



**Acknowledgments:**

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**About the Asian American Legal Defense and Education Fund (AALDEF)**

AALDEF, founded in 1974, is the first organization on the East Coast to protect and promote the legal rights of Asian Americans, through litigation, legal advocacy, and community education. AALDEF’s program areas include: immigrant rights, voting rights, census, economic justice for workers, language rights, affirmative action, anti-Asian violence and police brutality.

This report was written by Glenn D. Magpantay, Staff Attorney, and edited by Margaret Fung, Executive Director. Graphs and survey analysis were done by Nancy W. Yu, Policy Analyst.

## I. INTRODUCTION

Like many minority voters in Florida in 2000, Asian Americans in New York City have encountered a range of discriminatory barriers when they exercise their right to vote. In prior elections, some problems included mistranslated ballots that flipped party headings so that Democrats were listed as Republicans and vice versa, a lack of interpreters to assist limited-English proficient Asian American voters, hostile poll workers, and outright discrimination.

The Asian American Legal Defense and Education Fund (AALDEF) regularly monitors elections for compliance with the federal Voting Rights Act, specifically Section 203, which requires Chinese- and Korean- language voting assistance, and to document other voting problems. We observed first-hand a number of problems and also received complaints from Asian American voters, interpreters, and poll workers.

This report reviews our observations about the 2003 Elections in New York City. We monitored forty-two poll sites during the primary election on September 9, 2003 and seventy poll sites in the general election on November 4, 2003. We also surveyed nearly one thousand Asian American voters, in several Asian languages and dialects, during the general election.

Compared to past elections, the Board of Elections in the City of New York continues to improve its compliance with Section 203. Notwithstanding these improvements, we found the following problems:

- Poll workers improperly demanded identification, were rude, hostile, or made disparaging remarks about language assistance and Asian American voters, and engaged in other inappropriate conduct.
- Voter registration forms submitted by Asian Americans were incorrectly entered with the wrong addresses or dates of birth, and a number of registration forms were mishandled or lost.
- Translated signs and materials were often hidden or unavailable to voters. Some poll workers were completely unaware of their responsibilities or improperly refused to make language assistance available to voters. Translations on paper ballots were too small to read.
- Poll sites had too few or no interpreters. Some interpreters performed their duties poorly or did not understand election procedures.
- There was much confusion over poll sites and election districts. Poll workers misdirected voters to new poll sites or incorrect election districts. Voters received erroneous or no notices about their assigned poll sites.
- Other problems included broken voting machines, poor publicity of the elections in Asian American communities, and refusals to allow voters to use candidate palm cards when voting.

The Board of Elections can remedy many of these problems with concerted effort. AALDEF's recommendations for securing compliance with the mandates of the Voting Rights Act are listed at the end of this report.

Furthermore, as the state and city implement the federal Help America Vote Act (HAVA), such new requirements and procedures must eliminate other institutional barriers so that all New Yorkers can exercise their right to vote.

## II. BACKGROUND

### A. Legal Background

The Voting Rights Act is the cornerstone in ensuring that communities of color have access to the ballot and fair opportunities to cast meaningful votes.<sup>1</sup> The Language Assistance Provisions of the Voting Rights Act, codified at Section 203, mandate the availability of translated ballots and other voting materials, as well as oral language assistance.<sup>2</sup>

In New York City, Section 203 mandates the availability of Chinese language ballots, voting materials, and oral assistance at poll sites in Queens, Brooklyn, and Manhattan<sup>3</sup> and Korean language assistance in Queens.<sup>4</sup> In past years, AALDEF exit polls documented that first-time voters and newly-naturalized citizens most benefited from language assistance.

Section 2 of the Voting Rights Act forbids discrimination against racial, ethnic, and language minorities.<sup>5</sup> Asian New Yorkers are also afforded all the rights of voters under New York State Election Law and New York City Board of Elections policies and procedures. While the Board of Elections has made significant progress in complying with the Language Assistance Provisions for Asian-language assistance over the past decade, a great deal more must be done to guarantee all New Yorkers equal access to the vote.

### B. Methodology

The Asian American Legal Defense and Education Fund's voting rights program includes election monitoring, a multilingual voter hotline, multilingual exit polls of Asian American voters, voter registration, and election reform advocacy. Election day activities focused on poll sites in Queens, Manhattan, and Brooklyn during the primary election on September 9, 2003 and the general election on November 4, 2003.

