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### HOW COVID-19 IS AFFECTING 2020 ELECTIONS APRIL 24, 2020

As this report was nearing completion in March 2020, the city's democratic systems and processes — along with practically every aspect of daily life in New York City — were disrupted by the massive effort to slow the spread of a novel coronavirus (COVID-19).

As the city and state governments considered dramatic interventions in response to the pandemic, a special election for Queens Borough President scheduled for March 24 hung in the balance. At its regular meeting on March 10, the Board of Elections in New York City described special measures it was putting in place to protect poll workers and voters, adding protective shields for the tablets used for voter check-ins that could be more easily cleaned, and ensuring sufficient disinfecting supplies were available for every poll site.

As early voting began, on <u>March 14</u>, Governor Andrew Cuomo issued Executive Order 202.2, which expanded access to vote by mail in the interest of limiting crowds at the poll sites. The order provided that voters concerned about contraction of the COVID-19 virus could cite "temporary illness" as a valid reason to request an absentee ballot for elections scheduled through the beginning of April. The order also extended the deadline for voters to apply for absentee ballots to March 23 (the day before the election), and extended the deadline to submit an absentee ballot to March 24. Finally, the order allowed for voters to submit an application electronically, "with no requirement for in-person signature or appearance."

With the deadline for candidates to collect petition signatures for the June 23 state primary only days away, the order also suspended signature gathering

#### March 10

New York City Board of Elections puts in place special measures to protect poll workers and voters during the Queens Special Election

#### March 14

Early Voting for Queens Borough President Special Election begins

Governor Cuomo issues Executive Order 202.2 which expands access to vote by mail as of March 17 and cut the signature requirement to 30 percent of the stated threshold in the interest of limiting most in-person canvassing. A subsequent act of the Legislature extended the deadline for filing petitions until March 20.

On March 15, Mayor Bill de Blasio announced that the March 24 special election would be canceled pursuant to Emergency Executive Order No. 100, issued the following day. His announcement left the election in limbo, with the prospect of an appointed acting borough president serving in that role through the November general election.

On March 28, Governor Cuomo postponed New York's presidential primary elections (along with all special elections scheduled for April 28) to June 23, the date of the federal and state primaries, via Executive Order 202.12. Two days later, Executive Order 202.13 rescheduled the special election for Queens Borough President for the same date, and clarified that no further gathering of petition signatures to appear on the June 23 ballot would be allowed.

The enacted New York State budget for Fiscal Year 2021, signed into law by Governor Cuomo on <u>April 3</u>, raised the prospect that the state's presidential primary would be canceled completely. A provision in the budget amended state election law to allow the commissioners of the New York State Board of Elections to remove candidates of their own party from the presidential primary ballot if those candidates announce they are terminating or suspending their campaign, or if they ask to be removed from the ballot.<sup>1</sup>

#### March 15

Mayor de Blasio issues **Executive Order No. 100** which postpones the March 24 Queens Special Election

### March 28

Governor Cuomo issues **Executive Order 202.12** postponing New York's Presidential Primary to June 23

#### March 30

Governor Cuomo issues Executive Order 202.13 which reschedules the Queens Special Election to June 23

April 3 Fiscal Year 2021 New York State budget signed into law

Eleven candidates filed valid petitions to appear on the Democratic presidential primary ballot in New York. On April 8, Senator Bernie Sanders, the closest competitor to former Vice President Joe Biden for the Democratic nomination, announced his withdrawal from the race; on April 14, Sanders endorsed Biden's candidacy. As of April 15, no announcement about removing candidates from the primary ballot had been made.

Then, on <u>April 9</u> Governor Cuomo issued Executive Order 202.15, which granted New Yorkers expanded access to vote by mail for the June elections under the same conditions set by EO 202.2—the potential for contraction of COVID-19 is covered by "temporary illness," and electronic applications without a signature are allowed.

On April 20, Spectrum News NY1 reported that Governor Cuomo planned to "issue an executive order sending ballots to all registered voters in New York State."<sup>2</sup> The story also suggested a decision on "whether to cancel the [presidential] primary" would be made in the coming days. On <u>April 24</u>, Governor Cuomo announced an executive order mandating the Board of Elections to automatically mail every New York voter a postage-paid application for an absentee ballot.

New York was not the only state to face painful decisions about maintaining open and accessible elections in the face of an unprecedented public health emergency. With states across the nation scheduled to vote in presidential primaries throughout March and April, these conversations played out from coast to coast.

Four states had primaries scheduled on March 17. Three of them went ahead as scheduled: Florida, Illinois, and Arizona. Each saw diminished in-person turnout, poll worker no-shows, and voter confusion resulting from poll site closings. In an 11th-hour maneuver in defiance of a court order,

#### - April 9

Governor Cuomo issues Executive Order 202.15 which expands the definition of "temporary illness" to include the potential of contracting COVID-19

### April 24

Governor Cuomo issues an executive order mandating that every eligible New Yorker receives a postage-paid application for an absentee ballot

<sup>2</sup> https://www.ny1.com/nyc/all-boroughs/politics/2020/04/20/new-yorkvoting-by-mail-to-be-allowed-for-june-elections-queens-borough-presidentcongress (accessed on April 23, 2020)

Governor Mike DeWine of Ohio postponed his state's primary to June 2. Other states with presidential primary elections scheduled in late March and early April, including Georgia and Louisiana, postponed voting into late spring.

The sole state to proceed with an election during the month of April was Wisconsin. Over the objections of partisans in the Wisconsin State Legislature, that state's governor attempted to postpone the April 7 primary election and extend the deadline for absentee balloting. The Legislature petitioned the state's highest court to reverse the governor's action, which they did. On the day before the election, the U.S. Supreme Court upheld the decision, ensuring the election went ahead as scheduled.

While 71 percent of the votes cast in Wisconsin's April 2020 election — more than one million — were cast via absentee ballot, the state's failure to extend the absentee balloting deadline forced an awful choice upon tens of thousands of additional voters who could not obtain their mail-in ballot timely.<sup>3</sup> With a shortage of workers willing to man the polls, a limited number of in-person poll sites were available to voters. The state's largest city, Milwaukee, has 181 poll sites open in a normal election; on April 7, it had five. Even with a statewide stay-at-home order in place, nearly half a million voters chose to vote in person. The concentration of poll sites led to long lines and wait times, creating a public health risk.

These novel and frightening barriers to voting have the potential to upend the entire crucial 2020 election year in every state. The challenges of in-person voting during a pandemic are clear and significant. Elections traditionally provide a time for citizens to gather together in large numbers to engage in the practice of democracy. But restrictions on public gatherings recommended by public health authorities in response to the spread of COVID-19 cast regular poll site operations in a new light.

In jurisdictions around the country, many voters wait packed together in long lines to make their voices heard. Institutions that regularly serve as poll sites may be justifiably concerned about allowing potential carriers to pass through their doors — especially senior centers or schools. While early voting opportunities can provide space for voters to follow physical distancing guidelines, they offer no such protection to the dedicated poll workers who interact with each voter requesting a ballot.

<sup>3</sup> By comparison, in April 2016 only 12 percent of votes—roughly 250,000 in Wisconsin's spring election—were cast via absentee ballot.

In response, many election experts and advocates have advocated for prompt and widespread adoption of vote by mail.

Washington State, for instance, mails ballots to every registered voter 18 days before each election. Voters can mail their ballots back or return them to designated ballot drop boxes by the end of Election Day. Four other states—Colorado, Hawaii, Oregon, and Utah—conduct all-mail elections.

In New York State, mail-in or absentee voting is available only to voters who can attest to a specific reason they will be unable to appear at the polls, either for absence or illness. While Governor Cuomo's order expanded the meaning of "temporary illness" to cover those seeking to stem the spread of COVID-19, its effects are temporary. As issued, it applies only to elections through June 23. By whatever means are available, expanded access to vote by mail should be offered to New Yorkers on a permanent basis.<sup>4</sup>

What we've learned in this moment is that universally-accessible vote by mail is not merely a turnout-boosting convenience. It can provide necessary resilience for our democratic system when the logistics of in-person balloting become impossible or impractical to maintain. It is one of a series of critical measures that should be available to administrators to ensure the continuity of our elections. New York should act promptly and decisively to implement it here.

The COVID-19 response effort is also shifting the way that organizers and campaigners approach the work of engaging voters. Traditional methods of registering voters will need to be rethought and campaign plans will need to be redesigned to adapt to the reality of an election year conducted during a pandemic. At minimum, a response that preserves New Yorkers' access to elections through crises will require New York to finally end its reliance on a paper-based voter registration system that depends heavily on face-to-face interaction to bring new voters into the democratic process.

<sup>4</sup> The New York State Constitution requires voters to attest to a reason they cannot appear at the polls in order to apply for an absentee ballot. In January 2019, the Legislature passed legislation to amend the Constitution to allow no-excuse absentee voting in New York State. Such legislation must be passed a second time in a subsequent consecutive session of the Legislature, and then put before voters in a statewide referendum before it can be enacted.

Times of crisis can force hard choices upon us; they demand we articulate our values and protect the things we value most. Elections are essential, particularly and especially in these difficult moments. In just the last twenty years, New Yorkers have come together to vote in the wake of a terrorist attack and in the aftermath of a destructive storm. Each instance demonstrates anew that our election laws and systems badly need flexibility to ensure elections can adapt effectively to public challenges like this one.

## DEMOCRACY WILL PERSIST — IF WE CHOOSE IT.

Amy M. Loprest

Executive Director, Campaign Finance Board

## INTRODUCTION

After decades of inaction, waves of reform have transformed New York elections.

The aim of this Charter-mandated report is to take a look back at the year recently finished, and review the activities and processes of voter registration and voting in New York City.

We are pleased to report that 2019 was a year during which New York took unprecedented, historic strides towards building a more participatory, responsive democracy for all its citizens. After decades of inaction, successive waves of reform have thoroughly transformed elections in New York. Those reforms are setting the stage for a crucial two-year series of elections — starting with this June and culminating with the election of a new mayor and City Council in November of 2021.

As recently as two years ago, analysts and advocates still decried New York's voting system as among the worst in the nation. States seeking to roll back their own reforms were pointing to New York's more restrictive voting laws as justification for erecting new barriers to the ballot.

In 2019, New York finally turned the page. As the year began, a backlog of long-awaited voting

<sup>66</sup> A backlog of long-awaited voting reforms rolled through the State Legislature and onto the governor's desk for enactment.

reforms rolled through the State Legislature and onto the governor's desk for enactment. New York joined 37 other states to offer early voting, expanding access to the polls for an additional nine days before the traditional single 15-hour Election Day. Early voting had a successful rollout in November of 2019, with 61 poll sites across New York City providing new flexibility for busy voters seeking the opportunity to cast a vote in person. (For further discussion on the implementation of early voting, see page 21.)

But early voting wasn't all. New York made a new commitment to engaging the emerging youth electorate by allowing 16- and 17-year-olds to pre-register as voters. The state consolidated the state and federal primary elections into

### Early voting had a successful rollout in 2019, with 61 poll sites across New York City providing new flexibility for busy voters seeking the opportunity to cast a vote in person.

a single date in June, requiring one fewer trip to the polls for voters to express their preferences. The state eased the deadline for voters to change their party enrollment — an issue of particular resonance for voters who had intended to cast votes in the presidential primary election. Starting this November, voters will get ballots that are easier to read, better ensuring that every voter's intent is accurately reflected on their ballot.

And the Legislature took the first concrete steps towards giving voters the opportunity to approve

a constitutional amendment that will expand access to vote by mail and establish same-day voter registration for New York State. If the Legislature approves these measures again next year, they could be on the ballot as soon as November 2021. (For discussion of proposals to further update New York's election laws, see page 45.)

While voters across New York State have started to realize the benefits of easier, more convenient access to their elections, New York City has continued innovating its way towards a more open, participatory local democracy.

In November, New York City voters approved — by a three-to-one margin (73.6 percent) — the adoption of ranked choice voting (RCV) for primary and special elections for city office.

Ranked choice voting more cleanly and completely reflects voter preferences than traditional winner-takes-all elections. In Council primaries, the old system has regularly produced plurality winners supported by fewer than one in three

of their districts' voters. In citywide races, the failure of a plurality winner to earn 40 percent of the vote triggered a separate runoff election, which invariably attracted few voters back to the polls.

By asking voters to rank up to five candidates, the new ranked choice system will spur candidates to speak to a broader audience and better identify the candidate with the broadest support. The zero-sum negative campaigns that are a persistent feature of winner-take-all elections will be less successful  In November 2019, New York City
voters approved
the adoption of
Ranked Choice
Voting (RCV)
for primary and
special elections
for city office. As the largest jurisdiction to adopt ranked choice voting, a successful implementation in New York City has the potential to lead the way for the nation. in the ranked-choice system, creating new norms of campaigning as candidates seek second-choice votes from voters who may support their opponents.

With prominent advocates, lawmakers, and editorial boards making the case for ranked choice voting during the presidential primaries, there is a growing recognition that RCV has the potential to remake American elections for the better. As the largest jurisdiction to adopt ranked choice voting, a successful implementation in New York City has the potential to lead the way for the nation.

As the city prepares to introduce the new system for the June 2021 local primary elections, the CFB will play a substantial role: the City Charter amendment directs the CFB to lead a voter-education campaign to familiarize voters with ranked choice voting. That effort will be part of a broader voter engagement campaign, the planning for which is well underway. (For further discussion of plans to implement ranked choice voting in New York City, see page 63.)

As we look ahead to the 2021 elections, the CFB is also preparing to administer a newly expanded public matching funds system citywide for the first time. Changes proposed by the 2018 Charter Revision Commission and approved by the voters in November of that year make it more possible for candidates to run for office with small-dollar support.

Next year, term limits will create wide-open races for mayor, comptroller, up to four of the borough presidencies, and most of the City Council. Initial indications are that voters will have an unprecedented range of choices in those elections.

With many candidates already building their campaigns this year in anticipation of the June 2021 primary, we expect a record-breaking number of candidates on the ballot. By further encouraging the participation of everyday New Yorkers in funding campaigns, the improvements to the matching funds program will ensure that voters' priorities are kept front and center in next year's elections.

<sup>66</sup>In 2021, term limits will create wideopen races for mayor, comptroller, up to four borough presidencies, and most of City Council. With a highly anticipated presidential election looming on the horizon and a wide-open city election following close behind, 2019 became a year to lay the groundwork for a vastly improved landscape for democratic participation and engagement in New York City.

In February, New Yorkers voted for public advocate and a City Council seat in Brooklyn in special elections, and for district attorney in Queens, judgeships and five ballot questions in the fall. (For further discussion of voter turnout in the 2019 elections, see page 13. Along with the agency's regular outreach work, for the CFB and its NYC Votes engagement campaign 2019 was largely a year to assess the changing landscape, make plans for the future, and start work on the programs that will build on the intensifying interest in this year's national elections.

Even with these broad-based improvements in making our democracy more accessible, research shows that additional work is needed to encourage certain populations to participate. In addition to our broad public information responsibilities, the CFB's Charter mandate directs the agency to give a particular focus to communities that are underrepresented in the city's electorate and assess where its work can make the greatest impact — particularly for youth voters and voters with limited English proficiency.

Through this mandate, the Charter makes it the CFB's mission to foster an electorate in New York City that is fully representative of all New Yorkers. A fully engaged electorate keeps our government honest, and ensures it reflects the priorities of the governed. The work of the agency aims to ensure that electorate can speak with a clear voice in 2020, and participate fully in setting the direction of the city in 2021.

As an independent, nonpartisan city agency, the CFB is particularly well-positioned to accomplish this work. Without directives from any single elected official or partisan oversight body, the CFB can rely on a non-political analysis of available data on voter behavior to inform the agency's decisions about where to focus its resources so that its work makes the greatest impact. <sup>66</sup> CFB's mission to foster a New York City electorate that is fully representative of all New Yorkers. A fully engaged electorate keeps our government honest, and ensures it reflects the priorities of the governed.

### <sup>66</sup>While registration rates are generally high, New York City voters do not show up to vote nearly often enough.

While registration rates are generally high, New York City voters do not show up to vote nearly often enough. There were a few conclusions that shone through the study of voter behavior published in the 2018–19 Voter Analysis Report, reinforcing two main areas of focus for the agency's planning for 2020–21. Consistent with the research,

the CFB identified two strategic goals for its NYC Votes campaign during this critical two-year run of elections, which were announced in September.

