points.

Version 1.0

NYC June 2021 Primary Elections Ranked Choice Voting Public Education Campaign Toolkit

Version 1.0

OUT-OF-HOME (digital: 1080px x 1920px)

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#### Campaign Materials (ready-to-use)

The below thumbnails are a sample of the various promotional materials available for your use. Click on the hyperlink in each column to download the full set of materials.

PRINT' (various sizes)





-

DISPLAY ADS' (various sizes)



NEW VO Now you can rank up to 5 candidates RANKED CHOICE VOTING 



SOCIAL MEDIA\*\* (800px x 800px, 1200px x 1200px)





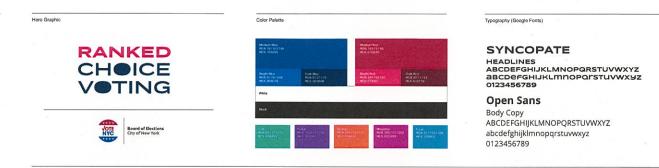
RANKED CHOICE VOTING	
NYC'S <b>NEW</b> WAY TO VOTE	V TE!
Now you can rank up to 5 candidates - Lany Voring June 12-20 - Election Day June 22	CARLY VOTION: EXECTION DAV ANNE 32 Rank up to 5 candidates for: University of the second seco
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\* Available in All Languages \*\* Available in English and Spanish Language

NYC June 2021 Primary Elections Ranked Choice Voting Public Education Campaign Toolkit

Version 1.0

#### **Campaign Toolkit Overview**



Campaign Language + Design System Overview

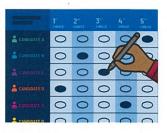




NYC RANKED CHOICE VOTING



Board of Elections City of New York



#### NYC'S NEW WAY TO VOTE

NYC June 2021 Primary Elections Ranked Choice Voting Public Education Campaign Toolkit

# RANKED CHOICE VOTING

PUBLIC EDUCATION CAMPAIGN TOOLKIT

#### CONTACTINFORMATION

Board of Elections, City of New York

All questions concerning the use of the materials found in this document and/or in the links provided, including permission requests should be referred to:

Valerie Diaz

Director of Communications & Public Affairs

T.(517)001-0517



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	IEW for the June 22, 2 C Primary Election	O21 Visit: VOTE.NYC Call: 866-VOTE-NYC (866-868-3692) TTY: 212-487-5496
Mayor	• Following contests" L • Public Advocate • Comptroller • Boro er contests use the traditional voting method	
	Ranked Choice	For two-sheet ballots,
	ng (RCV) works:	please remember to:
fill in the oval next to your favorite candidate. <u>You must</u>		Complete both sides of your ballots.
	choose at least 1 candidate for	Insert ballots into the scanner one sheet at a time.
2	lf you have a 2nd choice candidate, fill in the oval next to their name under the '2nd	Wait for the "thank you" screen before inserting second sheet.
Choice' column.	Early voting days and hours:	
3	You may continue this process for <u>up to</u> 5 candidates. Some contests may have fewer than 5 candidates. <u>All contests</u> have a write-in option.	Saturday, June 12         8 AM - 5 PM           Sunday, June 13         8 AM - 5 PM           Monday, June 14         7 AM - 4 PM           Tuesday, June 15         10 AM - 8 PM           Wednesday, June 16         10 AM - 8 PM
	DO NOT MARK:	Thursday, June 17 10 AM - 8 PM Friday, June 18 7 AM - 4 PM
A CONTRACTOR OF A CONTRACTOR A	🕱 More than 1 oval per column. 🕄 More than 1 oval per candidate.	Saturday, <b>June 19 8 AM - 5 PM</b> Sunday, <b>June 20 8 AM - 4 PM</b>
-	VOTO/VOTACIÓN	Es <b>NUEVA</b> para la Elección Primaria del 22 de Junio del 2021 en NYC
	PORORDEN	Las siguientes contiendas' utilizarán RCV (Voto/Votación por Orden de Preferencia):
	DE PREFERENCIA	Alcalde • Defensor Público Contralor • Presidente del Distrito Municipal Concejo de la Ciudad
	funciona voto/votación por de preferencia (RCV):	*Todas las otras contiendas utilitarán el método de votar tradicional Para papeletas de dos hojas, favor de recordarse de:
Baj cer sele	o la columna de '1a Opción', llene el óvalo ca de su candidato favorito. <u>Usted debe</u> eccionar al menos un candidato para que su	Completar ambos lados de sus papeletas. Insertar las papeletas en la máquina de escaneo una hoja a la vez.
2 Siti eló	<u>o cuente.</u> iene un candidato de segunda opción, llene ivalo cerca del nombre bajo la columna de Opción'.	Esperar a ver la pantalla que dice "gracias" antes de insertar la segunda hoja. Días y horas de votación temprana:
3 Ust 5 ca me	ed puede continuar este proceso para hasta andidatos. Algunas contiendas tendrán nos de 5 candidatos. <u>Todas las contiendas</u>	Sábado, 12 de Junio 8 AM a 5 PM Domingo, 13 de Junio 8 AM a 5 PM Lunes, 14 de Junio 7 AM a 4 PM
tier	nen la opción de candidato por escrito.	Martes, 15 de Junio 10 AM a 8 PM Miércoles, 16 de Junio 10 AM a 8 PM Lueves 17 de Junio 10 AM a 8 PM
	NO MARQUE:	Jueves, <b>17 de Junio</b> 10 AM a 8 PM Viernes, 18 de Junio 7 AM a 4 PM
💑 🐹	Más de un óvalo por columna. Más de un óvalo por candidato.	Sábado, <b>19 de Junio 8 AM a 5 PM</b>

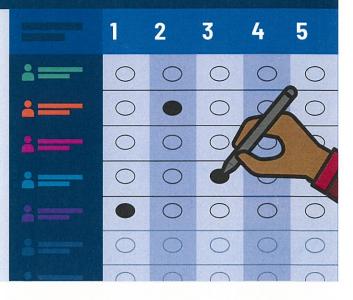
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# Ranked-Choice Voting is new for the June 22, 2021 Primary Election





# **Primary Election**

Election Day: June 22, 2021 Early Voting Dates: June 12–20, 2021

A new process called **Ranked-Choice Voting** will be used in the June Primary.

Open to learn more, or visit VOTE.NYC

PM-06222021

Election Day: June 22, 2021 Early Voting Dates: June 12-20, 2021



व्यासमाय योखिए व वालमा कथा इरवा

विरुत्त्व विष्यांकु सांत जात्रात्मत्र आंध कशानुसांशे जालति (त दिल्लानांस टकांठेल नित्रक्त विरुत्त्व विष्यांक एलाधेरावत जात्र्यालय विराध जात्रिक प्रियत् कि सांग्रे र तिव्यक्त नीतिक एलाधेरावत जात्रिका सांकारक लारता आणिर प्रकार्य नार्यत् वात्राप्त र खाँ रसाल माहस क्षालनात रखात्र स्वार्यत् निवर्त्तक नार्यत् क्राय्य विराध क्षा

특별 공지 사람, 만약 귀하가 등록된 주소에 더 이상 거주하지 않는다는 정보를 받은 경우 귀하의 이름이 비칠성 유권자 목록에 있을 수 있습니다. 선사 전술서 투표용지로 두표하면 활성 유권자 상태로 복원되고 귀하의 투표용지는 접개별 것입니다.

地的初始的建立,要要要要要的资源的资源。 体别通知: "我是是你的资源,你们不能不能不能不能不能不能。" 这些是正念的思想就是不能跟我是你们。

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Aviso Especial: Si recibimos información indicando que ustad ya no reside en la dirección que aparece en su registro de volante, su nombre puede estar en la lista de votantes inactivos. Al emitir una papeleta de declaración jurada, se le restaurará a un

Special Notice: If we received information indicating that you no longer reside at your registration address, your name may be on the list of inactive voters. By casting an attidawit bailot, you will be restored to scrive status and your bailot counted.