During the two elections, AALDEF staff, volunteer attorneys, law students, and members of the Chinatown Voter Education Alliance, Asian American Bar Association of New York, and Young Korean American Service and Education Center observed first-hand a number of problems and also received complaints from Asian American voters, interpreters, and other poll workers.

In September, we monitored 42 poll sites during the primary election. We inspected 17 poll sites in Queens, in Flushing (12 poll sites), Jackson Heights (2), Fresh Meadows (2), and Jamaica (1). We inspected 14 poll sites in Brooklyn, in Sunset Park (6), Bensonhurst (4), Sheepshead Bay (3), and Williamsburg (1). We inspected 10 poll sites in Chinatown, Manhattan and 1 in Battery Park City. All sites, except 2, provided language assistance in Chinese and 8 provided assistance in Korean. See attachment for list of sites.

In November, we monitored 70 poll sites during the general election. We inspected 40

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<sup>1</sup> Voting Rights Act of 1965, 42 U.S.C. §§ 1971-73 (2001).

<sup>2</sup> Minority Language Materials and Assistance, 28 CFR §§ 55.14-55.21 (2001).

<sup>3</sup> Jurisdictions Covered under Secs. 4(f)(4) and 203(c) of the Voting Rights Act of 1965, as amended, 28 CFR Part 55 Appendix (2001); see also Nature of Coverage, 28 CFR § 55.4 (2001).

<sup>4</sup> 67 Fed. Reg. No. 144, 48871-77 (July 26, 2002) (Notices).

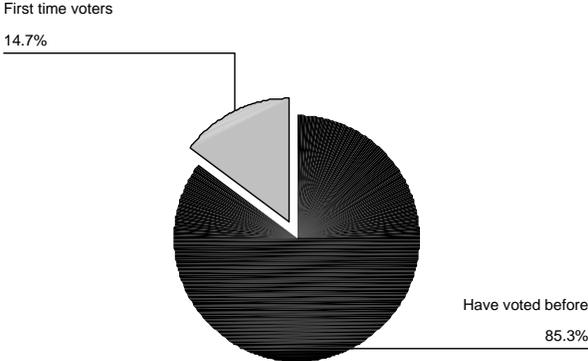
<sup>5</sup> Section 2 of the Voting Rights Act of 1965, 42 U.S.C. §§ 1973, 1973(b)(f)(2) (2001).

poll sites in Queens, in Flushing (9 poll sites), Bayside (3), Elmhurst (6), Jackson Heights (7), Woodside (3), Sunnyside (4), Jamaica (3), Forest Hills (3), Floral Park (1) and Richmond Hills (1). We inspected 10 poll sites in Brooklyn, in Sunset Park (6), Bensonhurst (3) and Williamsburg (1). We inspected 20 poll sites in Chinatown and the Lower East Side, Manhattan. All sites, except 2, were targeted for Chinese language assistance and 25 sites were targeted for Korean language assistance. See attachment for list of sites.

A multilingual voting hotline assisted voters with questions and recorded complaints of voting problems. Calls could be received in six languages and dialects: English, Cantonese, Mandarin, Toisan, Korean, and Tagalog. We also received numerous complaints from voters, Board of Elections poll workers, and community groups.

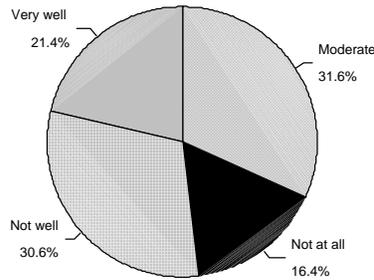
AALDEF conducts multilingual exit polls of Asian American voters to assess the use and effectiveness of language assistance, as well as document other voting barriers. In 2003, we surveyed 981 Asian American voters in at least twelve Asian languages and dialects. Among the 70 sites we monitored during the general election, we also conducted a voter survey at nine of those sites, in Chinatown (3 poll sites), Flushing (2), Elmhurst (1), Richmond Hill (1), and Floral Park (1) Sunset Park (1).

### First Time Voters

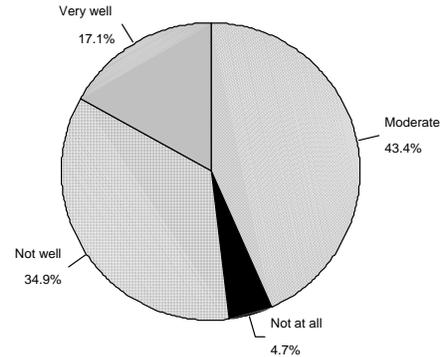


We asked voters whether it was their first time voting in an election in the United States. We found that 15% were first-time voters. We also asked them about their ability to read English. 39% responded that they did not speak English well or at all.