- Immigrant turnout: Higher levels of naturalized citizens in a neighborhood were found to be a strong predictor of lower turnout. These effects were particularly acute across a handful of neighborhoods in South Brooklyn, and in northern and central Queens. The 20K in 2020 initiative aims to register 20,000 naturalized citizens to vote in 10 neighborhoods<sup>5</sup> with large immigrant populations and persistently low voter turnout, and deliver 50 percent of them to vote in either 2020 or 2021.
- Youth turnout: Unlike patterns across most of the country, young (18–29) voters turn out at levels comparable to other age cohorts for presidential elections (and in other high-profile elections, like the 2018 midterms). However, younger voters participate at a particularly low rate in municipal elections. The We Power NYC campaign aims to double youth turnout for the November 2021 general election by getting 250,000 voters 18–29 to the polls.

For the 2019 Voter Analysis Report, the CFB has compiled an even richer analysis of voting behavior across New York City. Using voter history data from the past 10 years, the agency has created a "participation score" for every New York City voter, and referenced those scores against U.S. Census

data to compile an authoritative picture of which demographic variables are most predictive of New Yorkers' voting behavior.

This is the agency's most comprehensive look at voting behavior in New York to date. While many of the conclusions echo those from previous rounds of research, a few additional observations  Using voter history data from the past 10 years, the CFB has created a "Participation Score" for every New York City voter.

5 Bensonhurst East, Bensonhurst West, Brighton Beach, Homecrest, and Sunset Park East in Brooklyn; Elmhurst, Jamaica, Queensborough Hill, Richmond Hill, and South Ozone Park in Queens. stand out. In particular, the analysis shows that affiliation with a political party is a strong predictor of voting behavior—lack of affiliation with a party had the single largest negative impact on voting participation of any variable in the study. This finding is consistent with national research, and is an <sup>66</sup>Analysis shows that affiliation with a political party is a strong predictor of voting behavior.

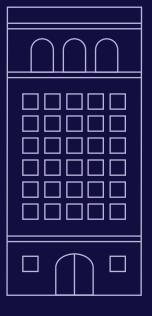
important observation about the role of political parties in New York City elections. (Details on the voting participation score research can be found starting at page 25.)

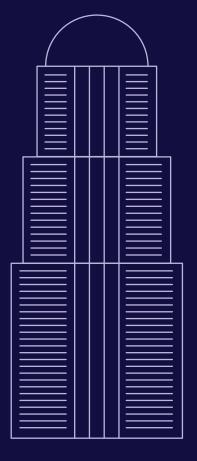
The CFB has also applied this voting participation research to a series of community profiles, which will provide advocates, organizers, and researchers with a detailed picture of voting behavior and key demographics for every neighborhood in New York City. (The community profiles can be accessed at www.nyccfb.info/CommunityProfiles.)

These detailed studies of New York City's voting population should provide a valuable contribution to the broader conversation about voting rights and voter engagement in New York City. As the work of engaging voters in the coming months and years continues, this research will help direct resources to the communities that need the most attention.

An engaged electorate has the best chance to build a government that is representative of all its citizens, and responsive to all its needs. In 2019, both the state and the city took significant, historic actions to build an election system that encourages every New Yorker to cast a ballot, and ensures their preferences are clearly expressed and heard. While much important work remains, New Yorkers should enter this critical election year with confidence and comfort that we have made major strides in strengthening our democracy. SECTION I. EXECUTIVE SUMMARY







# OVERVIEW AND ANALYSIS OF THE 2019 ELECTION SEE PAGE 13

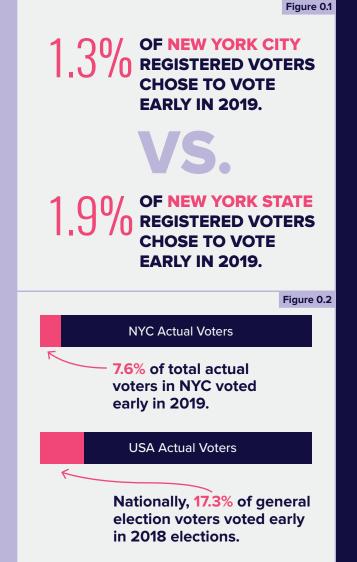
The 2019 election year was much less busy than the last three election years in terms of voter turnout and top-of-the-ticket races, but for the first time, New Yorkers were able to vote early in the general election.

New York City voters also voted on five ballot questions to change the City Charter and had the first ever citywide special election for Public Advocate.

## **EARLY VOTING**

A total of 61 poll sites were designated as early voting locations for the general election.

- Citywide, 1.3% of total registered voters chose to vote early, compared to 1.9% of total registered voters in all of New York State.
- Of total actual voters in the general election, 7.6% voted early. For comparison, 17.3% of general election voters nationwide chose to vote early in-person in the 2018 elections compared to other modes of voting such as on election day and by mail. Most of these states have had early voting for several election cycles.



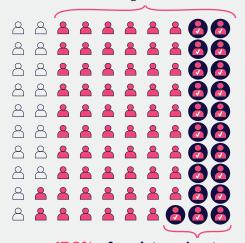
### **VOTER TURNOUT**

In general election 2019, overall voter turnout increased compared to the last judicial election year in 2015, continuing the national trend of higher voter turnout since 2016. However, only 17.2% of registered voters turned out to vote.

Geographically across the five boroughs, turnout continues to be highest in Manhattan and Brooklyn and lowest in the Bronx. Even greater turnout disparity can be seen from a community district level, which indicates that voter education and outreach to get out the vote should be focused on communities with consistently low voter turnout. Figure 0.3 General Election Turnout Shown with Registered Voters and Citizens of Voting Age

All Eligible Voters for the 2019 General Election 5,429,295 Eligible Voters

> **84.6% of eligible voters are registered to vote** 4,592,591 Registered Voters



**17.2% of registered voters turned out to vote.** 791,329 Actual Voters

Figure 0.4

### **YOUNG VOTERS**

Young voters, defined as 18–29 years old, continued a trend of higher turnout since 2016. In the 2019 general election, young voters made up 9.9% of actual voters; in 2015, young voters only made up 5.3% of actual voters. During presidential election years, young voters participate at the same level as older age groups, therefore the 2020 presidential election year, ahead of the 2021 citywide races, is the time to focus on getting younger people registered and engaged in voting. 2015

In 2015, young voters made up 5.3% of actual voters.

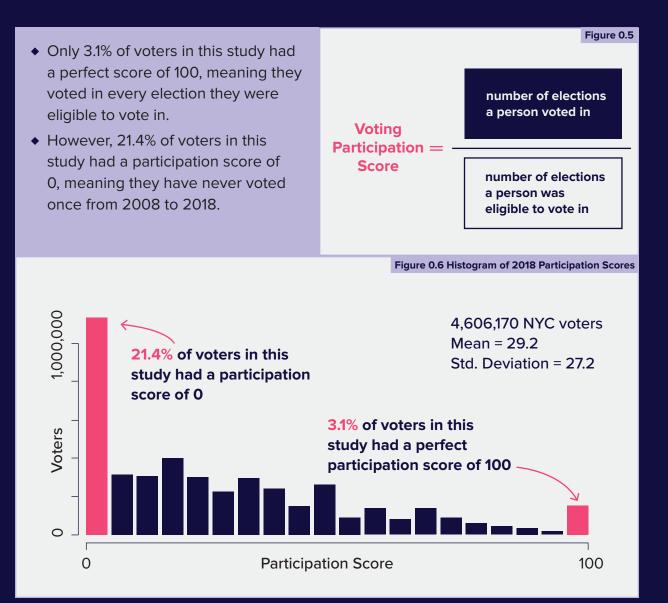
2019

In the 2019 general election, young voters made up 9.9% of actual voters.

Additional interactive maps showing voter turnout and registration rates are available at **nyccfb.info/VAR2019** 

## PARTICIPATION SCORE RESEARCH SEE PAGE 25

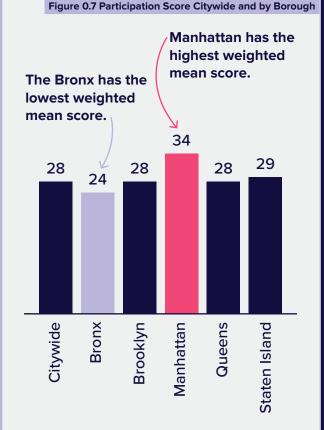
Our first-of-its-kind, ten year longitudinal study of voting behavior in New York City assigned a unique "participation score" to every New York City registered voter ranging from 0 to 100. This participation score is a ratio of the number of elections a person voted in over the number of elections they were eligible to vote in. It is weighted by number of eligible elections, given that it is easier to get a perfect score if you are eligible for one election than it is if you are eligible for 20 elections.



## WEIGHTED MEAN PARTICIPATION SCORE

These individual scores are weighted in order to count people who were eligible for many elections as more important than the people who have only been eligible for a couple elections and then averaged to determine a Community District Voting Participation Score for all of New York City: 28.

- The weighted mean score for Manhattan tops all boroughs at 34.
- The Bronx has the lowest weighted mean score at 24.



### **TOP TWO FINDINGS**

Lastly, we ran a linear regression with variables taken from the Census Bureau's American Community Survey in order to test if certain demographic characteristics and socioeconomic factors impact the voting behavior of New Yorkers. Our analysis drew a number of conclusions but our top two findings are:

#### **Top Negative Finding**

A high level of blank party affiliation, or voters who are not registered with a political party, have a negative effect on a census tract's average participation score.

#### **Top Positive Finding**

A high percentage of voters aged 50 or older have a positive effect on a census tract's average participation score.

## POLICY & LEGISLATIVE RECOMMENDATIONS SEE PAGE 45

This section discusses several recommended policy and legislative reforms to expand voting rights and to make voting as easy as possible.

## LEGISLATIVE RECOMMENDATIONS

While much has been accomplished through legislative means in the past year, the report makes several recommendations to improve access to voter registration and voting for New Yorkers.

## **RIGHTS RESTORATION FOR PAROLEES**

#### **Recommendation 1.**

Pass legislation to automatically restore voting rights to parolees

### **VOTER REGISTRATION**

### Recommendation 2.

Pass same day voter registration and no excuse absentee voting for the second time in next year's Albany legislative session

#### **Recommendation 3.**

Pass Automatic Voter Registration and online voter registration laws that will make it easier for New Yorkers to register to vote

## POLICY RECOMMENDATIONS

Other policy recommendations are aimed at improving election administration, taking into consideration early voting, additional language interpretrer support provided by the new Civic Engagement Commission, and implementing ranked choice voting for 2021 municipal elections.

### **EARLY VOTING**

**Recommendation 4.** Open additional early voting polling sites

**Recommendation 5.** Replace some or all assigned poll sites with vote centers

## LANGUAGE ACCESS

#### **Recommendation 6.**

Distribute poll site interpreters to reflect location of limited English proficient communities

### **RANKED CHOICE VOTING IN 2021**

#### **Recommendation 7.**

Continue using DS200 voting machines for Ranked Choice Voting elections

**Recommendation 8.** Publish guidelines for election night results reporting

#### **Recommendation 9.**

Prepare a robust voter education plan to educate New Yorkers about Ranked Choice Voting in 2021

## **NYC VOTES** PROGRAMMING HIGHLIGHTS

The ongoing work of the CFB's Public Affairs division—particularly its efforts to engage new immigrants and youth voters—laid the groundwork for the NYC Votes engagement strategy for 2020–21. The research into New Yorkers' voting behavior that defined the campaign's two main areas of focus aligns well with the CFB's existing Charter mandates and builds on the agency's work during 2019. Key examples are provided below.

## **IMMIGRANTS**

Since 2013, the CFB has partnered with the U.S. Citizenship and Immigration Services to offer newlynaturalized citizens the opportunity to register to vote immediately following their naturalization ceremonies. With support from the New York City Board of Elections and Dominicanos USA, the NYC Votes campaign registered more than **5,300 new voters** at over **75 ceremonies** throughout the year at the Federal Building in Lower Manhattan.

Research suggests that naturalized citizens need regular information about the political process and guidance on navigating an election system that is new to them as well as encouragement to participate. To help convert these new registrants to new voters, NYC Votes continues its engagement with new citizens well beyond the naturalization ceremonies through canvassing events, nonpartisan getout-the-vote phone banks, and digital outreach.

With the research published in the 2018–19 Voter Analysis Report as a guide, the CFB's outreach to New York's immigrant community will be expanded through the 2021 elections to encompass on-the-ground outreach to immigrant voters in 10 neighborhoods across Brooklyn and Queens with high rates of naturalized citizens and persistently low voter turnout.

## BY THE NUMBERS NYC VOTES

## 75+

NATURALIZATION CEREMONIES AT THE FEDERAL BUILDING IN LOWER MANHATTAN

## 5,300

NEW VOTERS REGISTERED AT NATURALIZATION CEREMONIES

## YOUTH

Every summer, NYC Votes Street Team interns conduct workshops with young people across the five boroughs to deliver the basics on civic engagement and voting, helping students understand the power they have to improve their lives by engaging in their democracy.

In summer 2019, the team redeveloped NYC Votes' civic curriculum around a **peer-to-peer** model. For most students, the most effective messengers are their peers. As the team presented, they did a lot of listening to their peers. They heard that many young people are extremely active in their communities, and knowledgeable about the issues that impact them and their families. Still, youth voter turnout rates suggest that their activism does not always translate into showing up at the polls. Through dialogue, the Street Team's presentations help both groups identify the information and resources they need to connect their voting power to their lived experience, help them make confident, informed choices at the polls, and energize and educate their peers in their own communities.

Responding to this feedback, the Street Team's redeveloped training curriculum provides young people with information about voting patterns along with institutional knowledge about government and elections, to help young people better understand the power of their voice in city elections. Using examples like affordable housing and public safety, the curriculum connects the issues young people care about to the roles and responsibilities of their elected officials.

The presentations help students address barriers to voting in their voter mobilization and organizing efforts. The presentation provides additional information for students who do not have access to voting or who are not eligible to vote due to their immigration status, as well as information on voting rights and accessibility for individuals without permanent housing, survivors of domestic violence, or individuals who were formerly incarcerated.

## BY THE NUMBERS NYC VOTES STREET TEAM

36

WORKSHOPS BETWEEN JUNE AND DECEMBER 2019

## 1,600

YOUNG PEOPLE TRAINED TO ENGAGE IN THEIR NEIGHBORHOODS NYC Votes worked with partners across city government — including the Department of Youth and Community Development (DYCD) and its Summer Youth Employment Programs; the Department of Education; and DemocracyNYC — and with community-based organizations, including the New York, Brooklyn, and Queens Public Libraries. The Street Team **held 36 workshops** between June and December 2019, **training nearly 1,600 young people** across the city to deliver the message of engagement and empowerment to their own neighborhoods.

To supplement these efforts, on August 7 the Street Team organized a first-of-its kind public hearing of the Voter Assistance Advisory Committee, organized by and for youth. Entitled **We the Young People**, the hearing featured **testimony from 20 young people** from around the city. (Another 10 students who could not attend provided written testimony.)

The hearing provided an opportunity for the Street Team interns to train students—most of whom had never testified at a public hearing before—on how to prepare testimony and present their thoughts at a government meeting.

The student leaders who attended the hearing talked about their activism and the issues they care about, and about their experiences with elections. They talked about the barriers they perceive to more robust participation among their peers—including lack of access to trusted information, and a lack of civic education in the schools.

## BY THE NUMBERS WE THE YOUNG PEOPLE HEARING

20 YOUNG PEOPLE GIVE TESTIMONY

STUDENTS PROVIDE WRITTEN TESTIMONY

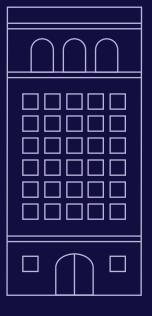
## **WE POWER NYC** CAMPAIGN

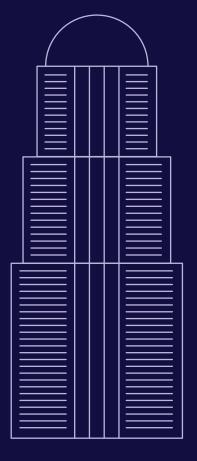
## Our Goal: To double youth turnout in the 2021 general election.

