



## **Public Advocate Candidate, J.C. Polanco, Proposes Sweeping Election Reform Changes to Bring New York City into the 21<sup>st</sup> Century**

It is no secret that when it comes to elections, New York City is still in the Ice Age. I should know because I was a commissioner at the Board of Elections and had the opportunity to witness our voting system first-hand. One does not have to be an election administrator to know that with such dismal voter turnout in New York City and that a substantial overhaul is required. New York must overhaul its system and bring and transition it into the 21<sup>st</sup> century.

On April 1, 2017, the New York Board of elections reported New York City (all five boroughs combined) to be the home to approximately 4,996,975 registered voters (with 18% currently registered to vote with an unaffiliated political party (i.e. Blank)). Yet in 2014, only 22.6% of registered voters in New York City cast their votes for the Gubernatorial election.

As Public Advocate, I will focus on working with the state legislature and the City Council to enact the following important reforms:

1. Early voting and no-fault absentee voting
2. A free and fair Voter Identification Program
3. A fully-funded NYC Board of Election
4. Mandate a bipartisan national search component for any vacancies in the top posts at the NYC Board of Elections
5. Up-to-the-minute notification of deaths and new primary address of voters to the Board of Elections
6. Non-partisan municipal elections

7. Free election counsel for ballot access to CFB Participating candidates with less than \$10,000 in funding
8. Ease access to the ballot by fighting against arcane rules designed to keep candidates off the ballot.
9. End the backdoor selection of legislators by reforming the special election nominating convention process.
10. Mandatory Mayor's Management Report (MMR) reporting of BOE

## **The Polanco Plan**

### **Early voting and no fault absentee voting**

1. In light of the congestion we have seen on election day, it is clear that our municipal infrastructure is not designed to allow for efficient voting for millions of people. I witnessed this first hand in 2008 and again in 2012 in President Obama's reelection, and during the devastating effects of superstorm Sandy.

Early voting and no-fault absentee voting are common across the nation. Over half of the states currently allow for their citizens to vote prior to Election Day. New York must follow suit. This is why I am proposing to legislate for the impletion of a city wide early voting program, to conducted in main borough offices, that will allow New Yorkers to vote for their candidates one week prior to Election Day.

The political arguments from my side are driven by politics and not democratic principles. In a state like New York and a city like ours, Democrats have enormous enrollment advantages. The belief is that if we push for early voting and no-fault absentee voting, we would allow the Democrats to have a buffet of votes. This line of thinking may be politically savvy, but it is unprincipled democratically.

It is our responsibility, as vote seekers, to convince voters why our positions are the best ones. Putting up roadblocks to make it harder for those who may not support us to vote is not acceptable. Early voting will not only encourage voter participation, but it would reduce wait times on Election Day.

### **A Free and Fair Voter Identification Program**

2. Today, we are required to have identification for all aspects of our daily lives. From enrolling our kids in school, to medical care, to entering an office building. We do this to assure us that the person entering is truly the person they purport to be and have a reference point for identifying an individual at all times. Why should voting be treated differently?

Those concerned about protecting the ballot from fraud have a valid claim. Fraud exists. People vote under names they're not supposed to; they sign the

book and vote as there is virtually no check. Our poll workers are not law enforcement and the confrontation of disputing is awkward and many times won't get done.

But how can we protect the ballot through a voter identification program that doesn't suppress the vote and act like a poll tax? A free and fair program is the solution.

As part of a compromise to allowing New York to become an early voting and no-fault absentee voting state, we must demand a free and fair voter identification program. One that would allow for an expanded array of identification and a solid public education campaign to alert to the new program. This is a "win-win" for New York.

### **A Properly Funded NYC Board of Elections**

3. For years the New York City Board of Elections has made do with limited funding. This decision is done because of politics and an incredible lack of the comprehension of running elections by policy makers. However, in order for New York City to have problem-free elections, it would require ambitious reforms such as:

- Electronic checking-in of voters
- Auxiliary ADA-accessible poll sites
- Voter Line Management
- Improving poll site logistics

### **Nationwide search for an Executive Director of the NYC BOE**

4. Thankfully, the Board of Elections has an incredible Executive Director in former commissioner, Michael Ryan. However, in the event of an opening, it is important that the Board open up its selection process to a nationwide search. This search would allow the commissioners to select a top elections official who has gone through a thorough DOI investigation and background check by the New York City Council.

### **Up-to-the-minute notification of deaths & new primary address of voters to the Board of Elections**

5. Because we live in a transient society with many of us moving from one location to the next, updating your voter registration address may be the last priority on your list after making a move. Because of this, it is imperative that the state and city agencies that receive notification of deaths or new addresses inform the Board of Elections immediately to assure that voter rolls are correct.