Chinese Voters & English Proficiency



Korean Voters & English Proficiency



Our monitoring of the Board of Elections Language Assistance Program extended beyond the Election Day. Over the summer, we observed trainings for site coordinators and poll inspectors in Queens. We also monitored the Board's efforts to provide notification to voters about upcoming elections. After the elections, we compared records in the Board of Elections database of registered voters with information from voters who reported specific problems, in order to confirm their registrations, poll sites, and election districts.

Throughout the year, AALDEF also registers new voters at the federal courthouse in Manhattan every week after naturalization swearing-in ceremonies. In 2003, we delivered a total of 1,266 voter registration forms to the Board of Elections. This year, AALDEF spot-checked the voter registration lists at the Board against copies of 167 voter registration forms we collected and submitted in 2003 from Asian American voters.

AALDEF's election reform advocacy activities in 2003 included participating in the Citywide Coalition for Voter Participation convened by the New York Public Interest Research Group (NYPIRG) and Common Cause. AALDEF is also a member of the New York Voting Rights Consortium, which includes leading civil rights organizations, including the NAACP Legal Defense Fund, Puerto Rican Legal Defense and Education Fund, Center for Law and Social Justice, and Community Service Society. Lastly, AALDEF worked with the Young Korean American Service and Education Center to recruit and provide the Board of Elections with Korean interpreter applicants.

On Election Day, AALDEF attorneys immediately contacted the Board of Elections to remedy serious problems reported by voters. AALDEF sent letters to the Board of Elections with detailed reviews of these problems in the hope they would be corrected before the next election.<sup>6</sup> This report highlights the barriers Asian American voters encountered during the 2003 Elections and makes concrete recommendations for improvement.

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<sup>6</sup> Letters from Margaret Fung, Exec. Dir., and Glenn D. Magpantay, Staff Att'y, Asian American Legal Defense and Education Fund (AALDEF) to John Ravitz, Exec. Dir., NYC Board of Elections, Feb. 17, 2004 (reviewing observations from 2003 General Elections) and Nov. 2, 2003 (reviewing observations from 2003 Primary Elections).

### III. FINDINGS AND OBSERVATIONS

This section summarizes our findings and highlights observations, with more detailed accounts in the attachments. The first attachment lists the sites we monitored. The second reviews specific incidents and observations at each poll site. The third is a series of charts that show the unavailability of specific translated materials, signs and interpreters. We hope that the Board of Elections will endeavor to correct these problems in time for the 2004 elections.

#### A. Poll Worker Problems

We observed, and a number of voters and interpreters complained, that poll inspectors were electioneering, refused to provide language assistance to voters, or were rude, inconsiderate, or hostile toward Asian American and limited English-proficient voters. We urge the Board to enforce the Commissioners' Program for Poll Worker Non-Compliance.

<b>AALDEF Voter Survey</b>	
981 voters surveyed on November 4, 2003.	
<u>Complaint/ Problem</u>	<u>Voters</u>
Required to show identification	85
Name not on list of registered voters	13
Voted by paper ballot	25
Poll workers were discourteous	8
Poll workers were hostile	12
Poll workers poorly trained	15
No bilingual materials/signs	12
Directed to wrong poll site/election district	7

In our survey, eight Asian Americans reported that poll workers were "discourteous" and fifteen said they were "hostile." We detail some of these problems later, when they involved Section 203 violations, such as interfering with interpreters or not making translated materials available to voters. The following are incidents where poll workers were inconsiderate, rude, hostile, discriminatory, or made disparaging remarks about language assistance and Asian American voters.

##### 1. Egregious or Recurring Problems

One poll worker at St. Patrick's Youth Center in Chinatown was electioneering during the general election. This poll inspector told an interpreter to instruct voters how to vote on particular proposals, specifically "yes" for ballot question 1, "no" for question 2 and "no" for question 3. The same inspector also told the interpreter that voters had to cast votes in all the races and ballot questions, otherwise none of their votes would count.

Many voters complained about particular poll inspectors at Election District/Assembly District (ED/AD) 43/22 at Senior Center in Flushing. One voter complained that the inspector did not seem to understand how the machine worked. The inspector could not assist the voter, but rushed him to sign his name and finish voting. Three voters complained that their names were not listed in the book of registered voters and were turned away. They were not given the option of voting by affidavit ballots. One of the voters complained of the same problem last year.