These efforts provided a strong foundation for the We Power NYC campaign, a two-year effort to double youth turnout in the 2021 general election. That campaign represents a commitment to put youth voices at the forefront of future NYC Votes programming, and brings together the quantitative research highlighted in the 2018–19 Voter Analysis Report with qualitative research including focus groups with engaged youth from across the five boroughs—into messages and issues that best represent the voices of New York City youth.

## SECTION II. OVERVIEW AND ANALYSIS OF THE 2019 ELECTION







## ON THE BALLOT IN 2019

While 2019 was a historic year for election reform, it was a relatively quiet year for elections. There were no state or federal races on the ballot in New York City. At the municipal level, vacancies resulted in special elections for public advocate and for City Council in District 45. City civil court and supreme court judgeships were on the ballot in every borough and the Bronx, Queens, and Staten Island elected district attorneys.

In the general election, New Yorkers also voted on five ballot questions to amend the City Charter, and for the first time ever, could vote early in person, for nine days prior to general election day, at designated early voting poll sites.

## **GENERAL ELECTION**

Voter turnout for the November 2019 general election was high compared to the previous comparable general election in November 2015.<sup>1</sup> The total citywide voter turnout, calculated from the number of actual voters over the number of registered eligible voters, was 17.2 percent.<sup>2</sup> This is compared to a total citywide voter turnout of 10.0 percent in 2015.

Figure 1.1

### General Election 2019 – Citywide Voter Turnout

Voters	Registered Voters	Turnout
791,329	4,592,591	17.2%

Compared to the previous three election cycles, voter turnout in November 2019 was much lower because, other than the public advocate race, there were no executive and legislative races on the ballot for municipal, state, or federal races to draw interest. Presidential election years reliably net the greatest voter turnout—which makes the current 2020 presidential year a crucial time to register, inform, and engage first-time voters ahead of the 2021 municipal elections.

<sup>1</sup> Comparing voter turnout rates between election years is complicated by what types of elections occured in the given years. The 2019 general election turnout is calculated from the citywide public advocate total. The 2015 general election had no citywide race on the ballot, so turnout is calculated from voters in Senate District 19, Assembly Districts 29 and 46, and City Council Districts 23 and 51. Turnout in judicial races only is not part of the 2015 calculation.

<sup>2</sup> Turnout rate is calculated as the number of election voters over the number of registered eligible voters unless otherwise specified in a footnote. All turnout calculations use the New York City Board of Elections voter history file compiled February 2020, unless otherwise cited.

### Figure 1.2 General Election 2015–2019 — Voter Turnout by Election Cycle

Year	On the Ba	llot Across New York City	Turnout
2015	Judicial	Civil court and supreme court judgeships	10.0%
2016	Federal	President	60.4%
2017	NYC	Mayor, Public Advocate, Comptroller, Borough President, City Council	25.2%
2018	Federal	U.S. Senate, U.S. Congress	46.0%
	State	Governor, Lt. Governor, Attorney General, Comptroller, State Senate, State Assembly	
	City	Citywide Ballot Ballot Proposals	
2019	Judicial	Civil court and supreme court judgeships	17.2%
	NYC	Public Advocate, Citywide Ballot Ballot Proposals	

For the second year in a row, New Yorkers voted on ballot proposals to amend the City Charter. A total of 19 different changes were grouped by category into five separate questions.<sup>3</sup>

- Ballot Proposal 1 dealt with elections changes including replacing plurality, single-choice voting with ranked choice voting for city primary and special elections.
- Ballot Proposal 2 made administrative and structural changes to the Civilian Complaint Review Board, the main New York City Police Department oversight body, and also expanded their investigatory powers.
- Ballot Proposal 3 addressed miscellaneous ethics and governance related changes, including requiring the City Council's sign-off on the Mayor's appointment of the Corporation Counsel.
- **Ballot Proposal 4** made procedural changes to the city budget and provided minimum budgets for certain elected offices.
- Ballot Proposal 5 changed the timeline and process of the city's Uniform Land Use Review Procedure.

Even though the questions appeared on the second page of the general election ballot, there was surprisingly little drop-off between total ballots cast

<sup>3 2019</sup> New York City Charter Revision Commission. (2019, August 2). Final Report of The 2019 New York City Charter Revision Commission. Retrieved from https://static1.squarespace.com/static/5bfc4cecfcf7fde7d3719c06/t/5d83dffbf8 b08c5b3087ecc4/1568923645088/Final+Report\_8.2.pdf

and votes cast on each ballot question.<sup>4</sup> Votes cast for Ballot Proposal 1 were 13.0 percent less than total votes cast, with drop-off growing progressively between the first and last questions; 16.9 percent fewer votes were cast for Ballot Proposal 5 than the total number of votes.<sup>5</sup>

In 2018, drop-off rates for the three proposals made by the 2018 Charter Revision Commission were higher. Ballot Proposal 1– Campaign Finance had a drop-off of 25.4 percent citywide, Ballot Proposal 2– Civic Engagement Commission had a drop–off of 26.3 percent, and Ballot Proposal 3– Community Boards had a drop-off of 26.1 percent.<sup>6</sup>

#### Figure 1.3

#### General Election 2019 — Ballots Cast for Ballot Proposals

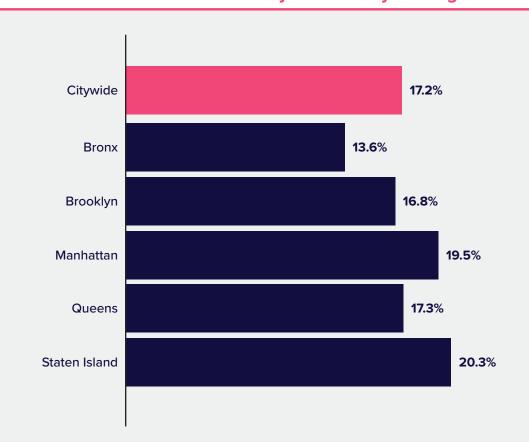
	Votes	Drop-Off
Total Ballots Cast	796,253	
Ballot Proposal 1 Elections	693,053	-13.0%
Ballot Proposal 2 Civilian Complaint Review Board	684,317	-14.1%
Ballot Proposal 3 Ethics & Governance	671,927	-15.6%
Ballot Proposal 4 City Budget	670,528	-15.8%
Ballot Proposal 5 Land Use	661,584	-16.9%

Three boroughs exceeded the citywide total voter turnout of 17.2 percent: Queens with 17.3 percent, Manhattan with 19.5 percent, and Staten Island with 20.3 percent. Voter turnout in the Bronx and Brooklyn was 13.6 percent and 16.8 percent respectively, both below the citywide voter turnout rate. In years past, the voter turnout rate in the Bronx and Brooklyn has fallen behind that of the overall city rate. So, while turnout was higher in 2019 than in previous off-cycle election years, the geographic distribution of voter turnout has remained largely the same.

<sup>4</sup> Kimball, David and Martha Kropf. (n.d.) Voting technology, ballot measures and residual votes. *University of Missouri-St. Louis*. Retrieved from http://www.umsl.edu/~kimballd/kkapr08april.pdf

<sup>5</sup> Roll–off, or residual votes, are calculated as the difference between total ballots cast and votes cast for each ballot question.

<sup>6 2018–2019</sup> Voter analysis report, 35. (2019). *New York City Campaign Finance Board*. Retrieved from https://www.nyccfb.info/pdf/Voter\_Analysis\_Report\_2019.pdf

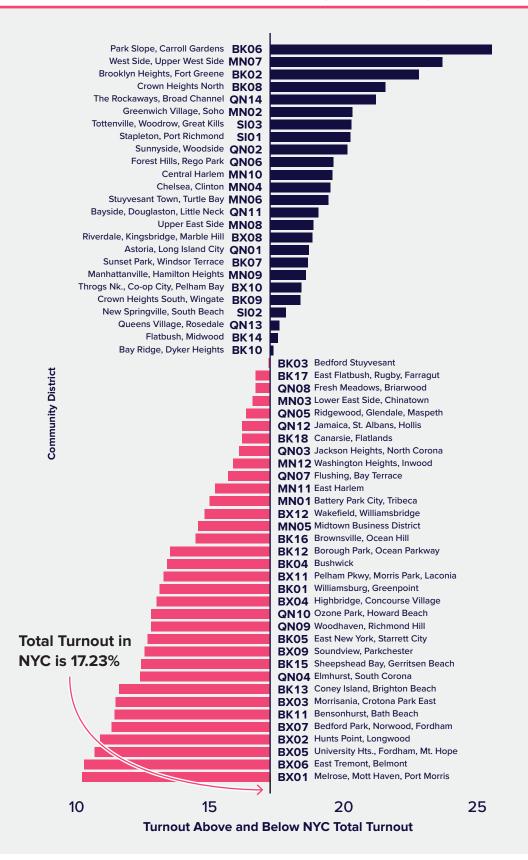


### Figure 1.4 General Election 2019 Turnout Citywide and by Borough

Voter turnout also varied between the city's 59 Community Districts, which are administrative districts that correlate to community board boundaries. Brooklyn Community District 6 (Carroll Gardens and Park Slope) saw voter turnout almost 8.3 percent greater than the citywide average, while Bronx Community District 1 (Mott Haven and Montrose) saw voter turnout almost 7 percent lower than the citywide average.<sup>7</sup> In past years, wealthy neighborhoods with high levels of education, particularly in Manhattan, have consistently seen turnout higher than the citywide turnout, and that trend continued in 2019. Looking at voter turnout on a community district level highlights the potential value of focusing voter education and outreach efforts on communities with consistently low voter turnout.

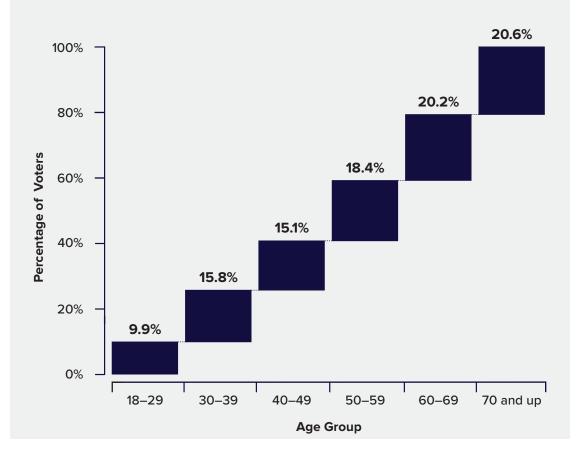
<sup>7</sup> Brooklyn Community District 6 includes the neighborhoods of Carroll Gardens, Cobble Hill, Columbia St, Gowanus, Park Slope and Red Hook. Bronx Community District 1 includes the neighborhoods of Melrose, Mott Haven and Port Morris.





As in previous elections, older voters made up a larger percentage of actual voter turnout in the 2019 general election than younger voters. However, voters between the ages of 18 and 29 nearly doubled their share of total votes compared to the 2015 general election. In 2019, voters aged 18–29 made up 9.9 percent of actual voters, but in 2015 young voters only made up 5.3 percent of actual voters.<sup>8</sup>

During presidential election years, voters aged 18–29 generally participate at the same level as other age groups. Anticipating increased interest among younger voters in participating in the November 2020 election, the CFB plans a focus on getting young people registered and engaged during the 2020 presidential election year, as a first step to build excitement for the 2021 citywide races.



#### Figure 1.6

#### General Election 2019 Actual Voters by Age Group

8 Percentages of voters by age group calculated as number of voters in each age group over number of total voters in the election.

## EARLY VOTING

For the first time ever, New Yorkers were able to vote early in person for nine days prior to general election day at designated early voting poll sites.<sup>9</sup> Voters were assigned specific early voting sites based on their proximity to the identified sites.

In total there were 61 early voting locations in New York City, with 11 in the Bronx, 18 in Brooklyn, 14 in Queens, and 9 each in Manhattan and Staten Island.<sup>10</sup> The Bronx and Queens saw the smallest percentage of early ballots cast out of the total number of general election voters, with 5 percent and 6.5 percent respectively. Citywide, 7.6 percent of general election voters chose to vote early. The federal Election Assistance Commission reports that, of the states surveyed in 2018, 17.3 percent of general election voters chose to vote early in-person compared to other modes of voting such as on election day and by mail.<sup>11</sup>

Borough	Early Voters	Percent of Ballots Cast Early
Bronx	4,893	5.0%
Brooklyn	17,976	7.4%
Manhattan	19,865	10.3%
Queens	13,129	6.5%
Staten Island	4,247	7.3%
Total	60,110	7.6%

#### Figure 1.7

### General Election 2019 — Early Voting By Borough

The CFB has several recommended changes to early voting in the Legislative and Policy Recommendations section of this report, and we hope to perform additional site-specific analysis of early voting as more data from the Board of Elections becomes available.

<sup>9</sup> Early voting took place from Saturday, October 26 through Sunday November 3, 2019. Early voting pollsite hours varied by day: from 10am to 4pm on Saturday and Sunday; from 9am to 5pm on Monday, Wednesday and Thursday; and from 7am to 8pm on Tuesday and Friday. See: New York City Board of Election. (n.d.) Information on early voting. *Vote NYC*. Retrieved from https://www.vote.nyc.ny.us/html/voters/earlyVoting.shtml

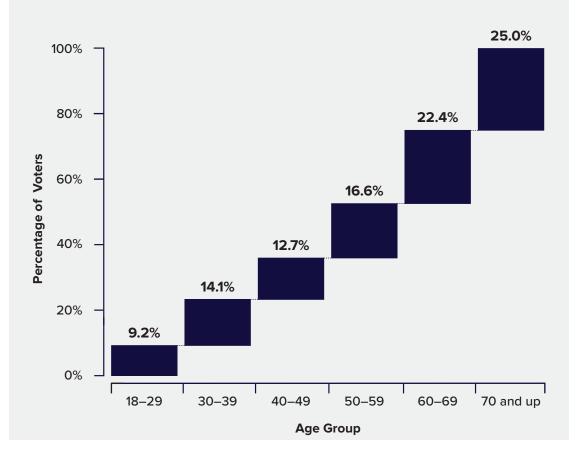
<sup>10</sup> New York City Board of Elections. (n.d) Information on early voting. *Vote NYC*. Retrieved from https://www.vote.nyc. ny.us/html/voters/earlyVoting.shtml

<sup>11</sup> Election administration and voting survey 2018 comprehensive report, 11–12. (2018, January 6). *Election Assistance Commission*. Retrieved from https://www.eac.gov/sites/default/files/eac\_assets/1/6/2018\_EAVS\_Report.pdf

## **PRIMARY ELECTION**

No citywide offices were on the ballot in the June 2019 primary election. Brooklyn Council District 45 (Flatbush, East Flatbush, Midwood, Marine Park, Flatlands, Kensington) and the Queens district attorney races were the most closely contested races in June 2019.

Voter turnout for all of Queens and the neighborhoods that make up Council District 45 was 11.9 percent. Younger voters continued the trend of turning out at higher rates than normal in off-cycle election years. Voters aged 18–29 made up 9.2 percent of total voters for the 2019 primary, compared to only 6.0 percent of total voters in a 2015 Council District 23 primary election.<sup>12</sup>



### Figure 1.8 Primary Election 2019 Voters by Age Group

12 Percentages of voters by age group calculated as number of voters in each age group over number of total voters in the election.

## SPECIAL ELECTIONS

Letitia James' election as New York State Attorney General in November 2018 led to a vacancy in the office of public advocate; Jumaane Williams's victory in the ensuing special election led to a City Council vacancy in Council District 45. While recent special elections, particularly ones for city office, have shown higher voter turnout than in years past, they still lag behind turnout for primary and general elections.