#### RETURN SERVICE REQUESTED



800RD OF ELECTIONS 32 BROEDWAY, 7FL NEW YORK, NY 10004-1609

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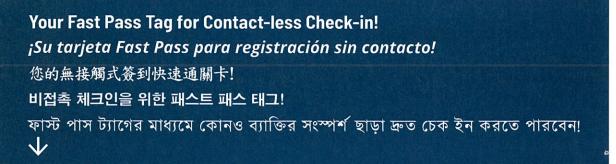
Jane Doe Heritage Health and Housing 1154 Stratford Avenue, Apt 2M Bronx, NY 10472-1047 New York, NY 10004



ALERT! Your Polling Place Has Been Changed. Su centro de votación ha sido cambiado. 所始発意有所變動. 귀하의 투표소가 世習되었습니다. 에서귀제 അ내 ᆑ석泊極 医前び存電 州취직영ন 후索] <u>र</u>दम्रह्म।



PRESORTED STANDARD BD OF ELECTIONS PD OF ELECTIONS PD OF ELECTIONS





#### Here's Your Election Day Poll Site Information

PS 79 Elementary School for Math, Science, and Technology 125 East 181 Street, Bronx Voter Entrance: Schoolyard Entrance on Cypress Avenue: Left Side is Polling Room Accessible Entrance: Schoolyard Entrance on Cypress Avenue: Left Side is Polling Room

# Become a POLL WORKER OR INTERPRETER!

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Earn up to \$2800 for working all Election Days.



Board of Elections in the City of New York

nyc.electiondayworker.com 866-VOTE-NYC (866-868-3692) To find your assigned Early Voting Site, Early Voting Hours, check your registration, request an absentee ballot, view sample ballot, or become a poll worker, visit VOTE.NYC or call 866-VOTE-NYC

Para encontrar su Centro de Votación Temprana asignado, Horas de Votación Temprana, verificar su inscripción, solicitar una papeleta de voto ausente, ver una papeleta de muestra, o ser un trabajador electoral visite VOTE.NYC o llame al 866-VOTE-NYC

查尋您被分配的提前投票處,核實您的選民登記,申請缺席選票,查閱選票樣本, 成為選務人員登錄 VOTE.NYC 網站或致電 866-VOTE-NYC

귀하의 해당 조기 투표소를 찾거나. 조기 투표시간.등록 확인, 부재자 투표용지 요청, 샘플 투표 용지를 보시거나, 투표소 직원이 되시려면, VOTE.NYC 를 방문하시거나, 866-VOTE-NYC 로 전화하십시오.

আপনার অগ্রিম ভোটের ভোট কেন্দ্র খুঁজে পেতে, আপনার ভোটার নিবন্ধনের হাল জানা, অ্যাবসেন্টি ব্যালটের আবেদন করা, একটি নমুনা ব্যালট দেখা এবং নির্বাচন কমী হিসাবে কাজ করার জন্য আমাদের ওয়েব সাইট VOTE.NYC দেখুন অথবা 866-VOTE-NYC নম্বরে কল করুন

Know where to vote on Election Day Primary Election, June 22, 2021 Early Voting, June 12–June 20 General Election, November 2, 2021 Early Voting, October 23–October 31, 2021 Sepa donde votar en el Día de la Elección Elección Primaria, 22 de Junio del 2021 Votación Temprana, 12 de Junio al 20 de Junio Elección General, 2 de Noviembre del 2021 Votación Temprana, 23 de Octubre al 31 de Octubre del 2021

瞭解選舉日在何處投票 初選, 2021年6月22日 提前投票, 6月12日-6月20日

선거일 투표소 위치 알기 예비선거 2021년 6월 22일 조기투표 6월 12일-6월 20일 書述書、2021年11月2日 書述,2021年11月2日 提前投票,2021年10月23日−10月31日
조기투亜 2021년 10월 23일 - 10월 31일

নির্বাচনের দিন কোধায় ডোট দিতে পারবেন জেনে নিন প্রাথমিক নিবাচন, ২২ জুন, ২০১১ অধিম ভোট, ১২ জুন থেকে ২০ জুন, ২০১১ সাধারণ নিবচিন, ২ নভেম্বর, ২০২১ অধিম ভোট, ২৩ অঠোবর থেকে ৩১ অঠোবর, ২০২১

To find your assigned Early Voting Site and hours visit VOTE.NYC or call 866-VOTE-NYC

Para encontrar su centro de Votación Temprana asignado y las horas, visite VOTE.NYC o llame al 866-VOTE-NYC

> 查尋您被分配的提前投票處及時間 登錄VOTE.NYC網站或致電866-VOTE-NYC

귀하의 해당 조기투표 장소와 시간을 확인하시려면 VOTE.NYC를 방문하시거나 또는 866-VOTE-NYC로 전화하십시오.

আপনার জন্য নির্ধারিত অগ্রিম ভোটদানের ভোটকেন্দ্রের ঠিকানা এবং ভোটদানের সময়সূচী জানার জন্য VOTE.NYC দেখুন অথবা 866-VOTE-NYC নম্বরে কল করুন।



# Ranked-Choice Voting is new for the June 22, 2021 Primary Election

#### **Here's How It Works**

- 1. Pick your 1st Choice candidate and completely fill in the oval next to that candidate under 1st Choice. You must choose at least one candidate for your vote to count.
- If you have a 2nd choice candidate, fill in the oval next to that candidate under 2nd Choice.
- 3. Continue marking up to 5 choices. You can mark as many or as few as you wish.

#### Be sure to mark:

- At least 1 candidate for your vote to count. You do not have to rank all candidates.
- No more than 1 oval per column.
- No more than 1 oval per candidate.

# **Vote Early**

To find your assigned Early Voting site, and hours, visit **VOTE.NYC** or call **866-VOTE-NYC** 

PRIMARY ELECTION Early Voting Dates Saturday, June 12 – Sunday, June 20, 2021

GENERAL ELECTION Early Voting Dates Saturday, October 23 - Sunday, October 31, 2021

# **Vote on Election Day**

(See below for your General Election poll site information)

#### Polls are open 6:00am to 9:00pm

If your name is not in the poll list book you may vote using an Affidavit Ballot.

If you vote at the correct poll site, your ballot will be counted.

PRIMARY ELECTION DAY Tuesday, June 22, 2021

GENERAL ELECTION DAY Tuesday, November 2, 2021

# **Here's Your Election Day Poll Site Information**

# Voto/Votación por Orden de Preferencia es nuevo para la Elección Primaria del 22 de Junio del 2021

### Así es Cómo Funciona

- 1. Escoja su candidato de primera opción y llene completamente el óvalo junto a ese candidato bajo 1ª Opción. Debe seleccionar al menos un candidato para que su voto cuente.
- 2. Si tiene un candidato de segunda opción, llene el óvalo junto a ese candidato bajo 2ª Opción.
- 3. Siga marcando hasta 5 opciones. Puede marcar tantos o tan pocos como usted desee.

#### Asegúrese de marcar:

- Por lo menos un candidato para que su voto cuente. No tiene que clasificar a todos los candidatos.
- No más de un óvalo por columna.
- No más de un óvalo por candidato.



# **Vote Temprano**

Para encontrar su centro de Votación Temprana asignado y las horas, visite **VOTE.NYC** o llame al **866-VOTE-NYC** 

ELECCIÓN PRIMARIA Fechas de Votación Temprana Sábado, 12 de Junio al Domingo 20 de Junio del 2021

ELECCIÓN GENERAL Fechas de Votación Temprana Sábado, 23 de Octubre al Domingo 31 de Octubre del 2021

# Vote en el Día de la Elección

(Vea abajo para la información de su Centro de Votación del Día de la Elección)

Los centros de votación están abiertos

#### de 6:00am a 9:00pm

Si su nombre no está en el libro de lista de electores puede votar utilizando una Papeleta de Declaración Jurada.

Si vota en el centro de votación correcto, su papeleta será contada.