There were also several problems with poll workers at PS 250 in Williamsburg. During both the primary and general elections, the site coordinator and a number of poll inspectors were unwilling to cooperate with interpreters. They tried to segregate and discourage the interpreters. In the morning, the interpreters were not given any tables or chairs. They were told that they had to stand all day long.

Inspectors at 49/53 were discourteous toward Asian American voters and made them feel uncomfortable. One interpreter reported that they “lacked professionalism” and “lacked patience.” The inspectors also did not make Chinese-language materials available to voters.

The ED chairperson for 49/53 displayed the most hostility. She was impatient with Asian American voters who had difficulty in speaking English. She did not exhibit the same impatience with non-Asian voters. We observed that, at one point, she “drew” a line on the floor with her foot, indicating to an Asian American voter where to stand. The poll worker’s action was clearly discourteous and condescending.

Another poll inspector at 49/50 was hostile toward Asian American voters and in the past, required them to provide identification in order to vote. During the general election, she fell asleep and occasionally dozed off during the day. In the evening, we observed that she started closing up her voting machine at 8:30 PM, well before the closing time of 9:00 PM. This is the third year we have received complaints about this inspector.

Poll inspectors continued to improperly require Asian American voters to show identification in order to vote. In addition to the situations already discussed, 85 Asian American voters, or almost one in ten, responded in our survey that they were required to provide identification.

We note that the federal Help America Vote Act will change New York’s prohibition against requiring voters to provide identification in order to vote. But this requirement only applies to first-time voters who register by mailing in their voter registration forms. Poll inspectors must be carefully trained that this new exception is very narrow.

## 2. Denial of Language Assistance

Poll inspectors did not provide language assistance to voters. At Newtown HS in Elmhurst, a poll inspector at 44/35 did not direct the voter to an interpreter. The voter could not understand the inspector’s instructions and therefore lost his vote. At PS 205 in Bensonhurst, poll workers said they were told not to leave translated materials out on the ED tables.

Some inspectors were openly belligerent and refused to make translated materials available to voters. At PS 149 in Jackson Heights, a poll inspector at 19/34 said, “Everybody knows what they are doing,” and did not want to bring out translated materials. She said that poll workers would bring out the materials only upon request. However, this was not the proper procedure. Voters were not required to ask for materials, these papers should have been displayed on the tables.

At PS 69 in Jackson Heights, poll inspectors at 32/34 defiantly refused to put translated materials on the table, even after they were so directed by an official from the Board of Elections. The inspectors became hostile towards the official and incorrectly insisted that the Board’s rules were not to put out translated materials, but that voters had to request them.

At PS 117 in Jamaica, the site coordinator insisted that only a few types of translated materials be displayed at each ED table because the coordinator’s manual stated that ED tables should not be “cluttered.” This resulted in many materials being hidden from

voters. "Clutter" should refer to personal effects, such as newspapers, books, and coffee cups, not voting materials.

### 3. Rude, inconsiderate or hostile poll inspectors

Poll inspectors were rude, inconsiderate or hostile toward Asian American and limited-English proficient voters.

- At Ralph Hernandez Tenement in Chinatown, an inspector at 45/64 was rude towards a Chinese voter because the inspector could not understand the spelling of the voter's name.
- At PS 126 in Chinatown, a voter complained that all the poll inspectors at 17/64 made fun of his last name, which was "Ho." He thought the poll workers should be fired and said, "They made my last name sound like a dog." At Flushing Bland Center, the site coordinator commented that certain residents "should learn to speak English."
- At PS 115 in Floral Park, the site coordinator made disparaging remarks about South Asian voters. She repeatedly referred to herself as a "US citizen" and said that she was "born here." She instructed the door clerk to "keep an eye" on all the South Asian voters.
- At PS 314 in Sunset Park, a voter complained that an inspector at 61/51 required Asian American voters to provide identification in order to vote. Another voter at 68/51 complained that there was loud music playing in the poll site, which made it difficult for her to concentrate on the ballot questions.

We urge the Board to take action against these poll workers. Some may simply require re-training, others should be reprimanded, and a few should be removed from their posts.