The special election for public advocate, which was also the first-ever citywide special election, was held on February 26, 2019 and drew a voter turnout of 9.5 percent. A record number of 17 candidates made it on the ballot.<sup>13</sup>

Voter turnout for the Brooklyn City Council District 45 race held on May 14, 2019 was 10.6 percent. A total of eight candidates were listed on the ballot.<sup>14</sup>

#### Figure 1.9

### **Special Elections Turnout**

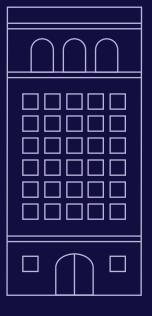
	Voters	Turnout
Council District 45	9,728	10.6%
Public Advocate	422,946	9.5%

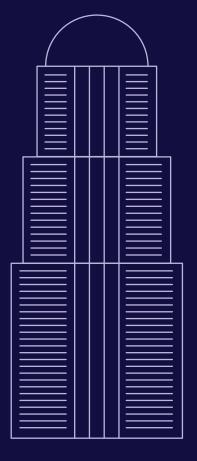
<sup>13</sup> New York City Board of Elections. (n.d.) Special election public advocate – February 26, 2019, certified election results. Vote NYC. Retrieved from https://vote.nyc/page/election\_results\_summary#p3

<sup>14</sup> New York City Board of Elections. (n.d.) Special election city council district 45 – May 14, 2019, certified election results. *Vote NYC*. Retrieved from https://vote.nyc/page/election\_results\_summary#p3

SECTION III. PARTICIPATION SCORE RESEARCH







In furtherance of the CFB's Charter mandate to analyze the factors that impact voter participation in New York City, the CFB has undertaken original research to help planners, activists, administrators, and advocates better understand which New Yorkers vote, and why.

Last year's Voter Analysis Report included a section analyzing the influence of demographics at the neighborhood level on voter turnout in the 2018 general election.<sup>15</sup> Our analysis showed that the age, race, education, and population of naturalized citizens of a neighborhood had the biggest impact on voter turnout in November 2018.

This year, to further our analysis, we created a ten year longitudinal study at a smaller geography, the census tract level, with similar research questions:

- **1.** Which areas of New York City had the lowest voter turnout across the last 10 years?
- 2. Who lives in those low turnout areas?
- **3.** Which demographic and socioeconomic factors impacted the voting behavior of New Yorkers over the last 10 years? What differentiates low turnout and high turnout areas?

For this longitudinal study, we analyzed data at the census tract level instead of by neighborhoods in order to detect voting behavior patterns at a more granular level. We also chose to look at voting behavior over the decade-long period from 2008–2018, because it is the most natural starting point for studying this era of voting behavior. Nationwide, the 2008 Presidential election recorded the most votes in history.<sup>16</sup> 2008 also marks the year Millennials started to enter the electorate, producing record-breaking turnout for youth and minority voters.<sup>17</sup> In New York City, the 2008 general election produced the highest percentage turnout in recent memory.

This ten-year model shows that the demographics that impact turnout positively are: being older (50 years old and over), having more education (high school diploma or more), and being Asian or White. The factors that impact turnout negatively are: being unaffiliated with a political party and being a naturalized citizen.

<sup>15 2018-2019</sup> Voter Analysis Report. (n.d.) New York City Campaign Finance Board. Retrieved from https://www.nyccfb.info/media/reports/2018-2019-voter-analysis-report/

<sup>16</sup> Barr, Andy. (2008, November 5) 2008 turnout shatters all records. *Politico*. Retrieved from https://www.politico.com/story/2008/11/2008-turnout-shatters-all-records-015306

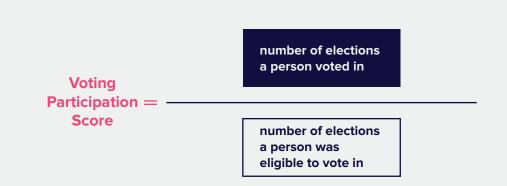
<sup>17</sup> Hais, Michael & Morley Winograd. (18 December, 2008). It's official: Millennials realigned american politics in 2008. *HuffPost.* Retrieved from https://www.huffpost.com/entry/its-official-millennials\_b\_144357

## PARTICIPATION SCORING

For this analysis, we created a unique "participation score" for each individual voter in New York City.<sup>18</sup> Instead of looking at participation within the view of a single election, our participation score takes a longer view. The ten-year time frame allowed us to identify voters who score highly because they vote in every election or most elections, versus voters who vote intermittently or not at all.

#### Fig 2.1

#### **Participation Score Calculation**



We used two types of files from the New York City Board of Elections:

- **1.** The active voter file, which lists an up-to-date address registered to the voter, thus allowing us to determine eligible elections for each voter in each year, and
- 2. The voter history file used to determine every election a voter voted in.<sup>19</sup>

Both files identify each registered voter with a CountyEMSID, a unique serial number given to every registered voter in the city.

The New York City Board of Elections active voter file contains the following pertinent information: CountyEMSID, and identifying information about each voter, including address; date of birth; date of voter registration; gender; political party affiliation; and the following political districts: election district, state assembly district, congressional district, city council district, state senate district, civil court district, judicial district.

<sup>18</sup> All participation score voting history calculations use the New York City Board of Elections active voter and voter history files.

<sup>19</sup> The participation score includes all elections for federal, state, and municipal representatives, including special and off-cycle elections. It does not include judicial or county committee elections where no representative offices are on the ballot.

# Figure 2.2 Example of Voter File

	A	В	С	D	E	F	G	н	I.	J	К	L	м	N	0	Р	
1	County EMSID	Last Name	First Name	Middle Initial				Apartment Number	Street Name	City			Mailing Address		Gender	Political Party	¢
2	123456789	DOE	JANE	E		32-86		B1	35 STREET	ASTORIA	11106	1101		19710101	F	DEM	
3	911783467	RUBIO	ELLIE	L		389		A	MORGAN AVENUE	BROOKLYN	11211			19760921	F	BLK	2
4	848425362	ROBERTSON	HOMER	А	JR	250		20C	WEST 93 STREET	NEW YORK	10025	1002		19470215	м	DEM	Y
5	604445982	DOTSON	ILLAYDA			15		4D	MARCY PLACE	BRONX	10452	1045		19850802	F	REP	N
6	180428962	GATES	LAWRENCE	Т		53		1	WALL STREET	STATEN ISLAND	10301			19590326	м	DEM	$\nabla$
-																	

Q	R	S	т	U	V	W	х	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH
															Future Other	Party Effective	Email Address
	5	36	12	22	12	1	11	20120507	A	R	20120507	2019	212-555-1234				
	16	50	12	34	18	3	2	20001006	A	R	20040610	2019					
	87	67	10	6	31	5	1	19760101	A	R	19760101	2018		CON		20191112	
	3	84	15	16	29	2	12	20030107	A	R	20030107	2012	718-732-5597				
	1	61	11	49	23	1	13	19921002	A	R	19921002	2019					
		Other Election Party District 5 16	Other Election Assembly Party District District 5 36 16 50 87 67 3 84	Other Party     Election District     Assembly District     Congress District       5     36     12       16     50     12       87     67     10       3     84     15	Other Party     Election District     Assembly District     Congress District     Council District       5     36     12     22       16     50     12     34       87     67     10     66       3     84     15     16	Other Party     Election District     Assembly District     Congress District     Council District     Senate District       5     36     12     22     12       16     50     12     34     18       87     67     10     6     31       3     84     15     16     29	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Court District       5     36     12     22     12     1       16     50     12     34     18     3       87     67     10     6     31     5       3     84     15     16     29     2	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Court District     Judicial District       5     36     12     22     12     1     11       16     50     12     34     18     3     2       87     67     10     6     31     5     1       3     84     15     16     29     2     12	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Court     Registration District       5     36     12     22     12     1     11     20120507       16     50     12     34     18     3     2     20001006       87     67     10     6     31     5     1     19760101       3     84     15     16     29     2     12     20031076	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Court District     Judicial District     Registration Date     Status Code       5     36     12     22     12     1     11     20120507     A       16     50     12     34     18     3     2     2001006     A       87     67     10     6     31     5     1     119760101     A       3     84     15     16     29     2     12     20030107     A	Other Party     Election District     Assembly District     Congress District     Council District     Senate Court District     Civil Court District     Registration District     Status Court District     Voter Code       5     36     12     22     12     1     11     20120507     A     R       16     50     12     34     18     3     2     20001006     A     R       87     67     10     6     31     5     1     19760101     A     R       3     84     15     16     29     2     12     20030107     A     R	Other Party     Election District     Assembly District     Congress District     Council Senate District     Civil District     Judicial District     Registration District     Status Date     Voter Code     EFFStatus Type       5     36     12     22     12     1     11     20120507     A     R     20120507       16     50     12     34     18     3     2     20001006     A     R     20120507       87     67     10     6     31     5     1     19760101     A     R     19760101       3     84     15     16     29     2     12     2030107     A     R     20030107	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Court District     Judicial District     Registration Date     Status     Voter     EFFStatus     YearLast Voted       5     36     12     22     12     1     111     20120507     A     R     20120507     2019       16     50     12     34     18     3     2     2001006     A     R     20120507     2019       87     67     10     6     31     5     1     19760101     A     R     20030107     2012       3     84     15     16     29     2     12     20030107     A     R     2030107     2012	Other Party     Election District     Assembly District     Congress District     Council Senate District     Civil Court District     Judicial District     Registration Date     Status Code     Voter Type     EFFStatus Change     YearLast Voted     Telephone       5     36     12     22     12     1     11     20120507     A     R     20120507     2019     212-555-1234       16     50     12     34     18     3     2     20001006     A     R     20120507     2019     212-555-1234       887     67     10     6     31     5     1     19760101     A     R     20030107     2018       3     84     15     16     29     2     12     20030107     A     R     20030107     2012     718-732-5597	Other Party     Election District     Assembly District     Congress District     Council District     Sende District     Civil District     Judicial District     Registration District     Status Code     Voter Type     EFFStatus Change     YearLast Voted     Future Telephone     Future Party       5     36     12     22     1     11     20120507     A     R     20120507     2019     212-555-1234       16     50     12     34     18     3     2     20001006     A     R     20040610     2019     1     1     19760101     A     R     20040610     2018     CON       87     67     10     6     31     5     11     19760101     A     R     20030107     2018     CON       3     84     15     16     29     2     12     20030107     A     R     2030107     2012     718-732-5597	Other Party     Election District     Assembly District     Congress District     Council District     Senate District     Civil Dustrict     Judicial District     Registration Date     Status     Voter     EFFStatus     VearLast     Future Telephone     Future Future     Other Other       5     36     12     22     12     1     11     20120507     A     R     20120507     2019     212-55-1234 <td>Other Party     Election District     Assembly District     Congress District     Council District     Seature District     Registration Date     Status Code     Voter Tope     EFFStatus Change     Value Value     Future Future Value     Future Party     Future Pa</td>	Other Party     Election District     Assembly District     Congress District     Council District     Seature District     Registration Date     Status Code     Voter Tope     EFFStatus Change     Value Value     Future Future Value     Future Party     Future Pa

The New York City Board of Elections voter history file lists every election that each registered voter voted in while they were registered to vote in New York City. It includes the following pertinent information: CountyEMSID, the political party the voter was affiliated with at the time of voting, and the election date and type. If a voter did not vote in an election, the history file does not list their EMSID for that election date. The voter history file does not contain which candidate a person voted for.

#### Figure 2.3

#### **Example of Voter History**

	А	В	С	D	E	F	G	н
1	County EMSID	County	Assembly Distric	Election District	Political Party	ElectionDate	Election Type	Voter Type
2	123456789	24	53	2	DEM	20121106	GE	R
3	123456789	24	53	2	DEM	20130910	PR	R
4	123456789	24	53	2	DEM	20131001	RO	R
5	123456789	24	53	2	DEM	20131105	GE	R
6	123456789	41	36	5	DEM	20160419	PP	R
7	123456789	41	36	5	DEM	20161108	GE	R
8	123456789	41	36	5	DEM	20170912	PR	R
9	123456789	41	36	5	DEM	20171107	GE	R

Thanks to our partnership with the CUNY Center for Urban Research at The Graduate Center, we were able to gather 10 years worth of active voter files to trace back eligibility for each election that happened in New York City from 2008–2018, even in the case of active voters moving within the city during that ten-year period. We used the February 2019 history file, which contains every election a voter voted in up through the November 2018 general election, to determine whether a person voted in an eligible election or not.

The New York City Board of Elections voter file already contains political districts for each voter based on their address. Each of the ten active voter files were geocoded using the New York City Department of City Planning's Geosupport tool to place all voters in a Community District, Neighborhood Tabulation Area (NTA), and census tract and block.

Creating a participation score for each individual voter was a three step process:

- We combined all ten voter files in order to collate all active voters. This process also incorporated newly registered voters and voters who became active after being inactive, as well as new address information for voters who moved.
- **2.** We then used the 2019 history file to identify which elections from 2008–2018 a voter actually participated in.
- **3.** If a voter was in the voter file from a previous year but was no longer active in 2018, we took them out of the study. All other voters who were eligible for an election and were found to have voted in an election were given a "1" for that election. If a voter was not eligible for a particular election (for instance they were not living in a district with a special election or a primary election, or if their registration date was after the election), they were given an "NA" for that election. If a voter was eligible for an election but was not in the history file as having voted in that election, they were given a "0" for that election.

This process gave us the participation score, or a ratio of the number of elections a person voted in over the number of elections they were eligible to vote in. The participation score ranges from 0 to 100.

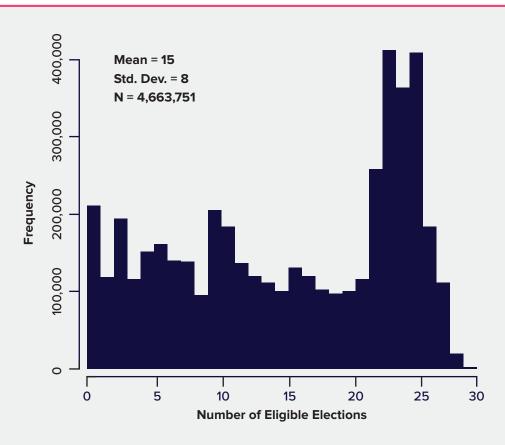
The table with participation score calculations does not contain any personallyidentifiable information, except the CountyEMSID. A completely anonymized version of the table will be posted on the New York City Open Data portal. The CFB will not reveal individual participation scores with personally identifiable information attached.

### WEIGHTING

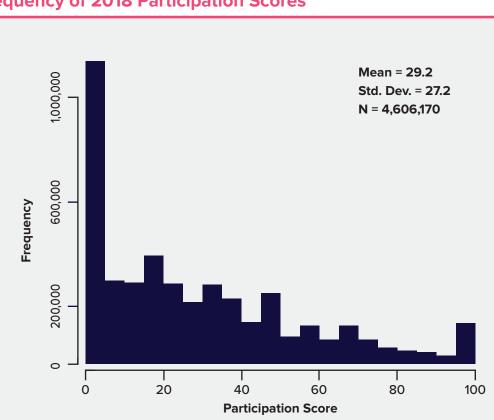
To account for the fact that it is easier to vote in the only election you have been eligible for than it is to vote in the past 20 elections you have been eligible for, we decided to weight the eligible elections value. We could not ascertain a pattern in the participation or eligibility that correlates with age, so we decided to weight based on proportion. The maximum number of eligible elections for voters in the 2018 active voter file was 32 elections. This therefore became the unweighted value, and each other eligibility sum became weighted by its proportion to 32. For example, 1 eligible election is weighted by 1/32, 2 eligible elections is weighted by 2/32, etc.<sup>20</sup>

Figure 2.4

### **Frequency of Eligible Elections**



20 This weighting methodology was conceptualized with the help of Robert Y. Shapiro, Wallace S. Sayre Professor of Government and Professor of International and Public Affairs at Columbia University School of International and Public Affairs, who has expertise in voting, elections, and quantitative methods.



### Frequency of 2018 Participation Scores

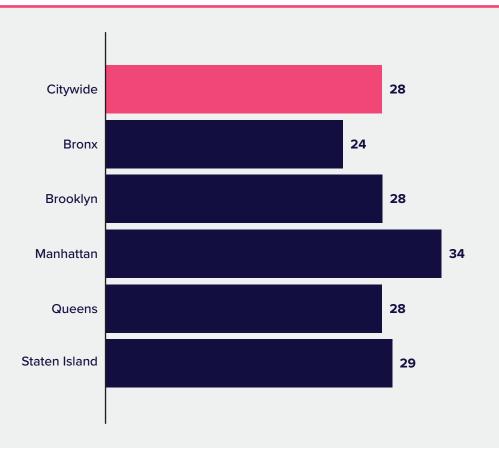
Figure 2.5

## DATASET DESCRIPTIVES

The study includes a total population of 4,663,752 voters. The median age of all voters was 47, and on average these voters have been registered for 14 years.