# DÍA DE LA ELECCIÓN PRIMARIA

Martes, 22 de Junio del 2021

DÍA DE LA ELECCIÓN GENERAL Martes, 2 de Noviembre del 2021

# Aquí está la Información de su Centro Votación del Día de la Elección

# 2021年6月22日初選全新的排名選擇投票

#### 做法如下

- 選擇您的第一選擇候選人並塗滿在第一選擇項下其姓名旁邊的橢圓.您必需至少選擇一位候選人以便您的選票被計入.
- 2. 如果您有第二選擇候選人,塗滿在第二選擇項下其姓名旁邊的橢圓.
- 3. 繼續標記最多五個選擇.您可根據您的喜好投選最多或最少的候選人.

#### 請務必標記:

- •至少一位候選人以便您的選票被計入.您不需排名投選所有候選人.
- •每一欄僅限一個橢圓.
- •每一位候選人僅限一個橢圓.

# 提前投票

欲查尋您被分配的提前投票處,登錄 VOTE.NYC網站或致電 866-VOTE-NYC



抚則投宗日期
 星期六,2021年10月23日-星期日,10月31日

# 選舉日投票

(請參閱以下有關普選日投票處資訊)

投票處自上午六點開放至晚上九點 如果您的名字不在選民名冊中您可以宣誓選票方式投票. 如果您在正確的投票處投票,您的選票將會被計入.

> 初選日 星期二,2021年6月22日 普選日

> > 星期二、2021年11月2日

您的選舉日投票處資訊

# 순위 선택 투표는 2021년 6월 22일, 예비 선거를 위한 새로운 투표입니다.

## 투표 방법

- 1. 1 순위 후보자를 선택하고 1 순위 선택 아래 해당 후보자 옆에 있는 타원형을 완전히 채우십시오. 귀하의 투표가 집계되려면 반드시 최소한 한 명의 후보자를 선택해야 합니다.
- 2. 두 번째 선택 후보자가 있는 경우 두 번째 선택 해당 아래 후보자 옆에 있는 타원형을 채우십시오.
- 3. 계속해서 선택한 최대 5명에게 표시하십시오. 원하는 만큼 또는 적게 표시할 수 있습니다.

### 반드시 표시:

- 귀하의 투표가 집계되려면 반드시 최소한 한 명의 후보자에게 표시하십시오. 모든 후보자의 순위를 정할 필요는 없습니다.
- 각 칼럼의 1 개 이상 타원형에 표시하지 마십시오.
- 각 후보자에게 1 개 이상 타원형에 표시하지 마십시오

# A

# 조기 투표

귀하의 해당 조기투표 장소와 시간을 찾으시려면 VOTE.NYC를 방문하시거나 866-VOTE-NYC로 전화하십시오.

예비선거 조기투표 날짜 2021년 6월 12일 토요일-6월 20일 일요일

총선거 조기투표 날짜 2021년 10월 23일 토요일 - 10월 31일 일요일

# 선거일 투표하기

(귀하의 총선거 투표소 정보는 아래 참고)

투표소는 오전 6시 부터 오후 9시까지 열려있습니다.

귀하의 이름이 선거인 명부에 없을 경우, 귀하는 선서 진술서 투표용지를 사용하여 투표할 수 있습니다.

귀하의 해당 투표 장소에서 투표하시면 귀하의 투표용지가 집계됩니다.

예비선거일 2021년 6월 22일 화요일

총선거일 2021년 11월 2일 화요일

### 여기에 귀하의 선거일 투표 장소 정보가 있습니다.



### ২২ জুন, ২০২১ তারিখে অনুষ্ঠিতব্য প্রাথমিক নির্বাচনে নূতন পদ্ধতি অবলম্বন করে পছন্দের ক্রমানুসারে ভোট দিন

### ব্যবহার করে ভোট দেয়ার প্রক্রিয়া নিম্নরূপ

- ১. আপনার প্রথম পছন্দের প্রাথী বাছাই করুন এবং প্রাথীর নামের পাশের ১ম পছন্দ লেখা কলামের বৃত্তটি ভরাট করুন। আপনার ভোট গণনায় আসার জন্য কমপক্ষে একজন প্রাথীকে অবশ্যই ভোট দিতে হবে।
- ২. যদি আপনার পছন্দের দ্বিতীয় প্রাথী থাকে তাহলে সেই প্রাথীর জন্য ২য় পছন্দ লেখা কলামের বৃত্তটি ভরাট করুন।
- ৩. এইভাবে পছন্দের ক্রমানুসারে ৫ জন প্রার্থীকে তালিকাভুক্ত করুন। আপনি আপনার পছন্দমত যতজনকে ইচ্ছা ভোট দিতে পারবেন।

#### নিশ্চিত হয়ে নিন:

- •কমপক্ষে একজন প্রাথীকে ভোট দিয়েছেন। আপনি আপনার পছন্দমত যতজনকে ইচ্ছা ভোট দিতে পারবেন।
- প্রতিটি কলামে একটির বেশী বৃত্ত ভরাট করবেন না।
- প্রতিটি কলামে একজন প্রাথীর জন্য একটির বেশী বৃত্ত ভরাট করবেন না।

# অগ্রিম ভোট দিন

আপনার জন্য নির্ধারিত অগ্রিম ভোটদানের ভোটকেন্দ্রের ঠিকানা এবং ভোটদানের সময়সূচী জানার জন্য VOTE.NYC দেখুন অথবা 866-VOTE-NYC নম্বরে কল করুন।

প্রাথমিক নির্বাচন অগ্রিম ভোট গ্রহণের তারিখ শনিবার, ১২ জুন থেকে রবিবার, ২০ জুন,২০২১ পর্যন্ত

> সাধারণ নির্বাচন অগ্রিম ভোট গ্রহণের তারিখ শনিবার, ২৩ অক্টোবর থেকে রবিবার, ৩১ অক্টোবর, ২০২১ পর্যন্ত

# নির্বাচনের দিন ভোট দান

(আগনার সাধারণ নির্বাচনের জন্য নির্ধারিত ভোটকেন্দ্র সম্পর্কিত তথ্যাদির জন্য নীচে দেখুন)

ভোটকেন্দ্র সকাল ৬টা থেকে রাত ৯টা পর্যন্ত খোলা থাকবে

আপনার নাম নিবন্ধিত ভোটারের তালিকায় না থাকলে আপনি অ্যাফিডেভিট ব্যালটের মাধ্যমে ভোট দিতে পারবেন।

আপনি যদি সঠিক ভোট কেন্দ্রে ভোট দিয়ে থাকেন তাহলে আপনার ভোট গণনা করা হবে।

> প্রাথমিক নির্বাচনের দিন মঙ্গলবার, ২২ জুন, ২০২১

সাধারণ নির্বাচন মঙ্গলবার, ২ নভেম্বর, ২০২১

# আপনার সাধারণ নির্বাচনের ভোটকেন্দ্র সম্পর্কিত তথ্যাদি





Know where to vote on Election Day Primary Election, June 22, 2021 Early Voting, June 12–June 20 General Election, November 2, 2021 Early Voting, October 23–October 31, 2021 Sepa donde votar en el Día de la Elección Elección Primaria, 22 de Junio del 2021 Votación Temprana, 12 de Junio al 20 de Junio Elección General, 2 de Noviembre del 2021 Votación Temprana, 23 de Octubre al 31 de Octubre del 2021

瞭解選舉日在何處投票

선거일 투표소 위치 알기 ホルス (2021年5月22日 おルズ、021年5月22日 浅府投来,6月12日-5月20日 書店、2021年1月23日 炭府投来,021年1月23日 炭府投来,021年1月23日 炭市投来,021年1月23日
 エンド単正 6월 12월 - 6월 20월 炭市投来,021年1月23日
 エンド単正 6월 12월 - 6월 20월 炭市投来,021年1月23日
 エンド単正 2021년 10월 23일 - 10월 31월

নির্বাচনের দিন কোধায় ডোট দিতে পারবেন জেনে নিন প্রাথমিক নির্বাচন, ২২ জুন, ২০২১ অগ্রিম ভোট, ১২ জুন থেকে ২০ জুন, ২০২১ সাধারণ নির্বাচন, ২ নডেম্বর, ২০২১ অগ্রিম ভোট, ২৩ অক্টোবর থেকে ৩১ অক্টোবর, ২০২১

#### To find your assigned Early Voting Site and hours visit VOTE.NYC or call 866-VOTE-NYC

Para encontrar su centro de Votación Temprana asignado y las horas, visite VOTE.NYC o llame al 866-VOTE-NYC

> 查尋您被分配的提前投票處及時間 登錄VOTE.NYC 網站或致電866-VOTE-NYC

귀하의 해당 조기투표 장소와 시간을 확인하시려면 VOTE.NYC를 방문하시거나 또는 866-VOTE-NYC로 전화하십시오.