### **Non-Partisan Municipal Elections**

6. With dismal voter turnout now the norm, we need to reassess the partisan election process. By taking the question to New Yorkers directly, we will have another opportunity to ask New Yorkers if nonpartisan elections are best. Over 90% of elected officials in the city are of one party, largely because of

gerrymandering and a lopsided voter registration advantage. Nonpartisan elections allow for greater participation of candidates and a recognition that we have record number of voters that do not identify with any party and find themselves without any voice in the selection of their officials.

In order to get this done we have to take the issue to the voters again through public referendum. I will launch a city wide public education campaign giving New York City the option of moving to a nonpartisan election system. With independent voters slowly making the majority of voters across New York, it is important to stand up for them and include their voices in these elections. Unfortunately, the lack of competitive districts causes most decisions take place during the closed party primary system.

### **Free Elections Law Counsel to Certain Candidates**

7. When I was an elections commissioner, it would pain me to see first time candidates get thrown off the ballot because they didn't have enough money to retain an election lawyers. These attorneys, some of the best in the country, are expensive and are there assist candidates with ballot access by steering them through the labyrinth of complex laws and rules. Because of the sophistication level of the current law, I know most elected officials would have no idea how to handle on their own. Because of this, I believe it is in the best interest of democracy to create a level playing field and provide candidates with little resources legal assistance on ballot access.

### **Ease Ballot Access**

8. We must modernize our arcane and confusing election rules, that are designed to keep qualified candidates off the ballot. Every year, dozens of candidates spend their entire summer petitioning, and campaigning in hopes of making the ballot. However, many candidates find out because of the arcane, capricious rules in New York, their candidacy is voided and their name is kept off the ballot. We should work to modernize ballot access to allow qualified candidates to have an opportunity to represent their communities.

### **End the back room selection election process**

9. Over 30% of current state legislators have been elected by a political party process of the "selection election" which entails party officials rather than registered voters choosing their nominee for a public office. Because most districts in New York are gerrymandered and so incredibly lopsided that having the Democrat line is almost always a guarantee of victory. By not allowing for a true election between members of their own party, this action puts the entire selection process in the hands of political party bosses, and not the constituents.

There are two operative issues that cause "selection elections": the declination and substitution petition procedure and the County Committee convention for Special Election nominations. The declination and substitution process allows for candidates to circulate petitions for themselves and then use the Committee

to Fill Vacancies to substitute a different candidate after those petitions are filed. This creates a borderline fraudulent process where political parties routinely run candidates with no intention to run and that can be switched out at a later date.

The County Committee selection process happens when the Governor calls for a special election and political parties used their County Committee members, whom are almost always hand-picked by political clubs and elected officials, to nominate a candidate for public office. **The registered voters of a political party never have a vote as to who the Republican or Democrat candidate is in a Special Election.** We need to changes these processes to make them more “small d” democratic.

It is easy for us to understand the conspiratorial nature of the timing of an elected official resigning from office within enough time allow for a selection by party bosses to occur. As Public Advocate, I will work with good government organizations such as Citizens Union and the League of Women Voters to fix this absurd and undemocratic system of selection elections. We must push for a fair election process to instill voter confidence and expand the electoral process to more candidates.

### **Board of Elections reporting to MMR (Mayor’s Management Report)**

10. For years, even when I was a Commissioner at the Board of Elections, the Board fought against reporting to the MMR, The Mayor’s Management Report, as a symbolic gesture of its independence. Although the Board is independent, it relies on municipal funding and good will. The Board will retain its independence by simply stating so, and by providing a full report for the MMR. The MMR is an opportunity for the city to allow for constituents to get a one-stop shop opportunity to gauge how all city agencies are performing.

I will work with the commissioners at the Board of Elections to encourage their participation on the MMR.

By incorporating these reforms, New Yorkers will have more confidence in the administration of elections and the democratic process. We will increase voter turnout in the city and encourage New Yorkers to register to vote. These changes will not be easy. I have begun calls for reform as a candidate by pushing hard for a Constitutional Convention. This would be an important step in the right direction in reforming our elections.

*J.C. Polanco is the Republican and Reform Party candidate for Public Advocate. Polanco is the NYC Regional Director for the Assembly Minority, serves on the faculty of the Borough of Manhattan Community College/CUNY and an attorney for Polanco Law, PLLC.*

## **Sources**

**[https://www.elections.ny.gov/NYSBOE/enrollment/county/county\\_nov13.pdf](https://www.elections.ny.gov/NYSBOE/enrollment/county/county_nov13.pdf)**