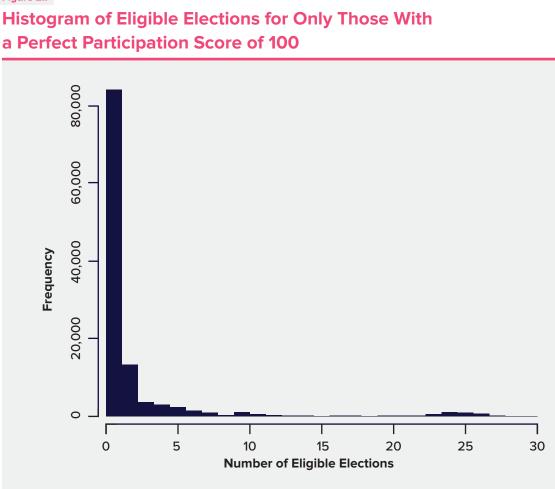
The weighted mean participation score for the city is 28.4. The weighted mean for Manhattan tops all boroughs at 34.0 and the Bronx has the lowest weighted mean score at 23.9.

Figure 2.6



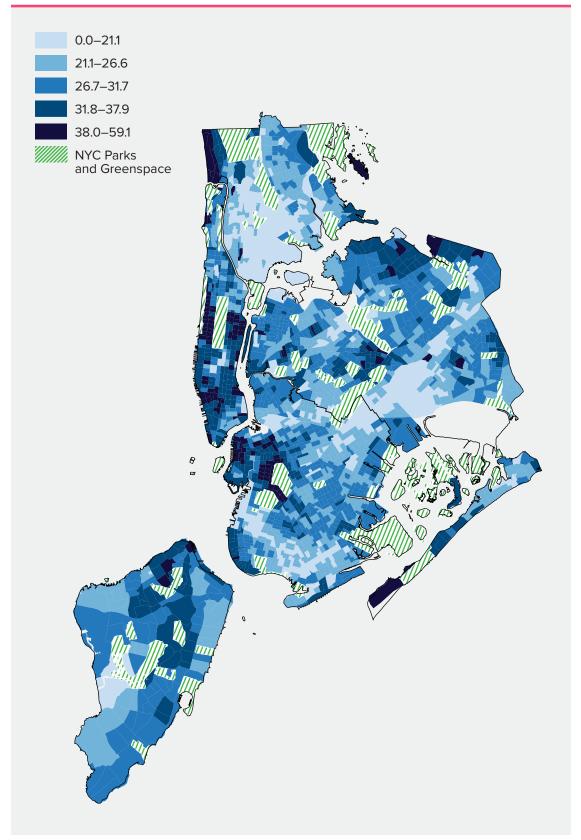
Participation Score Citywide and by Borough

The number of voters with a participation score of 100, or who voted in every election they were eligible to vote in, was 146,232 (3.1 percent of voters). Of that subset, 83 percent of these perfect score voters were eligible for only one to three elections.

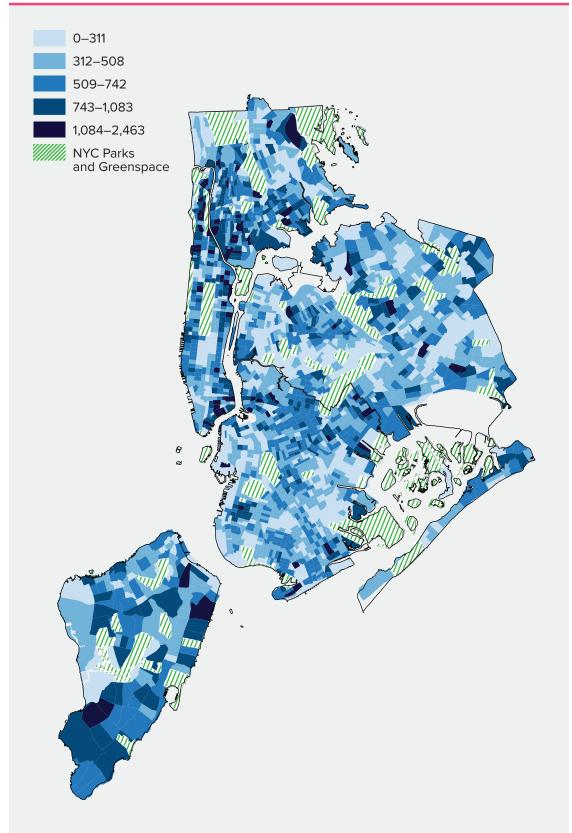


Furthermore, 989,496 registered voters (21.4 percent) eligible for at least 1 election have never voted once in the years between 2008-2018 and have a participation score of "0". A geographical pattern emerges where areas with low participation scores have high numbers of registered voters with a participation score of "0". The mean years a registered voter who has never voted has been registered is 11 years.

### Figure 2.8 Weighted Participation Score Averaged by New York City Census Tract



### Figure 2.9 Number of Registered Voters Who Have Not Voted in Any Eligible Election from 2008–2018



## DEMOGRAPHIC VARIABLES

After surveying election research literature, with input from our outreach staff, we determined a list of demographic variables that might impact whether a voter turns out to vote. Then, we assessed what data is available through the 2013–2017 American Community Survey 5-Year Estimates at the census tract level:

- Naturalized citizens
- Age
- Sex
- Citizens of voting age
- Race
- Ethnicity
- Benefits usage
- Veteran status
- Disability status
- Length of residency in current home
- Ownership of residence

- Limited English proficiency
- Languages spoken other than English
- Educational attainment
- Median household income
- Unemployment
- Poverty status
- Commute time
- Modes of commute transportation
- Internet access
- Job sector/class of worker
  - Health insurance

In addition, we added the party affiliation variable from the voter file. All independent variables are constructed as a percentage of the population fitting those characteristics at the census-tract level.

### A NOTE ABOUT US CENSUS VARIABLES

Many of the Census variables we wanted to look at are highly collinear. Collinearity, or multicollinearity, is defined as two or more independent variables that influence each other so much that the value of one variable can predict the other variable. An example of this is household income and internet access as a household's income goes up, the likelihood that the household has internet access in their home also goes up. Using these correlated variables in a model to try to predict a dependent variable can distort the relationship each independent variable has with the dependent variable.

To construct our multiple regression, we manually eliminated some of the extraneous independent variables that were highly correlated with each other according to our initial analyses, which included a correlation matrix and a principle components analysis (page 68 – page 70). Through these analyses we eliminated language, veterans, and internet access variables from our regression. We also re-coded some of our data, like constructing an income

variable that collapses multiple categories of top household incomes, which allows us to completely eliminate low income categories from our model. We re-coded certain variables to make them dichotomous — meaning that if we can detect an impact in voting behavior in top income households, we can assume that the opposite pattern is happening in low income households.

### **BUILDING THE LINEAR REGRESSION MODEL**

While building the model, we also eliminated census tracts with a population of less than 100, because they can produce artificially high percentages for our variables. This eliminated 57 (2.6 percent) New York City census tracts from our original total of 2,168 census tracts.

After manually eliminating some of the more obvious non-essential collinear variables, we used the Least Absolute Shrinkage and Selection Operator (LASSO) to select our variables and create an even more parsimonious model.<sup>21</sup> (A parsimonious model will contain the fewest number of predictors that also give the most prediction power.) Through this process, we eliminated three additional variables:

- 1. Percent 18-29 years old
- 2. Percentage with no health insurance
- 3. Percentage of citizens of voting age who are Limited English Proficient (LEP)<sup>22</sup>

The discussion part of this section goes into further detail about how individual variables impact the model on the whole.

<sup>21</sup> LASSO is a type of linear regression that uses L1 regularization to place a constraint on the regression coefficients, allowing the least important coefficients to shrink to zero and the variables can be eliminated from the model. We used this type of regression because it is particularly suited for feature selection in models with high multicollinearity. See: Tibshirani, Robert. (1996). Regression shrinkage and selection via the lasso. *Journal of the Royal Statistical Society, Series B (Methodological), 58*(1), 267-288.

<sup>22</sup> Limited English Proficiency is defined in the ACS as "speaks English less than very well."

### THE FINAL LINEAR REGRESSION MODEL

After feature selection using LASSO, we ran an Ordinary Least Squares linear regression to reduce the bias of the coefficients in the LASSO model.<sup>23</sup> This model has an adjusted r-squared of 0.67, meaning that the model explains 67 percent of turnout in the last 10 years at the census tract level. All variables are significant except the variable for percentage of Black or African American residents.<sup>24</sup>

Having no party affiliation is the top contributor in predicting whether someone will vote in an election ( $\beta$ =-0.50).<sup>25</sup> If the percentage of blank party affiliation in a census tract goes up 1 percent, the participation score goes down 0.55 points. The next most important predictors are residents aged 50 or older ( $\beta$ =0.35), percentage of the population holding a high school degree or higher ( $\beta$ =0.32), and percentage of Asian ( $\beta$ =0.27) and White residents ( $\beta$ =0.26). These 4 predictors all have a positive relationship with the participation score, meaning as the proportion of the population matching those variables goes up, and all other variables are held constant, the participation score also goes up.

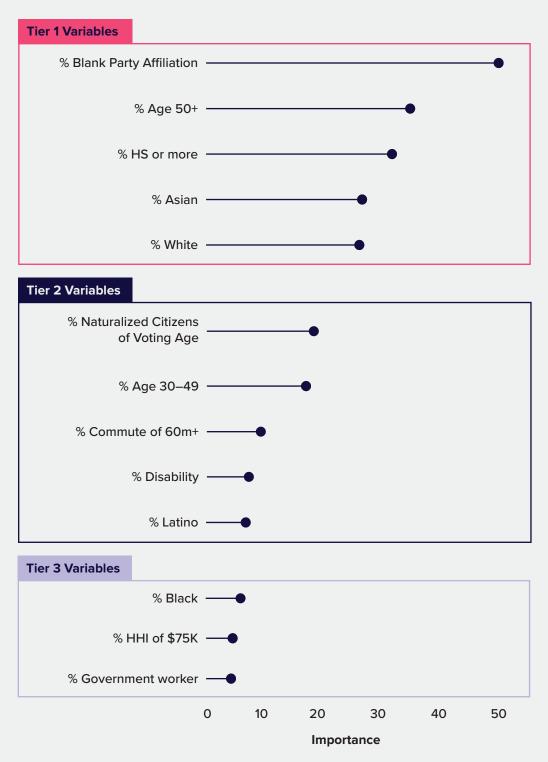
In the second tier of predictors in our model are percentage of residents who are naturalized citizens of voting age ( $\beta$ =-.18), percentage of residents aged 30–49 ( $\beta$ =0.17), percentage of residents with a commute of 1 hour or more ( $\beta$ =-0.09), percentage of disability, age 18 and over ( $\beta$ =-0.07), and percentage of Latino residents ( $\beta$ =-0.07). In the third tier of predictors are household income of \$75,000 or more ( $\beta$ =0.05), and government workers ( $\beta$ =-0.04). Percentage of Black or African American residents was not significant in our model.

<sup>23</sup> The creators of the LASSO technique allow for running LASSO-selected features in an unrestricted linear model. See: Hastie, T., et al. (2017, January) *The Elements of Statistical Learning: Data Mining, Inference, and Prediction.* Jan 2017, 91.

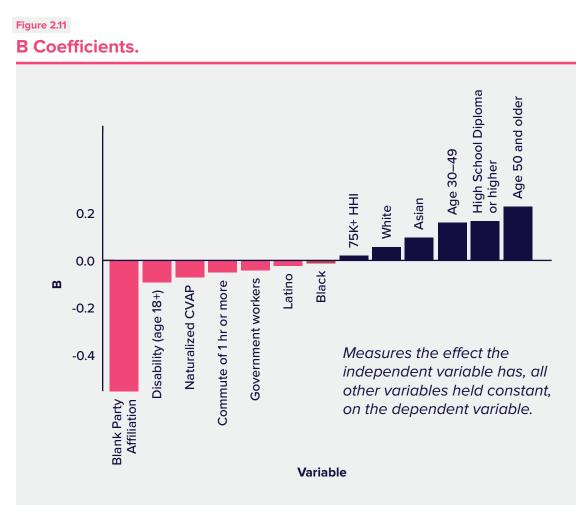
<sup>24</sup> All variables are significant at the 0.001 level except for the following variables: Latino (p=0.05), household income of 75K+ (p=0.05), government worker (p=0.01). The Black or African American variable was not significant in this model.

<sup>25</sup> Beta coefficients, or ß, measure the total effect of the independent variable on the dependent variable, compared to the other variables in the model.

#### Figure 2.10 Variable Importance from our OLS Model (& Coefficients)



The x-axis ("Importance") is the absolute value of the beta coefficients. See footnote 25.



## DISCUSSION

Though we reviewed a larger set of observations and elections broken out across smaller geographic units, our results show some similarities with our 2018 model, which looked at only 2018 general election turnout at the neighborhood level. Age, race, and education were some of the strongest demographic predictors in both models. As in the 2018 model, age brackets of 30 or older were found to have positive impacts on voting behavior — which suggests younger voters are still voting at lower rates compared to older voters. Within both models, percent of naturalized citizens had a negative impact on voting behavior, while Limited English Proficiency had no predictive impact — which suggests an outreach plan targeting immigrant voters more broadly can reach both audiences at once. The ten-year model added a political party affiliation variable to the study, which may account for why a 'blank' party affiliation has the strongest relationship with the participation score in the 2008–2018 model while the 30–39 age group was the strongest predictor in the 2018 model.

Our findings are mostly consistent with national research on voting behavior — age and education have a strong positive impact on voting in an election.<sup>26</sup> Our model finds that being an unaffiliated voter, or political independent, is the strongest predictor for not voting in New York City and is the variable with the most impact on our model. In a national poll conducted before the 2018 midterm elections, the Public Religion Research Institute and *The Atlantic* found that voters who identify with a political party are more likely to be electorally engaged than political independents; only 24 percent of independents in their poll report being Consistent Voters and 26 percent of independents report being Non-Voters.<sup>27</sup> The 100 Million Project, a research study by the Knight Foundation on chronic non-voters, also found that non-voters are more likely to affiliate themselves with minor parties or no party at all (i.e. Independent).<sup>28</sup> Those who are unaffiliated with a political party are usually not included in get-out-the-vote efforts by major party campaigns like mailings, calls, or door knocking that function as a reminder of upcoming elections.

<sup>26</sup> Who votes, who doesn't, and why: regular voters, intermittent voters, and those who don't. (2006, October 18). Pew Research Center. Retrieved from https://www.people-press.org/2006/10/18/who-votes-who-doesnt-and-why/

<sup>27</sup> Vandermaas-Peeler, Alex, et. al. (2018, July 17). American democracy in crisis: The challenges of voter knowledge, participation, and polarization. *Public Religion Research Institute*. Retrieved from https://www.prri.org/research/American-democracy-in-crisis-voters-midterms-trump-election-2018/

<sup>28</sup> The 100 million project: The untold story of american non-voters. (2020, February). Knight Foundation. Retrieved from https://knightfoundation.org/wp-content/uploads/2020/02/The-100-Million-Project\_KF\_Report\_2020.pdf

Latino or Hispanic residents have a small negative relationship with our voting participation score. For every 1 percent increase in Latino residents in a census tract, the participation score goes down 0.02 points. This follows the national trend of lower Latino turnout across the country.<sup>29</sup> Nationally, Latino voters report numerous barriers to registering to vote or to voting, including long wait times and voting administration issues.<sup>30</sup> This could also be a trend of undermobilization of newly naturalized and infrequent voters.<sup>31</sup> More research is needed on voting barriers affecting the Latino population in New York City, specifically.