আপনার জন্য নির্ধারিত অগ্রিম ভোটদানের ভোটকেন্দ্রের ঠিকানা এবং ভোটদানের সময়সূচী জানার জন্য VOTE.NYC দেখুন অথবা 866-VOTE-NYC নম্বরে কল করুন।



# Official Ballot for the Democratic Primary Election City of New York - County of Queens April 1, 2021

#### INSTRUCTIONS

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and and 

 Rank candidates in the order of your choice. Mark the oval in the "1st choice" column for your first-choice candidate. Mark the oval in the "2nd choice" column for your second-choice candidate, and so on.



Remember to vote both sides

Primaria

INSTRUCCIONES

To rank a candidate whose name is not printed on the ballot, mark an oval next to the box labeled "write-in" and print the name clearly, staying within the box. You may mark as many or as few candidates as the numbered columns allow, but do not mark more than one oval per candidate. Ranking a second-choice candidate, third-choice candidate, and so on will not hurt your first-choice candidate. Do not mark more than one oval in any column. If you do, your vote may not count. Any mark or writing outside the spaces provided for voting may void the entire ballot. You make a right to a replacement ballot. If you make a

You have a right to a replacement ballot. If you make a mistake, or want to change your vote, ask a poll worker for a new ballot.



Papeleta Oficial para la Demócrata Elección

Ciudad de Nueva York - Condado de Queens 1 de Abril del 2021

Clasifique los candidatos en la orden que desea. Marque el óvalo en la columna "1a opción" para el candidato de su primera opción. Marque el óvalo en la columna "2a opción" para el candidato de su segunda opción, etcétera. segunda opción, etcétera. Para clasificar un candidato cuyo nombre no está impreso en la papeleta, marque un óvalo junto a la casilla marcada "candidato por escrito" y escriba el nombre en letra de molde claramente, manteniéndose adentro de la casilla. Puede marcar tantos o tan pocos candidatos tal como permiten las columnas numeradas, pero no marque más de un óvalo por candidato. Clasificar a un candidato de segunda opción, candidato de tercera opción, etcétera no hará daño a su candidato de primera opción. No marque más de un óvalo en ninguna columna. Si lo hace, es posible que su voto no cuente. Cualquier otra marca o escritura fuera de los espacios proporcionados para votar puede anular la papeleta por completo. Usted tiene derecho a una papeleta de reemplazo. Si hace un error, o desea cambiar su voto, pídale a un trabajador electoral una papeleta nueva.

# DRAFT

Recuerde votar en ambos lados

#### Public Advocate Mayor Rank up to 5 choices Mark no more than 1 oval in each column Rank up to 5 choices Mark no more than 1 oval in each column 51 **Defensor Público** Choice Opción Alcalde Choice Opción Clasifique hasta 5 opciones Marque no más que 1 óvalo en cada columna Clasifique hasta 5 opciones Marque no más que 1 óvalo en cada columna 4th 2nd 3rd 5th 4th 1st 1st 2nd 3rd 5th 0 0 0 0 C C 0 $\bigcirc$ 0 Teagan Kelly Kali Lopez $\bigcirc$ $\bigcirc$ $\bigcirc$ $\bigcirc$ 0 C 0 0 0 Jess Allen Kami Edwards 0 0 0 0 C 0 0 0 0 **Oba White** Mosi Morales 0 0 0 0 0 0 0 0 0 Suzu Jenkins Taylor Gutierrez 0 0 0 0 0 Write-in 0 0 0 0 **Emerson Brooks** candidato por escrito Write-in 0 $\bigcirc$ 0 $\bigcirc$ $\bigcirc$ candidato por escrito **Council Member** Rank up to 5 choices Mark no more than 1 oval in each column Miembro del Consejo Comptroller Choice Opción Choice Opción Choice Opción Choice Opción Choice Opción Clasifique hasta 5 opciones Marque no más que 1 óvalo en cada columna Rank up to 4 choices Mark no more than 1 oval in each column Choice Opción Choice Opción Choice Opción Contralor Choice Opción Clasifique hasta 4 opciones Marque no más que 1 óvalo en cada columna 1st 2nd 3rd 4th 5th C 0 0 0 Zion King 1st 2nd 3rd 4th C 0 0 C 0 0 0 0 **Bailey Walker** Flynn Anderson 0 0 0 0 0 0 0 0 Hayden Ramirez Reese Clark 0 0 0 0 0 0 $\bigcirc$ 0 **Rio Evans** Farah Bailey Write-in 0 0 0 0 Write-in 0 0 0 0 candidato por escrito candidato por escrito



Queens DEM ELE Style: 0001



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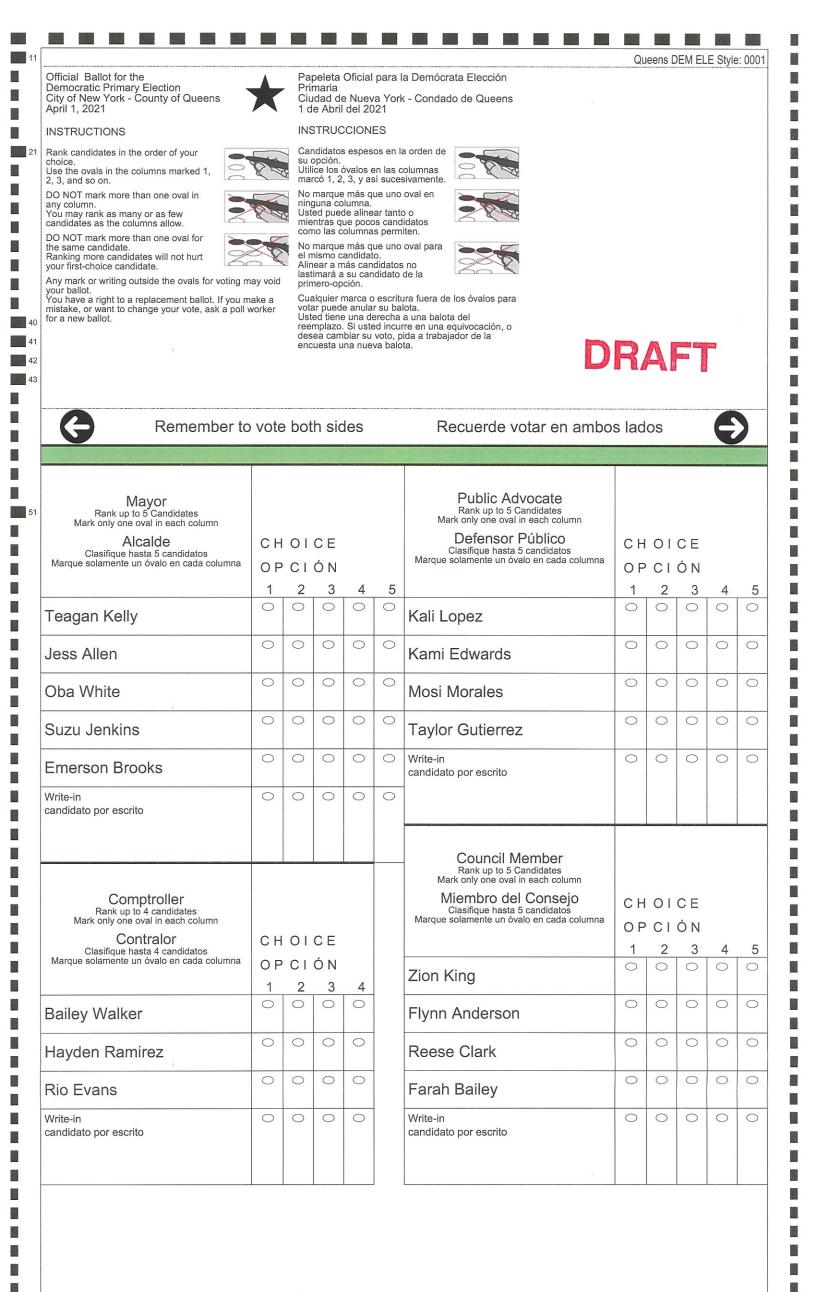
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New York City Campaign Finance Board 100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007 212.409.1800 | www.nyccfb.info

### Testimony of Amy Loprest and Amanda Melillo Executive Director and Deputy Director of Public Affairs New York City Campaign Finance Board

#### New York City Council Governmental Operations Committee September 30, 2022

Thank you, members of the City Council Governmental Operations Committee, for the opportunity to testify today. My name is Amy Loprest. I am the Executive Director of the New York City Campaign Finance Board (CFB). I am joined by Amanda Melillo, Deputy Director of Public Affairs, who will deliver the second half of our testimony, and Allie Swatek, Director of Policy and Research, who is available to answer questions.

As most of you know, the Campaign Finance Board is a nonpartisan and independent city agency tasked with administering the city's matching funds program. NYC Votes - an initiative of the CFB - works alongside community organizations, volunteers, and other city agencies to register, educate, and engage voters across the city.

At the end of October, after 16 years as Executive Director and a combined 25 years with the agency, I will be retiring from the CFB. It has been an honor and a privilege to serve as the Executive Director of the Campaign Finance Board, and I am confident that our strong partnership with the City Council will continue into the future. This agency has contributed meaningful improvements to city elections over the past few decades. I am particularly proud of our work in the 2021 election, which resulted in the election of the most diverse city council in history. 96% of the newly elected members were participants in the public matching funds program.

Under discussion today is Int. 696-2022, which would make substantive improvements to Ranked Choice Voting (RCV) ballot instructions and design. As mandated by a 2019 New York

City Charter amendment, the CFB conducted a voter education campaign leading up to the 2021 Ranked Choice Voting elections. Our staff also conducted focus groups with New York City voters, community leaders, and nonpartisan experts to craft a communication strategy. We ensured that RCV information would reach and be understood by low- and high-information voters, especially those in Black, Latino, and limited English-speaking communities.

In collaboration with the Center for Civic Design (CCD), one of our primary partners, the CFB developed a "bite, snack, meal" approach to educate voters about Ranked Choice Voting. With this approach, the CFB created materials that met voters where they were, whether they wanted a quick overview or a detailed description of the vote tabulation process. In late 2020, the CCD conducted in-depth usability tests with New York City voters to fine-tune RCV messaging for the public. The CCD's research also drove the NYC Votes Voter Guide and website redesign. As a result, nycvotes.org is more usable and accessible than ever before.

The Campaign Finance Board and countless elected offices, organizations, community leaders, and New Yorkers worked tirelessly to educate the public on Ranked Choice Voting. We coordinated our communications strategy directly with the Board of Elections (BOE) in the City of New York - the entity tasked with administering elections - and the Mayor's Office, so our messaging remained consistent throughout the voting process.

Thankfully, the first Ranked Choice Voting primary election was largely a success. Roughly one million people voted in the June 2021 primary: the highest turnout for a New York City local primary election in decades. Furthermore, 88.3% of ballots ranked some of the 374 candidates on the ballot and 89.3% of Democrats and 56.6% of Republicans ranked multiple unique candidates in at least one race for their respective primaries. However, turnout rate disparities between boroughs and further disparities in ballot marking errors suggest that there is much more to be done when it comes to voter education and ballot design.

The CFB is pleased to see that Int. 696 is informed by the Center for Civic Design's guidance. The bill would mandate best practices that make ballot instructions and headers easier to read and ensure that information in non-English languages is well-positioned and legible. If the bill passes, the text on the ballot would also more closely resemble the language used in the CFB's Voter Guide. Minor changes like these can significantly improve accessibility and may also reduce ballot marking errors. However, these changes should comport with existing technology and software acquired by the City BOE, and we defer to their technical expertise on which changes are possible. The CFB supports Int. 696, and finds that our efforts to improve RCV information accessibility will complement the bill's measures.

The vast majority of voters filled out their ballots correctly in the 2021 primary, with only 1.2% of ballots having at least one fatal overvote error. This occurs when a voter marks two candidates for the same race as their first choice, leading to that race being invalidated on their ballot. This is also called first-choice overvoting. During its first Ranked Choice Voting election in 2004, districts in San Francisco experienced similar overvote rates. Over the course of all RCV elections held in San Francisco between 2004 and 2016, San Francisco had an average first-choice overvote rate of 0.8%. A recent study by FairVote and the Ranked Choice Voting Resource Center found that the first use of a new ballot style–as New Yorkers experienced in 2021–is associated with a higher error rate, so we might also expect to naturally see a reduction in error rates as voters become accustomed to RCV.

The Council Districts with the three highest fatal overvote errors in any race for the June 2021 primary election were all in the Bronx. Council Districts 14, 16, and 17 had fatal error rates between 3.2% and 3.8%. To address this issue, the CFB plans to focus on these districts for our voter education campaigns, partnering with community groups to educate voters about the correct way to fill out an RCV ballot in 2023 and 2025. These districts already lie within our priority voter education neighborhoods in Central and South Bronx. Our other priority neighborhoods are in North Central Queens and South and Southeast Brooklyn, where ballot errors were not as frequent, but turnout remains lower than the city's average.

The CFB is also working to reach communities with limited English proficiency and provide greater accessibility in future elections. The NYC Votes website is currently available in English, Spanish, Bengali, Korean, and Traditional Chinese—the federal Voting Rights Act languages. Due to a recent law passed by the Council, starting on January 1, 2023, all features of the website

and the Voter Guide will be available in eight additional languages: Russian, Haitian Creole, Arabic, Urdu, French, Polish, Hindi, and Punjabi. We will also offer closed captioning and ASL interpretation, among other accessibility improvements, for our online Voter Guide.

We included recommendations to improve the ways election results are reported and data is released in our 2021 Voter Analysis Report. For example, RCV election results could be published in stages, similar to how the City BOE published unofficial results in 2021. Additionally, we proposed changes that could make it easier to analyze RCV data at the ballot-level, and consequently identify areas needing additional outreach. This would include areas with more frequent ballot marking errors. We are discussing these two recommendations with the BOE and look forward to continuing our partnership with them in 2023.

We applaud the Council's Governmental Operations Committee for taking steps to improve the Ranked Choice Voting experience. The Campaign Finance Board reaffirms its commitment to educating New Yorkers about RCV and looks forward to working with organizations, community leaders, and elected officials, especially those within our priority neighborhoods, as we approach future ranked choice elections.

Thank you for the opportunity to testify today. Allie Swatek, Amy Loprest, and I are happy to answer any questions the Council might have.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

# Jumaane D. Williams

#### STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS TO THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENTAL OPERATIONS SEPTEMBER 30, 2022

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. I would like to thank Chair Ung and members of the Committee on Governmental Operations for holding this hearing and for the opportunity to share my statement.

In 2019, New Yorkers overwhelmingly voted to implement ranked choice voting (RCV) in their future primary municipal elections. In 2021, we were able to see for the first time the impact and value of ranked choice voting during the city's primary elections. This change in voting saw for the first time a majority-women City Council, the first Muslim woman councilmember, a record 5 Asian councilmembers, the most LGBTQ+ councilmembers, and a Black woman speaker to lead the Council, amongst many records.<sup>1</sup> The Council has never been more diverse and representative of their constituencies, and a driving force in the makeup of our current municipal representation is due to ranked choice voting.

While we have only used RCV in our primaries one time thus far, other localities have implemented RCV long before New York City. Currently, over 40 jurisdictions have used RCV in their most recent elections. Two states, Maine and Alaska, use RCV statewide in their federal and state elections.<sup>2</sup> It is clear that there is a movement building to implement RCV across the country, and fortunately, our city is a part of it.