In our model, if the percentage of Asian Americans in a census tract increased by 1 percent, then the mean weighted participation score increases by 0.10 points. Asian Americans have faced historical barriers to citizenship and voting in New York City. In 2009, Council Member Margaret Chin became the first Asian-American municipal elected official when she won her City Council District 1 seat. After advocating before several redistricting commissions, Asian American civic groups proved to be organized in enough numbers to establish districts where Asian-Americans could be an effective voting bloc, as well as increase Asian-American turnout.<sup>32</sup> Although our model did not find a relationship between not understanding English and voter turnout in the city, community polling suggests language access is still a voting barrier for many Asian Americans.<sup>33</sup> Nationally, Asian Americans also vote in high numbers.<sup>34</sup>

Black New Yorkers have also faced historical barriers to voting. Both our 2018 model and our 2008–2018 model contained variables for percentage of Black residents and in both models those variables were not significant. This indicates that Black voters turn out in roughly the same numbers as White residents in New York City and so do not contribute significantly to our model.<sup>35</sup> We also

- 31 Barreto, Matthew, A. (2018). The cycle of undermobilization of minority voters. *Journal of Race, Ethnicity and Politics* 3(1), 185–188.
- 32 First asian american wins citywide office and two asian americans join city council in historic NYC elections. (2009, November 4). AALDEF.
- 33 The asian american vote 2016. (2017, April 18). AALDEF. Retrieved from https://www.aaldef.org/uploads/pdf/ TheAsianAmericanVote2016-AALDEF.pdf
- 34 Ao Minnis, Terry, & Moua, Mee. (2015, August 4). 50 Years of the voting rights act: The asian american perspective. Retrieve from https://www.advancingjustice-aajc.org/sites/default/files/2016-09/50-years-of-VRA.pdf
- 35 The NYC election atlas: voting by ethnicity 2009-2012. (n.d.). *NYC Election Atlas*. Retrieved from http://www. nycelectionatlas.com/tables.html

<sup>29</sup> Varela, Julio Ricardo. (2017, May 15). New census data says 2016 national latino voter turnout rate did not increase. Latino USA. Retrieved from https://www.latinousa.org/2017/05/15/new-census-data-says-2016/

<sup>30</sup> Pantoja, Adrian. (26, October 2018). Nearly half of latino voters experienced electoral barrier. *Latino Decisions*. Retrieved from https://latinodecisions.com/blog/nearly-half-of-latino-voters-experienced-electoral-barrier/

found a very high correlation between Black or African American race and affiliation with the Democratic Party ( $r^2=0.70$ ), which may explain why Black turnout is on par with the city average — we know that affiliation with a major party increases turnout.

Our 2018 model found that naturalized citizenship was one of the strongest negative predictors of voting behavior. In our ten-year model, this variable was the sixth most important. If naturalized citizens of voting age increased by 1 percent in a census tract, the mean participation score would decrease 0.07 points. This pattern in New York City mirrors the national trend of immigrant voters turning out in lower numbers than US born voters.<sup>36</sup> Pew Research Center also notes that naturalization rates are increasing among US immigrants; nationally there was a 37 percent increase in the total number of naturalized immigrants from 2005 to 2015.

The fact that almost a quarter of New York City registered voters have not voted within the ten-year study period indicates the problem in the city is not registration rates, but a problem with turnout and get out the vote efforts. Or it is perhaps, in part, a problem of election administration and law. In 2019, the state legislature passed sweeping election reform measures that include early voting, combined primaries, and pre-registration for 16- and 17-year olds. The CFB is committed to continuing this voter participation research in order to identify trends that indicate voting is increasing and barriers to voting are falling.

## FUTURE RESEARCH QUESTIONS AND NEXT STEPS

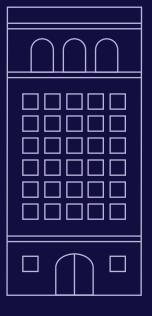
While this comprehensive study provides a detailed picture of voting behavior across New York City, it is only the start. The conclusions raise numerous interesting questions that are best addressed through further qualitative research, in consultation with demographic and regional experts and community partners.

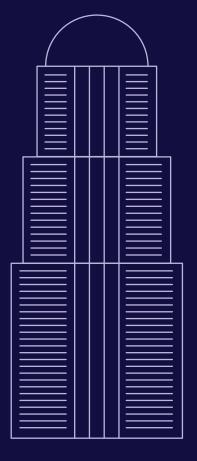
Areas for future research beyond this longitudinal participation study could include: registered voters who have never voted, Asian American voters, Black or African American voters, and Latino voters. Additional research could also explore whether trends for these groups are unique to New York or fit into the broader national voting trend narrative.

<sup>36</sup> Budiman, Abby, et.al. (2020, February 26). Naturalized citizens make up record one-in-ten U.S. eligible voters in 2020. *Pew Research Center: Hispanic Trends*. Retrieved from https://www.pewresearch.org/hispanic/2020/02/26/ naturalized-citizens-make-up-record-one-in-ten-u-s-eligible-voters-in-2020/

SECTION IV. POLICY & LEGISLATIVE RECOMMENDATIONS







## LOOKING FORWARD

This is an incredibly exciting time for voting in New York City. With the Legislature and Governor enacting a series of election reforms that finally are starting to bring New York elections into the 21st century, the next two years provide a unique opportunity to engage voters in elections. In 2020, New Yorkers will go to the polls to cast their vote for president. Based on increased turnout during the 2018 midterm elections in both New York City and across the country, it would be reasonable to expect that turnout levels in 2020 will be even higher than in previous presidential elections.

## LEGISLATIVE CHANGES TO IMPROVE VOTING

Since the 2018 Voter Analysis Report was published in April 2019, many legislative and policy changes have been made to voting access in New York City. The state government passed laws allowing 16 and 17-year olds to pre-register as voters and also made ballots easier for voters to read and use. They also moved the party enrollment deadline closer to election day and consolidated primary elections into a single date in June. Last but not least, the Legislature took the first step in a multi-year process to enact two significant reforms that require a constitutional amendment—same day voter registration and no-excuse absentee voting.

While much has been accomplished through legislative means in the past year, the CFB recommends several proposals that build on the successes of the current session.

### **RIGHTS RESTORATION FOR PAROLEES**

In 2018, Governor Cuomo issued Executive Order 181 granting consideration of a conditional voting rights restoration pardon to any individuals being released from incarceration onto parole supervision and individuals who are currently under parole supervision.<sup>37</sup> Prior to this executive order, State Election Law barred parolees with felony convictions from registering to vote. To restore their voting rights, parolees

#### **Recommendation 1**

Automatic Restoration of Voting Rights to Parolees

The New York State legislature should pass legislation to automatically restore voting rights and provide voter registration to parolees immediately upon release from prison.

had to wait until they were discharged from parole or reached the maximum expiration date of their sentence. At the time of signing his executive order, the Governor's office estimated that parolee voting restrictions impacted around 35,000 parolees in New York, nearly 75 percent of which are people of color.<sup>38</sup>

On May 22, 2018, Governor Cuomo issued his first group of conditional pardons to 24,046 parolees.<sup>39</sup> New pardons are considered every month by the Governor's office on an individual, case-by-case basis and are conditional, meaning that if a person is re-incarcerated their voting rights can be revoked.<sup>40</sup> Parole officers are meant to deliver pardons directly to individuals under their supervision and provide information and the form to register to vote.<sup>41</sup>

37 *New York state governor's office executive order 181.* (2018, April 18). Retrieved from https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\_181.pdf

<sup>38</sup> Governor Cuomo signs executive order to restore voting rights to New Yorkers on parole. (2018, April 18). Retrieved from https://www.governor.ny.gov/news/governor-cuomo-signs-executive-order-restore-voting-rights-new-yorkers-parole

<sup>39</sup> Governor Cuomo issues first group of conditional pardons restoring the right to vote to New Yorkers on parole. (2018, May 22). Retrieved from https://www.governor.ny.gov/news/governor-cuomo-issues-first-group-conditionalpardons-restoring-right-vote-new-yorkers-parole

<sup>40</sup> Voting restoration pardons. (n.d.). Retrieved from https://www.ny.gov/services/apply-clemency

<sup>41</sup> Ibid.

In last year's report, the CFB recommended a permanent legislative solution to protect parolee voting rights and to bring New York State in line with the group of states that automatically restore voting rights once an individual is released from prison. In 2019, Nevada and Colorado joined this group of states, plus the District of Columbia, bringing that total number to 18 states.<sup>42</sup>

The Governor's conditional pardons are a step in the right direction to restore the franchise to parolees. However, legislation would provide a more permanent solution and reduce confusion for election administrators, parole officers, and parolees themselves.<sup>43</sup> In early 2019, state legislators introduced bills in both houses that would restore voting rights to people on parole and also provide a clear process for new parolees to be registered to vote immediately upon release from prison.<sup>44</sup>

Codifying the restoration of voting rights to parolees can eliminate the administrative burden of the monthly pardon process on the Department of Corrections and Community Supervision and the Governor's office. It would also eliminate confusion for parole officers and parolees around whether parolees need to actively register to vote and for boards of elections administrators who rely on the Election law to know who is eligible to vote.<sup>45</sup>

- 43 Voting rights restoration efforts in New York. (2020, February 5). *Brennan Center for Justice*. Retrieved from https:// www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-new-york
- 44 Retrieved from A.4987. (n.d.) https://www.nysenate.gov/legislation/bills/2019/a4987 and S. 1931 https://www.nysenate.gov/legislation/bills/2019/s1931
- 45 Voting rights restoration efforts in New York. (2020, February 5). *Brennan Center for Justice*. Retrieved from https:// www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-new-york

<sup>42</sup> Colorado, District of Columbia, Hawaii, Illinois, Indiana, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, and Utah provide automatic voting rights restoration after release. In Maine and Vermont, felons never lose the right to vote, even when serving their prison sentences. Since last year's report, Florida now requires additional action by parolees to restore voting rights. See: Felon voting rights. (2019, October 14). *National Conference on State Legislatures*. Retrieved from https://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx

### **VOTER REGISTRATION**

Two voting reform bills passed by the state legislature in 2019 require amending the state constitution: same-day voter registration and no-excuse absentee voting.

The New York State Constitution currently describes specific criteria required in order to receive an absentee ballot and also requires that a voter be registered at least

#### Recommendation 2

# Same-Day Voter Registration and No-Excuse Absentee Voting

In the upcoming 2021–2022 legislative session, the New York State legislature should prioritize passing same-day voter registration and no-excuse absentee voting early enough to ensure both referenda are put on the November 2021 ballot.

ten days before each election. As a result, in order to become law, both sameday registration and no-excuse absentee voting require a Constitutional amendment.<sup>46</sup> A Constitutional amendment must pass the legislature in two consecutive two-year legislative sessions and then ultimately ends up before voters as a ballot referendum.<sup>47</sup>

In last year's report, the CFB recommended that both laws be passed by the State legislature, which they did at the start of 2019. Next, the legislature must pass both bills again in the 2021–2022 legislative session.<sup>48</sup> If the Legislature approves these measures early in 2021, both referenda could be on the ballot as early as November 2021, and take effect January 1, 2022.<sup>49</sup>

Same-day voter registration will provide eligible New Yorkers the opportunity to register to vote in person and cast a ballot, all on one day. This reform eliminates barriers to voting for New Yorkers who missed the registration deadline and for those who go to vote on Election Day only to find they are not in the poll books. A total of 21 states plus the District of Columbia currently allow same-day or election day registration.<sup>50</sup>

No-excuse absentee voting will expand access to voters who want to vote by mail but do not currently meet the limited "excuse" criteria laid out in the

<sup>46</sup> New York State Constitution, Article II, Section 5.

<sup>47</sup> New York Civil Liberties Union. (2019, February) *Guide to amending the New York state constitution*. Retrieved from https://drive.google.com/uc?export=download&id=1qxYmyfIMkMKN4Ukb\_H960BBJZgTFIV7y

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Same day voter registration. (2019, June 28). *National Conference on State Legislatures*. Retrieved from https://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx

Election law and the State Constitution.<sup>51</sup> Currently, 33 states plus the District of Columbia offer voters the ability to request a "no excuse" absentee ballot.<sup>52</sup>

As discussed in the previous year's Voter Analysis Report, not only does noexcuse absentee voting benefit voters with disabilities, the elderly, parents of young children, and many others who are not covered by the current absentee ballot criteria, but it should also be an important component of elections disaster contingency plans.<sup>53</sup> Many states have shared plans for continuity of operations with the Elections Assistance Commission (EAC), including Colorado, Minnesota, Montana, Virginia, Washington, and Wisconsin.<sup>54</sup> Both the State and City Boards of Elections have contingency plans but they are not available publicly.<sup>55</sup>

In just the last twenty years, New York has twice had instances when elections were scheduled during or immediately following major disasters. In 2001, after the September 11th terrorist attack, state legislators took action and rescheduled the citywide primary election from September 11th to September 25th, since voting was interrupted mid-day and many voters did not make it to the polls.<sup>56</sup> In November 2012, the Board of Elections found replacement poll sites and the Governor issued an emergency executive order to allow voters to cast provisional ballots during the general election that was scheduled one week after Hurricane Sandy.<sup>57</sup>

In 2020, the presidential election cycle is happening concurrently with the outbreak of COVID-19, a novel coronavirus that has grown to pandemic proportions starting in January 2020. Primary elections, as well as some local or state level elections, have been postponed in some states and counties and

- 54 Individual counties in California and Florida have also made contingency plans available to the EAC. See: Elections Management Resources: Contingency Plans. (n.d.) *Election Assistance Commission*. Retrieved from https://www.eac.gov/election-officials/contingency-plans
- 55 Kaplan, Thomas. (2013, November 13). Using hurricane Sandy as a lesson for future elections. *The New York Times*. Retrieved from https://www.nytimes.com/2013/11/13/nyregion/lessons-from-hurricane-sandy-being-applied-toelection-planning.html
- 56 Nagourney, Adam. (2001, September 14). Primary rescheduled for Sept. 25, with runoff, if necessary, set for Oct. 11. The New York Times. Retrieved from https://www.nytimes.com/2001/09/14/us/after-attacks-election-primaryrescheduled-for-sept-25-with-runoff-if-necessary.html
- 57 Halbfinger, David M., Thomas Kaplan, & Wendy Ruderman. (2012, November 6). Officials rush to find ways for the storm-tossed to vote. *The New York Times*. Retrieved from https://www.nytimes.com/2012/11/06/nyregion/after-hurricane-sandy-efforts-to-help-the-displaced-vote.html

<sup>51</sup> New York State Constitution, Article II, Section 2.

<sup>52</sup> Absentee and early voting. (2020, February 20). National Conference on State Legislatures. Retrieved from https:// www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx

<sup>53</sup> Kaplan, Thomas. (2013, November 13). Using hurricane Sandy as a lesson for future elections. *The New York Times*. Retrieved from https://www.nytimes.com/2013/11/13/nyregion/lessons-from-hurricane-sandy-being-applied-toelection-planning.html

there is uncertainty around when primary elections can take place in all states (see page VIII for additional context). However, uncertainty during crises can be alleviated by contingency plans and by providing flexible legal options to election administrators. Some of the elections contingency plans provided to the EAC that are designed specifically with flu or disease outbreak in mind recommend increased use of absentee ballots and for universal vote by mail be introduced.<sup>58</sup>

The ability to request no-excuse absentee ballots, or a disaster plan option that converts an entire election to vote by mail, would reduce in-person voting exposure threats for poll-workers and voters. It also would reduce or eliminate the need for physical poll sites during a vulnerable time when traditional poll sites such as schools, libraries, elections offices, and other public service spaces are closed or are operating at reduced capacity. Allowing New Yorkers to no-excuse vote via absentee ballot, particularly during emergencies, is not only essential to our democracy, but to the health and safety of our fellow New Yorkers.

There are two bills currently before the State legislature that would dramatically improve the process of voter registration: Automatic Voter Registration and online voter registration. These proposed changes would impact a total of 848,568 New York City residents who are eligible to vote but are not registered, representing 15.6 percent of the citizens of voting age population.<sup>59</sup>

#### **Recommendation 3**

Automatic Voter Registration and Online Voter Registration

The New York State legislature should pass legislation to allow for Automatic Voter Registration and for the CFB's online voter registration platform to be used to register voters.