This movement is growing because ranked choice voting opens up and levels the playing field for a more diverse range of candidates. RCV helps voters navigate their choices in a crowded field of options; instead of just voting for one candidate, they are still able to affect the outcome by ranking a second choice and proceeding choices if they decide to rank completely. RCV also empowers voters to know that candidates who could once win with less than 50% of the vote must now mobilize their efforts across the entirety of their constituencies and work to build a broader coalition beyond their usual voter base. In particular, Black, Latino, and Asian coalitions build power through RCV according to a study by Fair Vote.<sup>3</sup> Therefore, instead of attacking one another, campaigns pivot to focusing more on appealing to their broad range of voters, which is integral in New York City.<sup>4</sup>

To ensure that our New York voters are engaged, mobilized, and empowered to vote and utilize RCV (which at this time is only in use during local primary elections) to the best of their abilities, the City must provide and sustain voter education campaigns on RCV. In the case of the 2021 primaries, I co-sponsored Int 1994-2020 (now Local Law 21 of 2021), which outlines the components of public awareness campaigns led by the Campaign Finance Board and city agencies in regards to RCV. A result of this

<sup>&</sup>lt;sup>1</sup> <u>https://19thnews.org/2021/12/nyc-city-council-women-majority-black-woman/</u>

<sup>&</sup>lt;sup>2</sup> https://fairvote.org/our-reforms/ranked-choice-voting-information/

<sup>&</sup>lt;sup>3</sup> https://fairvote.org/report/report\_rcv\_benefits\_candidates\_and\_voters\_of\_color/

<sup>&</sup>lt;sup>4</sup> <u>https://www1.nyc.gov/site/civicengagement/voting/ranked-choice-voting.page</u>



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

# Jumaane D. Williams

#### STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS TO THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENTAL OPERATIONS SEPTEMBER 30, 2022

legislation was a largely successful June 2021 primary. Exit polling from Edison Research showed most voters found the RCV process straightforward, showing 93% of Black voters, 95% of hispanic voters, 95% of white voters, and 97% of Asian voters found their ballot simple to complete.<sup>5</sup>

That being said, there is always more to be done to improve the experiences of voters in order to make the process of casting a ballot as simple and straightforward as possible. More specifically, it is important to keep in mind voters with disabilities, older voters, and voters with limited-English proficiency, and how their experiences may be drastically different when navigating a ballot. One of the improvements I hope to see changes in is with the simplification of language throughout the ballot. We are doing a disservice to all New York voters if the ballot is difficult to understand and full of jargon, which is why it is important to ensure reading comprehension of the ballot is at an early grade school level. Additionally, this will help limited-English proficient voters in two ways: plain language will be easier to understand and will lead to better translations. Another important improvement to make for future RCV ballots is font size, which goes in tandem with the previous recommendation. With simplified language, there will be greater room on the ballot, allowing an increase in font size, which will also enhance readability. Voters may feel fatigued and their eyes physically strained if they have to go through walls of miniscule text, potentially deterring them from casting their ballots (especially if it is an absentee ballot). An easy fix for this issue is to increase the font size of the text so that most voters do not need to rely on a magnifier.

The reasons I am providing testimony is for all the reasons stated above, and overall to affirm my belief and trust in ranked choice voting. From one primary election alone, we have seen the potential with RCV in New York City with our vastly diverse and representative City Council. I am eager to work alongside voting rights advocates in maintaining, improving upon, and ensuring the success and integrity of all future elections, especially those that utilize RCV. As I have said before, RCV is the fairer, more representative, future of American elections.<sup>6</sup>

Thank you.

5

http://readme.readmedia.com/RANK-THE-VOTE-NYC-RELEASES-EDISON-RESEARCH-EXIT-POLL-ON-THE-ELE CTION/17989282?utm\_source=newswire&utm\_medium=email&utm\_campaign=media\_pr\_emails <sup>6</sup> https://www.thenation.com/article/politics/ranked-choice-voting-bowman-jumaane-williams/



# **Testimony to the New York City Council for LS9428**

Sean Isamu Johnson, designer and researcher at the Center for Civic Design

The Center for Civic Design is a 501(c)(3) nonpartisan nonprofit. Our main goal is to make elections work for everyone. Our approach is to combine best practices, solid design research, and our years of experience in elections to improve the voting process.

We work directly with many elections offices across the country—large and small. We've helped these offices design better voter guides, vote-by-mail envelopes, all kinds of election forms and notices, and—most relevant to LS9428—ranked choice voting ballots.

Our experience in designing ranked choice voting materials is vast. We were proud to support the successful first ranked choice election in New York City. Our work included usability research with English and Spanish-speaking voters before the election, design advice to the Campaign Finance Board, Board of Elections and others, developing voter education and ballots, and interviews with voters after their first RCV voting experience. We also have worked in Alaska this year, and have consulted with officials and advocates in Colorado, DC, Georgia, Virginia, and Washington.

Through our research over the last 6 years, we have seen that voters understand the basic action of ranked choice voting. As one voter told us, "It feels good to have another choice." And, when ballots and information are well designed, voters are able to confidently cast their vote and make their voices heard.

Even though voters generally understand how ranked choice voting works, there's always room for improvement. This bill would directly improve the ranked choice voting experience for New York City voters. And although all New York City voters will benefit from the improvements in this bill, it's the most vulnerable voters who will benefit the most. There are a few ways that this bill would do that.

First, this bill requires that the instructions be shorter and clearer. Plain language instructions are easier to understand for low-literacy readers, rushed readers, and voters who speak English as a second language. And when the instructions are shorter, it leaves more space on the ballot for larger text and other visual layout components. All of these things amount to a ballot that's easier to read. When ballots are written in plain language, voters vote them more accurately. Voters also prefer plain language ballots over traditional language ballots. And these effects

endure through translation. In other words, plain language facilitates better translations.

Second, New York City is the most linguistically diverse city in the world. This bill carefully considers the challenge of translating ballots into multiple languages. It does that by requiring that the ranking columns be identified with simple numbers (1, 2, 3...) instead of using 1st, 2nd, 3rd, which doesn't translate well into many languages. In addition, bilingual voters often benefit from reading instructions in both their languages. That's why this bill adds a specific requirement that alternative languages be arranged so that they can be easily compared to the English text.

Finally, this bill proposes an improvement to the visual layout to make the instructions as easy to read as possible. Dark text on a light background is easiest to read, especially for voters with visual impairments. The current design of the ballot uses color in the banner and the instructions section to distinguish between different party ballots. The proposed change preserves this use of color in the banner, but removes the color from the instructions area. This will increase the color contrast of the instructions, which will make them easier to read, especially for aging eyes, or anybody who struggles to read small text in a poorly lit polling place.

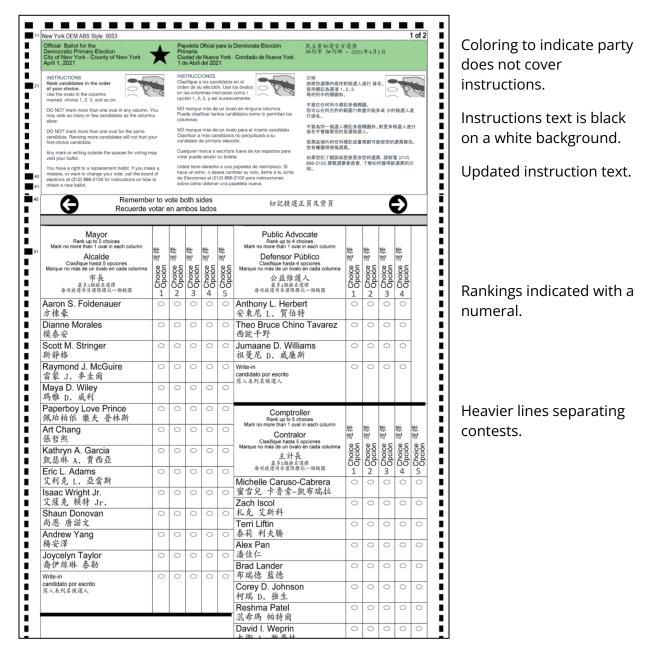
These are small changes to an already effective and usable ballot. They are changes that are supported by the academic research as well as what was learned during usability testing. And while these changes are small, they are important because they will help the elections office design better ballots, and ultimately help voters further understand ranked choice voting. Please see page 3 for a visualization of what the ballot might look like under LS-9428. Thank you for your time.

# Ballot mockup showing changes in LS-9428

This is a sketch of what the ballot might look like under LS-9428 as a visual aid for discussion.

- Use of "1, 2, 3" instead of "1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>"
- Simpler ballot instructions
- Use of colors to indicate party ballots
- Layout and separation of contests

Spanish and Chinese (Traditional) are auto-translated for illustration only





New York Holding Power Accountable

www.commoncause.org/ny

# Testimony of Susan Lerner, Executive Director, Common Cause/NY In Support of Int. 696 Before the NYC Council Government Operations Committee September 30, 2022

Thank you for the opportunity to testify today. I am Susan Lerner, Executive Director of Common Cause/NY and Board Chair of Rank the Vote NYC. Common Cause is a nonpartisan, nonprofit organization founded to serve as a vehicle for citizens to make their voices heard in the political process. We fight to strengthen public participation and faith in our institutions of selfgovernment and lead the grassroots component of the nationwide Election Protection effort. Common Cause/NY is among the largest and most active state chapters. In 2019, we advocated to place the question of whether to bring Ranked Choice Voting to New York City before the voters and helped to successfully pass it. Rank the Vote NYC was founded in 2019 to bring Ranked Choice Voting to New York City. We have since shifted to educating voters, candidates & campaigns and community groups about RCV. Our massive citywide voter education campaign prepared New York City voters, in thirteen languages, for Ranked Choice Voting by partnering with 700+ organizations reaching over a million New Yorkers.

Last year, New York City voters successfully used Ranked Choice Voting, selecting their top 5 candidates in order of preference. RCV delivered on its promise to elect more women and BIPOC lawmakers. By eliminating vote splitting and incentivizing positive, substance-based campaigns, ranked choice voting helped drive the first majority female City Council, 83% of whom are women of color. New Yorkers, who 74% voted in favor of ranked choice voting in 2019, also reported an overwhelmingly positive experience: 95% of voters found their ballot simple to complete, and 83% of voters ranked at least two candidates. According to a FairVote study, Black voters were more likely to rank in the Public Advocate and Comptroller races.

In 2021, to prepare for the June primary, we collaborated with the Center for Civic Design and worked closely with the NYC Board of Elections, on implementation issues. We, and our colleagues at CCD, shared experiences from other jurisdictions regarding best practices for RCV elections, including ballot design issues, with the staff of the New Yolk City Board of Elections. I want to acknowledge and thank the staff of the New York City Board of Elections for their openness and collaborative attitude in implementing RCV. We believe that the overwhelming satisfaction with RCV expressed in exit polling and the large number of voters who used RCV in the June 2021 primary shows that New York City voters benefited from the Board's successful efforts to provide mailers, polling place materials, and social media posts that clearly explained RCV and to ensure a clear and understandable RCV ballot.

1 

Nevertheless, recognizing that no human system is perfect, we believe that some modest changes will improve the ballot design even further. Again, we worked closely with our colleagues at the Center for Civic Design to identify areas where the ballot design could be strengthened even more. I am pleased that Sean Johnson from CCD will be testifying this morning to provide insight into the research and experience behind the changes to the ballot contained in Intro 696.

Intro 696 was drafted to build on the successful 2021 introduction of RCV by making the ballot even clearer and easier to understand. The Charter language adopted by the voters in 2019 prescribes the exact language for the instructions that must appear on the RCV ballot. Obviously, that language was workable, since so many voters successfully used RCV last year. Intro 696 amends the Charter to shorten and simplify the required instructions, which we believe will make the required ballot instructions even clearer and more comprehensible to voters. By simplifying the required instruction language, Int. 696 would ensure uniformity between elections and facilitate voter education. The simplified instructions provide clear, simple language that can be used by anyone providing information about ranked choice voting, encouraging consistency in information and instructions for ranked choice voting in materials other than the ballot. Consistency and repetition of instruction language on the ballot and on information materials will minimize confusion and increase voter comprehension. Additionally, simplified language is easier to translate accurately.

The instruction language currently specified in the charter has an 8<sup>th</sup> grade readability level, which is the maximum comprehension level which we recommend be presented to voters. We suggest, when possible, submitting material at a lower comprehension level. When submitted to the Hemingway readability editor, 1 of the total of 12 sentences in the current instruction language is identified as hard to read and 3 of 12 sentences are identified as very hard to read. The instruction language proposed in Int. 696 has a 2<sup>nd</sup> grade reading comprehension level and none of its 8 sentences are identified as hard or very hard to read by the Hemingway Editor.

As previously indicated, the ballot design for the 2021 primary was generally very good. Int. 696 assists the BOE in identifying areas for design improvement but allows the Board flexibility in how those design elements appear. Feedback from voters indicated that some voters found it was hard to see where each contest began if there were more than one contest in a column. Consequently, Int. 696 provides that, where there are multiple ranked choice contests on the same ballot, each ranked choice contest on the same page will be separated by a bold black line, to help voters recognize and rank the candidates for the same office.

In addition to fostering the easier translation of the ballot instructions into non-English languages by simplifying the required instructions, Int. 696 also encourages the Board of Elections to design the RCV ballot to assist non-English voters in locating and understanding instructions in their language of choice by arranging, to the extent practical, non-English text and English text in relation to each other so that the voter who is most comfortable in a non-English language can easily compare the non-English and corresponding English text.

Finally, Int. 696 encourages the effective use of instructive illustrations on the ballot by making suggestions as to the content and placement of illustrations in the instruction section of the ballot. An example of illustrative illustrations, prepared by the Center for Civic Design, are attached.

We believe that the modest improvements to the RCV ballot set forth in Int. 696 will facilitate voters' even more effective use of Ranked Choice Voting in municipal primaries for years to come. We strongly urge the Committee to approve Int. 696 and send it to the Council for passage.

3 

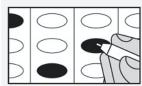
#### Example showing the instructions with illustrations

In this illustration, the vertical columns group instructions with the relevant text. Each language can be found by reading across the page. We usually do not recommend multiple illustrations or showing the wrong way to vote, but we believe that showing right and wrong examples makes the RCV rules easier to understand.

#### Conceptual illustration:

Spanish and Chinese text is shown for spacing and arrangement. The arrangement in columns connects the text in all languages to the illustration at the top of the column, and helps voters by letting them read across the page for each language.

Instructions Instrucciones 명령

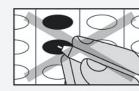


Rank candidates in the order of your choice.

Use the ovals in the columns marked 1, 2, 3, and so on.

#### **Clasifique a los candidatos** en el orden de su elección. Utilice los óvalos en las columnas marcadas 1, 2, 3, etc.

선택한 순서대로 후보자의 순위를 매깁니다. 1, 2, 3 등으로 표시된 열에 타원을 사용합니다.

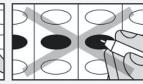


Wrong: Mark no more than 1 oval in a column.

few candidates as the columns allow.

Incorrecto: No marque más de 1 óvalo en una columna. Puede marcar tantos candidatos como lo permitan las columnas.

잘못된: 한 열에 1개 이상의 타원을 표시하지 마십시오. 열에서 허용하는 만큼 후보자를 표시할 수 있습니다.



Wrong: Mark no more than 1 oval for a candidate.

You may mark as many or as Ranking more candidates will not hurt your firstchoice candidate.

> Incorrecto: No marque más de 1 óvalo para un candidato. Clasificar a más candidatos no perjudicará a su candidato de primera elección.

**틀리다:** 후보자에 대해 1개 이상의 타원을 표시하지 마십시오. 더 많은 후보자의 순위를 매긴다고 1순위 후보자에게 피해를 주지는 않습니다.

Any mark or writing outside the spaces for voting may void your ballot.