Automatic Voter Registration (AVR) is a process by which voters are automatically registered to vote after interacting with another government agency. A voter can opt-out of being registered when interacting with the state agency, but otherwise the agency will transfer a new voter's information directly to the state board of elections. Currently, the National Voter Registration Act (NVRA) requires all state motor vehicles agencies, and certain public assistance

<sup>58</sup> Montana, Wisconsin, and the EAC recommendations on contingency planning all contemplate absentee ballots or vote by mail as possible options. See: Elections management resources: contingency plans. (n.d.) *Election Assistance Commission*. Retrieved from https://www.eac.gov/election-officials/contingency-plans

<sup>59</sup> Number of registered voters as of October 11, 2019, the deadline to register for the November 2019 election. Citizens of voting age population taken from the Census Bureau's 2013–17 American Community Survey 5-year Estimate.

and disability offices, to provide eligible residents with an opportunity to register to vote when interacting with the agency but does not automatically transfer their information.<sup>60</sup>

There are 16 states, plus the District of Columbia, that have adopted AVR. Partly as a result of the success of the "motor voter" aspect of the NVRA, most designate the state's motor vehicles agency as the main agency tasked with automatically registering voters.<sup>61</sup> The AVR bill, which passed the Senate but has yet to pass the Assembly, names the New York Department of Motor Vehicles and Department of Health as participating AVR agencies, while an Assembly bill which has not yet been passed allows the State Board of Elections to designate participating agencies.<sup>62</sup>

In testimony before the Senate Election Committee, the CFB recommended that designated agencies be named within the bill text.<sup>63</sup> Designated agencies should include the DMV but also public-facing agencies such as NYCHA, all SUNY and CUNY locations, public housing authorities, the Department of Corrections and Community Supervision, the Department of Labor, and the New York Division of Military and Naval Affairs. The CFB supports having language in the legislation to allow additional agencies to be added, but also clearly enumerate the criteria required to be considered a designated agency.

Online voter registration simply supplements the traditional paper-based process of voter registration with one that is also available electronically. A total of 39 states plus the District of Columbia offer online voter registration in addition to traditional paper-based voter registration.<sup>64</sup>

- 62 New York State Senate S6457B. (2019). Retrieved from https://www.nysenate.gov/legislation/bills/2019/s6457 A8280A https://www.nysenate.gov/legislation/bills/2019/a8280
- 63 Loprest, Amy. (2019, May 30). Testimony of Amy Loprest, Executive Director of the New York City Campaign Finance Board to the New York State Senate Elections Committee. *New York City Campaign Finance Board*. Retrieved from https://www.nyccfb.info/media/testimony/testimony-of-amy-loprest-executive-director-of-the-new-york-citycampaign-finance-board-to-the-new-york-state-senate-elections-committee/
- 64 Online voter registration. (2020, February 3). *National Conference on State Legislatures*. Retrieved from https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx

<sup>60</sup> U.S. Department of Justice. (1993). The National Voter Registration Act of 1993: Questions and answers. Retrieved from https://www.justice.gov/crt/national-voter-registration-act-1993-nvra

<sup>61</sup> California, Colorado, Connecticut, District of Columbia, New Mexico, Nevada, Oregon, Vermont, and West Virginia require only the state's motor vehicle agency to participate in AVR. Illinois, Maine, Maryland, Massachusetts, New Jersey, Rhode Island, and Washington require the state's motor vehicle agency and other designated agencies to participate in AVR. Alaska only requires the Permanent Fund Dividend to participate in AVR. See: Automatic voter registration. (2019, April 22). *National Conference on State Legislatures*. Retrieved from https://www.ncsl.org/ research/elections-and-campaigns/automatic-voter-registration.aspx

Currently, New York allows online voter registration in a limited capacity through the Department of Motor Vehicles (DMV).<sup>65</sup> Since 2012, New Yorkers with a driver's license or non-driver state ID can use the DMV's Motor Voter online registration platform to register to vote or make changes to their existing voter registration. However, New York City residents who do not have driver's licenses or non-driver state IDs do not have the option of using the DMV system to register to vote online.

In 2019, Governor Cuomo directed that a portion of the New York State Executive budget be used to create an online voter registration system, however, there is no deadline by which the system must be created.<sup>66</sup> In 2017, the City Council, through local law, directed the Campaign Finance Board to create an online voter registration platform to capture the population of New York City voters who would like to register online but do not have a driver's license or state ID. The CFB created an online voter registration platform which is not currently able to be used by the City Board of Elections because they are lacking specific guidance from the State Board of Elections on whether it is permissible to accept registration forms in this manner. A current bill before the Legislature would allow the CFB to host an online voter registration platform.<sup>67</sup>

<sup>65</sup> Register to vote online - Electronic voter registration application. (n.d.) *New York State Department of Motor Vehicles*. Retrieved from https://dmv.ny.gov/more-info/electronic-voter-registration-application

<sup>66</sup> Governor Cuomo announces highlights of FY 2020 budget. (2019, April 1). Retrieved from https://www.governor. ny.gov/news/governor-cuomo-announces-highlights-fy-2020-budget

# POLICY CHANGES TO IMPROVE VOTING

The CFB also has several policy recommendations to improve election administration, taking into consideration early voting, additional language interpreter support provided by the new Civic Engagement Commission, and implementation of ranked choice voting for municipal elections in 2021.

#### **Recommendation 4**

Open Additional Assigned Early Voting Poll Sites

The CFB recommends that the City Board of Elections open additional poll sites to reduce the distance between voters and their assigned early poll sites and to ensure equal access for voters in each borough.

# RECOMMENDATIONS TO IMPROVE EARLY VOTING

For the first time ever, in November 2019, New Yorkers were able to vote early in person for nine days prior to general election day. Citywide, 1.3 percent of total registered voters voted early compared to all of New York State, where 1.9 percent of total registered voters voted early.<sup>68</sup>

It is difficult to say with any certainty

whether the availability of early voting might have contributed to the increase in turnout in the 2019 election vs. the comparable 2015 election. However, many observers credited early voting with making the overall voting experience easier and more seamless for voters. The New York State Board of Elections cochairs noted "Voters reported enjoying the convenience of selecting a day and having time to go and vote... Wait times were minimal and the experience was streamlined."<sup>69</sup>

While early voters represented a small percentage of the total registered voting population, about 7.6 percent of actual voters chose to vote early, indicating it was possibly a popular method for those who were likely already planning to vote.

We hope to do additional early voting site analysis as more data from the Board of Elections becomes available, in particular to see whether distance from an early poll site impacted a voter's likelihood to vote early.

<sup>68</sup> Reisman, Nick. (2019, November 4). The First Year of Early Voting, by the Numbers. *Spectrum Local News*. Retrieved from https://spectrumlocalnews.com/nys/central-ny/politics/2019/11/04/the-first-year-of-early-voting — by-the-numbers

<sup>69</sup> First year with early voting deemed a success, as turnout in NYC and other counties appears up: Officials. (2019, November 20). NBC 4 New York. Retrieved from https://www.nbcnewyork.com/news/local/first-year-with-early-voting-deemed-success-nyc-turnout-up-officials/2205663/

In New York City, voters were assigned a specific early voting site based on its proximity to their residential address. According to the Election Law, all voters must have access to a polling location "on a substantially equal basis."<sup>70</sup> In total there were 61 early voting locations in New York City, with 11 in the Bronx, 18 in Brooklyn, 14 in Queens, and 9 each in Manhattan and Staten Island.<sup>71</sup> Although the law passed by the State legislature only required 34 poll sites in all five boroughs, it was estimated that the \$75 million designated for early voting in the city's fiscal year 2020 executive budget could cover up to 100 poll sites.<sup>72</sup>

Distribution of the 61 general election voting sites was unequal between boroughs and was not connected to the number of potential voters expected per poll site. Voters in the Rockaways had the furthest to travel between their residential address census tract and their assigned early voting site nearly 6.5 miles away.<sup>73</sup> When compared to the number of citizens of voting age per borough, Manhattan and Queens had far fewer poll sites compared to the other three boroughs.

Borough	Registered Voters	Number of Sites	Registered Voters/ Number of Sites
Bronx	726,402	11	66,037
Brooklyn	1,461,103	18	81,172
Manhattan	1,002,419	9	111,380
Queens	1,184,884	14	84,635
Staten Island	291,727	9	32,414
Total	4,666,535	61	76,501

#### Figure 3.1

### General Election 2019 – Sites per Number of Registered Voters

70 N.Y. Election Law § 8-600(3)

73 Analysis measuring the direct distance between the geospatial center of each census tract and the assigned poll site.

<sup>71</sup> New York City Board of Elections. (n.d.) Information on early voting. *Vote NYC*. Retrieved from https://www.vote.nyc. ny.us/html/voters/earlyVoting.shtml

<sup>72</sup> New York City Mayor's Office. (2019, April 29). *Mayor de Blasio to Board of Elections: Get early voting right*. Retrieved from https://www1.nyc.gov/office-of-the-mayor/news/223-19/mayor-de-blasio-board-elections-get-early-voting-right#/0





Some other New York counties that implemented early voting in 2019 used vote centers instead of assigned poll sites. Vote centers allow voters to cast a ballot at any vote center within the county. A benefit of this model is that voters can choose to vote at the poll site closest to their work, their child's school, or even near their grocery store.<sup>74</sup> Some studies have even shown that vote centers can increase turnout among sporadic voters who do not vote every year.<sup>75</sup>

#### **Recommendation 5**

Replace Some or all Assigned Poll Sites with Vote Centers

The CFB recommends that the City Board of Elections implement vote centers during early voting to replace some or all of the assigned poll sites.

Vote centers were implemented for early voting in Nassau County on Long Island, which rolled out 15 early vote centers for 944,873 registered voters.<sup>76</sup> Nassau County utilizes electronic poll books to identify voters and verify their signatures before a poll worker prints their precinct-specific ballot with a balloton-demand printer designed for early voting.<sup>77</sup> There were 56 different "ballot variation," or layouts that differ by what races are listed depending on the voter's precinct, in Nassau County in 2019. Onondaga County, which includes the city of Syracuse, offered six early vote centers for 292,716 registered voters, and also provided ballot-on-demand printing.<sup>78</sup>

The Election Law stipulates that "any voter may vote at any polling place for early voting" in the county they are registered to vote in unless it is "impractical" to provide all early voting ballots in one location or if the site did not use

- 77 Seidman, Alyssa. (2019, October 24). Polling sites prepare for early voters. *LIHerald*. Retrieved from https://www.liherald.com/stories/polling-sites-prepare-for-early-voters,119270?
- 78 Weiner, Mark. (2019, November 4). New York early voting: Success or waste of money? Syracuse University. Retrieved from https://www.syracuse.com/news/2019/11/new-york-early-voting-success-or-waste-of-money.html; Harding, Robert. (2019, October 23). Early voting in Onondaga County: What you should know about times, locations and more. Auburnpub Retrieved from https://auburnpub.com/blogs/eye\_on\_ny/early-voting-in-onondaga-countywhat-you-should-know-about/article\_8e3c0745-e64d-5e71-9c7e-0e701ece71f0.html; For number of registered voters in Onondaga County as of Nov. 1, 2019, see https://www.elections.ny.gov/EnrollmentCounty.html

<sup>74</sup> Vote centers. *National Conference on State Legislatures*. (n.d.) Retrieved from https://www.ncsl.org/research/ elections-and-campaigns/vote-centers.aspx

<sup>75</sup> Stein, Robert M. & Greg Vonnahme. (2008, April 2). Engaging the unengaged voter. *Rice University's Baker Institute for Public Policy*. Retrieved from https://www.bakerinstitute.org/research/engaging-unengaged-voter/

<sup>76</sup> Jessica Huseman. (2019, May 17). New York City's early voting plan will favor white, affluent voters, advocacy groups say. *ProPublica*. Retrieved from https://www.propublica.org/article/new-york-citys-early-voting-plan-will-favor-whiteaffluent-voters-advocacy-groups-say; For Number of registered voters in Nassau County as of Nov. 1, 2019, See: https://www.elections.ny.gov/EnrollmentCounty.html.

electronic poll books.<sup>79</sup> The City Board of Elections chose not to create vote centers in order to minimize the ballot variations that would need to be available at each early poll site, including in numerous language variations.<sup>80</sup> They have stated that in future elections, vote centers might be used on a county-basis, reducing the number of potential ballot variations to a more manageable amount like in Syracuse and Nassau County.<sup>81</sup>

#### **Recommendation 6**

Distribute Poll Site Interpreters to Reflect Location of Limited English Proficient Communities

The CFB recommends the NYCCEC should allocate poll site interpreters based on the census tract level data for citizens of voting age who are limited English Proficient (CVAP LEP) aggregated by census tracts assigned to each poll site.

# LANGUAGE ACCESS

Two years ago, in November 2018, New York City voters approved a ballot initiative to create the Civic Engagement Commission (NYCCEC). Part of the CEC's job is to "develop a plan to consider the language access needs of limited English proficient (LEP) New Yorkers... and provide language interpreters at poll sites by the 2020 general election, with advice from a language assistance advisory committee."<sup>82</sup> Limited English

proficient is defined by the Census Bureau's American Community Survey as speaking English less than very well.<sup>83</sup>

The City Board of Elections, as required by the Federal Voting Rights Act, provides translation and interpreter services in Bengali, Chinese, Korean, and Spanish. However, of our 1.8 million LEP residents, about 300,000 (16.7 percent) speak a language that is not protected under the federal VRA. The Poll Site Language Assistance Program will provide interpreters at New York City poll sites to assist LEP voters with casting a ballot, beyond whatever assistance is already provided by the Board of Elections.

<sup>79</sup> N.Y. Election Law § 8-600(3)

<sup>80</sup> McKinley, Jesse & Jeffery C. Mays. (2019, October 24). The state kind of dumped this on us: Early voting stirs anxiety in N.Y. *The New York Times*. Retrieved from https://www.nytimes.com/2019/10/24/nyregion/early-voting-ny-election. html

<sup>81</sup> Ibid.

<sup>82</sup> About. (n.d.) New York City Civic Engagement Commission. Retrieved from https://www1.nyc.gov/site/ civicengagement/about/about.page

<sup>83</sup> Language use: About this topic. (n.d.) U.S. Census Bureau. Retrieved from https://www.census.gov/topics/population/ language-use/about.html

The NYCCEC developed an initial methodology to determine which languages are eligible for services and the poll sites where such services would be provided that takes into consideration the LEP needs of the whole city, rather than each individual location when determining when to provide assistance.<sup>84</sup>

1. Determine CVAP LEP population by poll site using census tract-level data For example, each registered voter is currently assigned an early voting and an election day poll site based on their residential address. It is therefore possible to aggregate CVAP LEP data from each census tract to get the total poll site population of CVAP LEP. This step should disregard Bengali, Chinese, Korean, and Spanish speakers who are covered by the VRA.

#### 2. Prioritize High CVAP LEP poll sites

Then each poll site can be ranked from greatest to least CVAP LEP. Depending on how much money has been allocated for interpretation services, priority should be given to the poll sites with the greatest CVAP LEP.

# **3.** Determine the threshold for language interpretation services at each poll site

Next, the program can choose to set a threshold for providing interpreters at a site (for example, greater than or equal to 5 percent of CVAP LEP) or provide interpreters for only the languages with the greatest number of CVAP (for example, only the top three LEP languages).

# IMPLEMENTATION OF RANKED CHOICE VOTING IN 2021

Last year, in November 2019, voters approved a ballot initiative to implement Ranked Choice Voting (RCV) in primary and special elections for mayor, public advocate, comptroller, borough president, and members of the City Council. Cities in the Midwest and California, as well as the state of Maine, have used RCV and can serve as an important resource for how to transition from plurality voting to ranked choice.<sup>85</sup>

For voters, RCV is relatively simple and straightforward. Voters can rank up to five candidates in order of most preferred to least preferred, instead of selecting only one candidate in each race. After all ballots are cast, if one candidate receives a majority of first round votes, he or she wins. If not, then the candidate

<sup>84</sup> New York City Civic Engagement Commission. (n.d.) Proposed methodology for poll site interpretation services. Retrieved from https://www1.nyc.gov/assets/civicengagement/downloads/pdf/proposed-poll-site-intepretationmethodology-for-public-comment.pdf

<sup>85</sup> Where ranked choice voting is used. (2019, December). *Ranked Choice Voting Resource Center*. Retrieved from https://www.rankedchoicevoting.org/where\_used

with the fewest first-choice votes is eliminated. Next, the votes cast for that candidate are transferred to the next ranked candidate on those ballots. This process repeats in rounds until two candidates remain, and the candidate with the most votes at that point wins.

RCV eliminates the need for run-off elections because one is simulated as candidates are successively eliminated until two remain in the final round. This means all voters who show up on election day can participate in the decisive election round. It also empowers voters to vote their true preferences, and not guess whether their preferred candidate is "electable" compared to the rest of the field.

Switching election systems involves efforts to ensure processes work within state and federal laws and also follow best practices in election administration. It also requires efforts to make sure voters and candidates are educated on how the new system works and how it may be different from the previous system.

#### **Recommendation 7**

# Continue Using DS200 Voting Machines for RCV Elections

The CFB recommends that the City Board of Elections continue to use existing ES&S DS200 voting machines, with the addition of the ExpressRunoff module, and submit the new voting technology for certification by the State Board of Elections as soon as possible to ensure timely implementation of RCV by January 1, 2021. By June 1, 2020, the City Board of Elections is required by the Charter to "submit to the mayor and speaker of the council a report containing a plan for achieving timely implementation of ranked choice voting."<sup>86</sup> Although citywide primary elections are being held on June 22, 2021, RCV will be used starting January 1, 2021 for any special elections that might arise due to a vacancy in elected office.

While the Charter outlines specific baseline requirements for implementing RCV, the Board

of Elections is tasked with determining procedures and actually producing materials to make implementation possible, such as designing the ballot, procuring technology that will allow for RCV results tabulation, and establishing a process for reporting results, among many other important implementation choices. The State Board of Elections must also certify any changes made to voting machines, which will take additional time. Implementing RCV can be done using our existing Election Systems & Security (ES&S) DS200 voting machines and ES&S Electionware election management system.<sup>87</sup> ES&S has supported multiple RCV election implementations, and helped Maine create RCV grid-style ballots that are required by the Charter amendment.<sup>88</sup> It can also produce a ballot with both RCV and plurality voting contests, which will be required in election years that State or Federal races are on the ballot with RCV races.<sup>89</sup> However, the Board of Elections will need to acquire and configure the RCV tabulation software, ExpressRunoff, to produce results using individual voting machine cast vote records.<sup>90</sup> Purchasing new machines will add time to the already tight implementation process timeline and also be very expensive — the total cost will be \$40 million.<sup>91</sup> It is also not clear whether new machines provide any extra benefits to voters who are already familiar with the DS200 voting machines.<sup>92</sup>

Another section of the Charter requires the Board of Elections to post night-of results for races where there is a clear winner in the first round and to post eventual certified election results that show round by round voting outcomes.<sup>93</sup>

The Board of Elections typically posts night-of results for all races, and it is rare that a race is so close that it can't be called that night or ends in a margin

#### **Recommendation 8**

Publish Guidelines for Election Night Results Reporting

The CFB recommends that the Board of Elections publish guidelines for election night results reporting and make sure that voters and candidates know what to expect.

of victory that necessitates a hand recount. However, the Board of Elections and other elected officials have correctly noted that more races will not be able to be called on election night with RCV. City Board of Elections Executive Director Mike Ryan has stated numerous times that it "could take them as long as two weeks to calculate preliminary results."<sup>94</sup> State Board of Elections Commissioner

90 Ibid.

92 Ibid.

<sup>87</sup> Major Voting Equipment Vendors' Ranked Choice Voting Capabilities. (2019, May). Ranked Choice Voting Resource Center. Retrieved from https://drive.google.com/file/d/0B3K2g6llQMWsWmJDYWRvMjdqM28/view

<sup>88</sup> New York City Charter § 1057-g(d).

<sup>89</sup> Ibid.

<sup>91</sup> Bergen, Brigid. (2020, January 15). NY contemplates new touchscreen voting machines with troubled track record. WNYC. Jan. 15 2020. Retrieved from https://gothamist.com/news/ny-touchscreen-voting-machines-election-2020

<sup>93</sup> New York City Charter § 1057-g(f).

<sup>94</sup> Bergen, Brigid. (2019, November 7). The 2019 election was a snoozer that will change NYC's political future." WNYC. Retrieved from https://gothamist.com/news/2019-election-was-snoozer-will-change-nycs-political-future

Douglas Kellner noted that "other jurisdictions still have preliminary election results on election night, except in very tight races," while also noting that it would be more work for election administrators to generate night-of results.<sup>95</sup>

#### **Recommendation 9**

Prepare a Robust Voter Education Plan to Educate New Yorkers About Ranked Choice Voting in 2021

The CFB plans to create a robust voter education plan for RCV in 2021 as part of the agency's NYC Votes engagement and Get Out The Vote plan. The New York City Charter designates the CFB with the role of conducting a voter education campaign related to ranked choice voting.<sup>96</sup> The experience of other jurisdictions has highlighted the importance of voter education campaigns to the successful implementation of ranked choice voting.

Surveys conducted after the first San Francisco citywide RCV election indicated that voters with prior

knowledge of RCV were more likely to understand voting instructions, indicating that the information transmitted by voter education and outreach campaigns can carry through to voters' experiences at the ballot box.<sup>97</sup> Evidence out of Minneapolis shows that understanding of RCV increases over time — in 2017, 92 percent of Minneapolis voters said that RCV was "simple to use," compared to 85 percent of voters when it was first rolled out. FairVote Minnesota attributed this increased understanding in part to "more effective voter education tools and processes."<sup>98</sup>

It is important for voter education campaigns to reach both high and low information voters and also residents outside of civic and good government circles. While providing online sample ballots and training is an effective part of voter education campaigns, these are elements that often only reach already-engaged audiences without targeting hard to reach communities.<sup>99</sup> For example, FairVote Minnesota's campaign involved hiring lead organizers specifically for Somali, Latino, and Hmong community outreach.<sup>100</sup>

95 Ibid.

<sup>96</sup> New York City Charter § 1057-g(h).

<sup>97</sup> Francis Neely, Corey Cook, and Lisel Blash. "An Assessment of Ranked-Choice Voting in the San Francisco 2005 Election." Jul. 2006. 14.

<sup>98</sup> FairVote Minnesota. "RANKED CHOICE VOTING 2017 ELECTIONS REPORT." https://www.fairvotemn.org/ranked-choice-voting-2017-elections-report

<sup>99</sup> Ranked Choice Voting Resource Center. "RCV Model Implementation Plan." Dec 2018. https://drive.google.com/file/d/0B3K2g6llQMWsbmw0MIpoMFU0bkU/view.

<sup>100</sup> FairVote Minnesota. "RANKED CHOICE VOTING 2017 ELECTIONS REPORT." https://www.fairvotemn.org/ranked-choice-voting-2017-elections-report

The CFB plans on incorporating RCV voter education into our existing naturalized citizen and youth outreach efforts and also conducting a robust advertising campaign that covers all types of media. We will also be performing focus groups to get messaging feedback from underrepresented communities and conducting direct outreach to groups in Minnesota and San Francisco to learn what voter education methods were most effective.

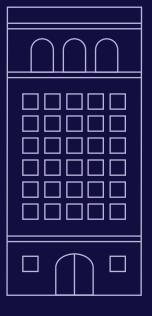
Most voters only think about voting immediately before or on the day that they vote! Therefore, day of voting communications, such as oral instructions from poll workers at an early voting site or Election Day poll site, and clear written directions on the ballot itself are important to focus on for effective messaging.<sup>101</sup>

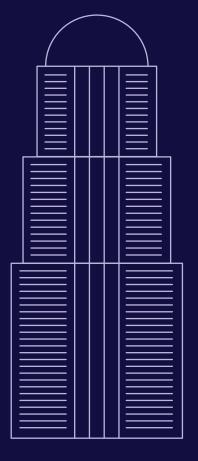
Also, while the process of ranking candidates is relatively intuitive to voters, the majority threshold for victory and the process by which votes are redistributed in rounds can be confusing to voters.<sup>102</sup> The CFB plans on leveraging our digital and printed Voter Guide to educate voters about ranked choice voting and make it a tool that voters can use to make choices about ranking candidates. This will involve a full usability study and redesign to incorporate feedback from voters and community groups. At the same time, we will be producing our own educational video content for our website and social media to explain more confusing aspects of RCV.

<sup>101</sup> Ranked Choice Voting Resource Center. "RCV Model Implementation Plan." Dec 2018. https://drive.google.com/file/d/0B3K2g6IIQMWsbmw0MIpoMFU0bkU/view.

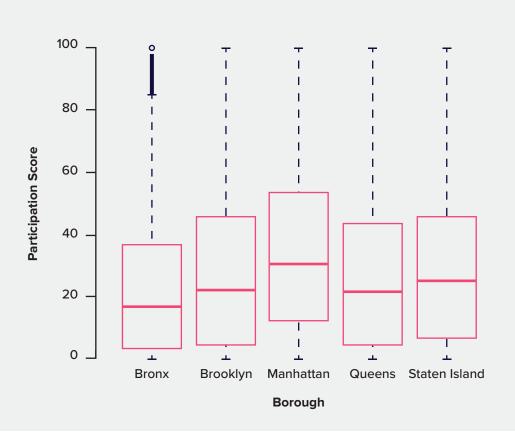








# Figure A.1 Participation Score by Borough — Boxplot



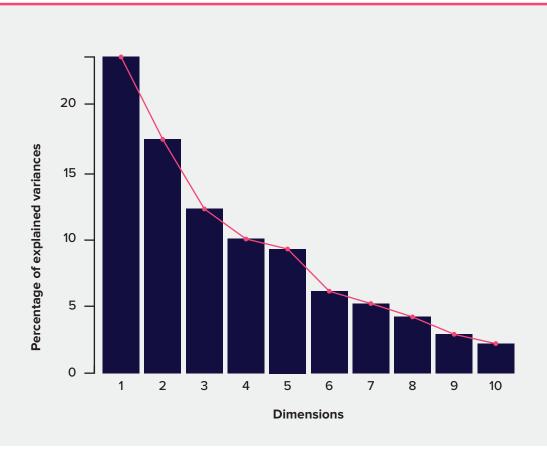
#### Figure A.2

### **Original List of Independent Variables**

- Female
- Race: White
- Race: Black or African American
- Race: Asian
- Race: Two or more races
- Race: Other race
- Ethnicity: Latino or Hispanic
- Ethnicity: Asian Indian
- Ethnicity: Chinese
- Ethnicity: Filipino
- Ethnicity: Japanese
- Ethnicity: Korean
- Ethnicity: Vietnamese
- Ethnicity: Other Asian
- Ethnicity: Cuban
- Ethnicity: Mexican
- Ethnicity: Puerto Rican
- Ethnicity: Dominican
- Ethncity: Central American
- Ethnicity: South American
- Ethnicity: Other Latino
- Language: Spanish
- Language: Spanish LEP
- Language: Chinese
- Language: Chinese LEP
- Language: Russian
- Language: Russian LEP
- Language: Haitian
- Language: Haitian LEP
- Language: Korean
- Language: Korean LEP
- Ethnicity: Puerto Rican
- Ethnicity: Dominican
- Ethnicity: Central American
- Ethnicity: South American
- Ethnicity: Other Latino

- Language: Spanish
- Language: Spanish LEP
- Language: Chinese
- Language: Chinese LEP
- Language: Russian
- Language: Russian LEP
- Language: Haitian
- Language: Haitian LEP
- Language: Korean
- Language: Korean LEP
- ◆ Age 18–24
- ◆ Age 25–29
- ◆ Age 30-39
- ◆ Age 40-49
- ◆ Age 50–59
- Age 60–69
- Age 70–79
- Age 80–84
- Age 85 and over
- Highest Education: Less than 9th grade
- Highest Education: High school, no diploma
- Highest Education: High school graduate or equivalency
- Highest Education: Some college, no degree
- Highest Education: Associate's degree
- Highest Education: Bachelor's degree
- Highest Education: Graduate degree
- Annual household income: Less than \$10,000
- Annual household income: \$10,000-\$14,999

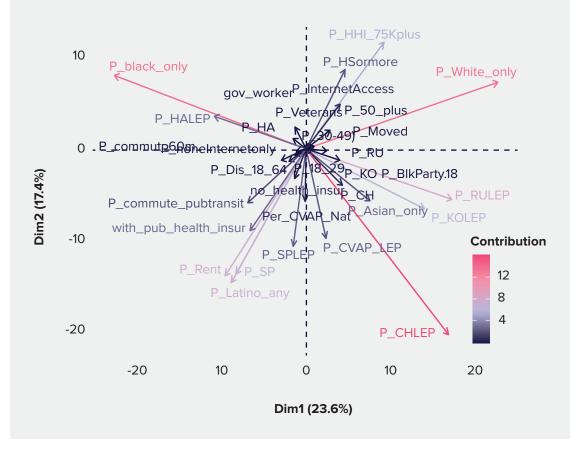
- Annual household income: \$15,000-\$24,999
- Annual household income: \$25,000-\$34,999
- Annual household income: \$35,000-\$49,999
- Annual household income: \$50,000-\$74,999
- Annual household income: \$75,000-\$99,999
- Annual household income: \$100,000-\$149,999
- Annual household income: \$150,000-\$199,999
- Annual household income: \$200,000 and over
- Unemployment rate
- Population living below poverty level
- Population using SNAP benefits
- Veterans
- Disability (age 18 and over)
- Moved in the last year
- Rent their current residence
- Work commute is 60 minutes or more
- Commute to work on public transit
- Household internet access
- Household internet access via smartphone only
- Party affiliation
- Citizens of voting age
- Citizens of voting age who do not speak english
- Car commute
- Government worker
- No health insurance
- Public health insurance



# Figure A.3 Principal Components Analysis Scree Plot

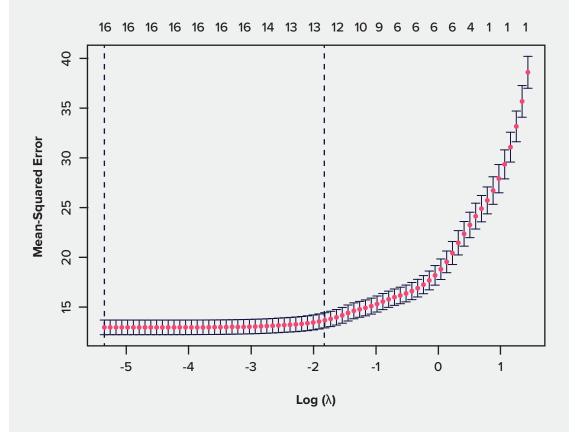
A scree plot is a line plot of the eigenvalues of principal components in an analysis. The scree plot is used to determine the number of factors to retain in the analysis.

# Figure A.4 PCA Variable Contribution Plot



- If variables are grouped together, they are positively correlated
- If variables are negatively correlated, they will be in opposite quadrants from one another.
- The color of each variable displays the amount of contribution a variable contributes to its dimensions.

### Figure A.5 Cross Validation Curve



# **LASSO MODEL**

#### Choosing lambda.

Lambda is a tuning parameter which controls the strength of the L1 penalty. As lambda increases, bias increases and variance decreases. We chose lambda based on a 10-fold cross validation. This separates the data into 10 training and validation subsets, records the error, and then gives us a cross-validation error curve, which we use to choose the turning parameter, lambda, that minimizes this curve. See the cross-validation error curve for our data below.

Our minimum lambda (the lowest cross validation mean-squared error; in the figure below it is the dashed line on the left hand side) equals **0.006**. This did not shrink the coefficients enough to eliminate some of them.

Our lambda within 1 standard error from the minimum lambda (right dashed line in the figure below) equals **0.15**.

# Figure A.6 Output of OLS Regression With LASSO-Selected Variables

Variable	ß Coefficients	B Coefficients	P-value
% Blank Party Affiliation	-0.50	-0.55	<0.001
% Age 50 and over	0.35	0.23	<0.001
% High School Diploma/GED or higher	0.32	0.17	<0.001
% Asian	0.27	0.10	<0.001
% White	0.26	0.06	<0.001
% Naturalized Citizens	-0.18	-0.07	<0.001
% Age 30 to 49	0.17	0.16	<0.001
% with a commute of 1 hour or more	-0.09	-0.05	<0.001
% with a disability (age 18+)	-0.07	-0.09	<0.001
% Latino (any race)	-0.07	-0.02	0.05
% Household income of \$75,000 or more	0.05	0.02	0.05
% government workers	-0.04	-0.04	0.01
% Black or African American	-0.06	-0.01	Not significant

## Residual standard error: 3.563 on 2096 degrees of freedom

#### ## Multiple R-squared: 0.6738, Adjusted R-squared: 0.6718

**## F-statistic:** 333.1 on 13 and 2096 DF, **p-value:** < 0.0000000000000022



NYC Votes is the nonpartisan voter engagement initiative of the New York City Campaign Finance Board (CFB), an independent agency that administers the city's small-dollar matching funds program for city elections.

NYC Votes gives New Yorkers a voice in shaping their city by connecting them to their elections. Together with our partners and volunteers, we engage underrepresented communities through outreach initiatives and provide New Yorkers with the information they need to participate in our democracy.