You have a right to a replacement ballot. If you make a mistake, ask a poll worker for a new ballot.

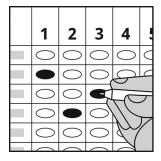
Cualquier marca o escritura fuera de los espacios para votar puede anular su boleta.

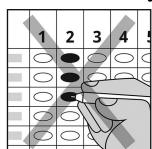
Tiene derecho a una boleta de reemplazo. Si comete un error, pídale a un trabajador electoral una nueva boleta.

투표 공간을 벗어난 표시 나 글은 투표 용지를 무효화 할 수 있습니다.

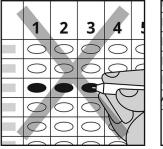
귀하는 대체 투표를 할 권리가 있습니다. 실수를했다면 투표소 직원에게 새 투표 용지를 요청하십시오.

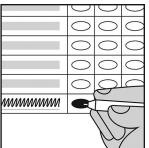
#### Larger versions of the images for voter guides or other formats where more space is





#### available.







#### New York City Council Committee on Government Operations Meeting September 30, 2022 Ranked Choice Voting Implementation and Ballot Design

To: The Honorable City Councilmember Sandra UngDate: September 30, 2022From: Chris Hughes, Director of Policy, Ranked Choice Voting Resource Center

Dear Councilmember Ung,

Thank you for the opportunity to submit written testimony to the Committee on Government Operations. We, a coalition of pro-democracy organizations and ranked-choice voting (RCV) experts, urge the committee to advance A Local Law to amend the New York City charter, in relation to the design of the ballot and content of ballot instructions for ranked choice elections (<u>Int. 0696-2022</u>).

This update to New York City's ranked-choice voting law ensures that all voters will receive clear and effective ranked-choice voting instructions. Research shows that plain language voter instructions help voters cast their ballots.<sup>1</sup> While New York City voters in 2021 experienced low error rates and overwhelmingly reported understanding RCV, clearer instructions will enable even more voters to cast an effective ballot in the City's next ranked-choice voting elections.<sup>2</sup> Revisions will also decrease the length of the instructions required, which should allow for more effective use of ballot space in New York City RCV elections.

https://civicdesign.org/fieldguides/writing-instructions-voters-understand/ (last visited Sept. 29, 2022). <sup>2</sup> New York City Campaign Finance Board, 2021 - 2022 Voter Analysis Report 102–105, 166 (2022), https://www.nyccfb.info/pdf/2021-2022\_VoterAnalysisReport.pdf; Nora Dell and Deb Otis, Ranked Choice Voting in New York City: An In-Depth Analysis 10, FairVote (2021),

https://fairvote.app.box.com/s/ctfhwv6ts8c7af94ya5qjtytbyr6n2kt; Common Cause/NY and Rank the Vote NYC, Rank the Vote NYC Releases Edison Research Exit Poll on the Election (June 28, 2021), http://readme.readmedia.com/RANK-THE-VOTE-NYC-RELEASES-EDISON-RESEARCH-EXIT-POLL-O N-THE-ELECTION/17989282?utm\_source=newswire&utm\_medium=email&utm\_campaign=media\_pr\_e mails.

<sup>&</sup>lt;sup>1</sup> Nat'l Institute of Standards and Tech., NISTIR 7556, *Report of Findings: Use of Language in Ballot Instructions* 6 (2009), available at <u>https://civicdesign.org/wp-content/uploads/2015/06/NISTIR-7556.pdf;</u> Ctr. for Civic Design, *Vol. 2 Writing instructions voters understand*,

These revisions will further enfranchise voters whose first language is not English.<sup>3</sup> Clearly differentiating the multiple languages on a ballot will make it easier for voters to identify their language of choice on RCV ballots. These updates to the charter ensure that all voters, regardless of their preferred language, will have the best opportunity possible to make their voices heard in NYC primary elections.

Thank you for your commitment to ensuring New Yorkers can cast an effective ranked-choice voting ballot. We look forward to working with you to advance this legislation and support the City's ranked-choice voting implementation.

Respectfully,

Chris Hughes Director of Policy Ranked Choice Voting Resource Center

Grace Ramsey Co-Director Democracy Rising

Maria Perez Co-Director Democracy Rising G. Michael Parsons Senior Legal Fellow FairVote

Drew Penrose Policy Consultant FairVote

David O'Brien Policy Director RepresentUs

https://civicdesign.org/fieldguides/planning-language-access/ (last visited Sept. 29, 2022); see Minkwon Center For Community Action, More Equitable Democracy, and New York Immigration Coalition, *Examining Chinese, Korean, Bengali, and Arab Voters' Attitudes and Effective Messaging on Ranked Choice Voting and Elections in New York City* 4 (2021), <a href="https://www.equitabledemocracy.org/wp-content/uploads/2021/07/Voter-Attitudes-RCV-In-language-Research.pdf">https://www.equitabledemocracy.org/wp-content/uploads/2021/07/Voter-Attitudes-RCV-In-language-Research.pdf</a>.

<sup>&</sup>lt;sup>3</sup> Center for Civic Design, Vol. 103 Planning language access,



### Testimony to the City Council Governmental Operations Committee On Ranked Choice Voting Implementation and Ballot Design

#### September 30, 2022

Thank you for the opportunity to submit written testimony for this hearing. Reinvent Albany is a watchdog organization that advocates for open and accountable government in New York.

Reinvent Albany strongly supports Ranked Choice Voting and <u>Intro 696 of 2022 (Ung)</u>. New York City's first ranked choice voting primary election last year was an overwhelming success – in exit polling by Edison Research, <u>90% of New Yorkers said</u> <u>RCV was easy to use</u>, and 77% said they'd like to see RCV in future elections.

In combination with the City's robust public campaign finance system, last year's elections also produced <u>the most diverse NYC Council in history</u> – two thirds of the current City Council are people of color, up from 51%. Additionally, 61% are women, up from 27%. We believe that ranked choice voting played a major part in this.

However, the law could be improved to ensure a better RCV ballot design in future elections. Councilmember Sandra Ung's Int. 696 makes the necessary updates and will help keep ranked choice voting simple for voters. See our attached memo of support.

If you have any questions, please contact Tom Speaker at tom@reinventalbany.org.



# **MEMO OF SUPPORT**

# Intro 696 of 2022 (Ung)

Improves Ranked Choice Voting Ballot Design

September 30, 2022

#### TITLE OF BILL

A Local Law to amend the New York city charter, in relation to the design of the ballot and content of ballot instructions for ranked choice elections.

### SUMMARY OF PROVISIONS

Section 1 amends New York City Charter §1057-g, subdivision d, paragraph 2 to provide that in ranked choice voting ballots, each column shall be labeled with a consecutive numeral. Paragraph 3 is amended to provide a new set of specific ballot instructions for voters. The bill also adds three new paragraphs to provide that:

- 1. each RCV election shall be separated by a bold black line (paragraph 6);
- 2. text with multiple languages will be arranged so that the languages are clearly separated (paragraph 7); and
- the text of any instructions shall be black against a white background (paragraph 8).

Section 2 states the bill takes effect immediately.

### STATEMENT OF SUPPORT

Reinvent Albany supports this bill because we believe it will ensure ranked choice voting ballots continue to be easy to use in future NYC elections.

NYC's first RCV primary election was a huge success, with 90% of voters saying they found the new system easy to use, and 77% saying they want to see it in future elections.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup>http://readme.readmedia.com/RANK-THE-VOTE-NYC-RELEASES-EDISON-RESEARCH-EXIT-POLL-ON-THE-ELECTION/17989282

This election also preceded the most diverse NYC council in history: Two thirds of the new City Council are people of color, and 61% are women.<sup>2</sup>

While the original RCV legislation was a strong start, its lack of specificity could lead to poor ballot design in coming elections. This bill provides clearer language to keep the RCV ballot simple for voters, and also will help voters who do not speak English better navigate future RCV ballots.

We urge the Council to pass the bill.

 $<sup>^{2}</sup> https://www.brennancenter.org/our-work/research-reports/small-donor-public-financing-plays-role-electing-most-diverse-new-york$ 

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