## **B. Translated Ballots, Materials, and Signs**

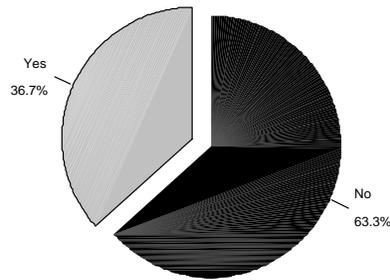
New translated voting materials were developed in 2003. The multilingual instructions on how to vote, which appeared on the inside doors of voting machines and as laminated handouts, were very helpful. However, a number of poll workers reported that they never received the Chinese and Korean language supply kits or they did not make translated materials available to voters. As a result, we observed inspectors giving English or Spanish materials to Chinese voters. Poll workers only posted signs in English and Spanish, even though their sites had many Asian American voters. Poll inspectors were cavalier about providing language assistance, and some even made disparaging remarks about the legal requirement for such assistance.

### 1. Ballots

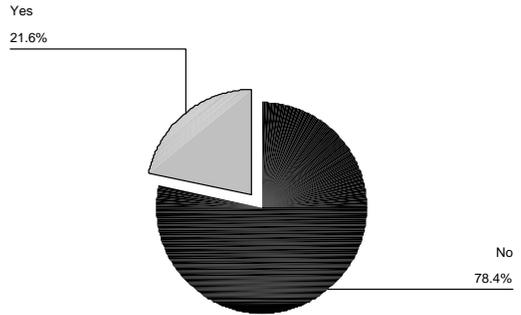
Bilingual ballots are vital to making the vote accessible to language minorities. At PS 250 in Williamsburg, Brooklyn, 49/53 was targeted for assistance but the ballots were not translated. We also observed Chinese voters who came to this ED to vote but had difficulty voting because the ballot was not translated.

We have long complained that Chinese and Korean translations on ballots and other voting materials were too small to read. Interpreters at PS 134 and Masaryk Towers in Chinatown specifically complained that translations were too small to read. The Board provided magnifying sheets to remedy this, but we observed that the sheets were almost always missing at ED tables and from inside voting machines.

Chinese Voters With Difficulty Reading the Ballot



Korean Voters With Difficulty Reading the Ballot

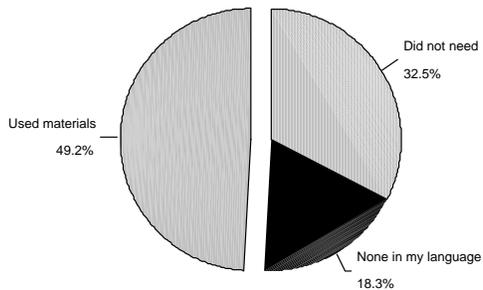


In our survey, 37% of Chinese voters in Chinatown and 22% of Korean voters in Flushing, complained that translations on the paper ballots were too small to read.

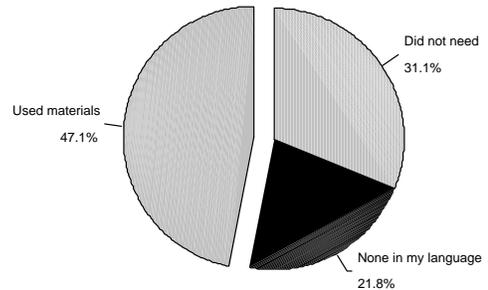
## 2. Written Materials

Section 203 requires the translation and posting of all voting signs and materials. Indeed, 49% of Chinese voters and 47% of Korean voters we surveyed required the assistance of translated materials. However, we observed that a number of poll sites and EDs did not have the required Chinese and Korean language signs and materials or did not use them effectively. Often, these signs were not even taken out of the Board of Elections’s Chinese and Korean Language Supply Kits.

Chinese Voters & Use of Translated Materials



Korean Voters & Use of Translated Materials



Poll inspectors were cavalier about providing written language assistance. We observed that Chinese- and Korean-language affidavit ballot envelopes and voter registration forms were frequently missing. Translated paper ballots and multilingual laminated voting instruction hand-outs were also missing. The materials were left in unopened supply kits or hidden in the back compartments of voting machines.

Translated materials must be out on the ED tables. We observed at IS 237 in Flushing that because materials were not accessible, an interpreter had to assist a voter as she tried to complete a voter registration form in English.

Particular translated signs were also missing or not posted. The Chinese and Korean “Interpreter Available” and blue “Vote Here” signs sometimes were not posted at poll site entrances. The blue “No Electioneering” signs were often not posted 100 feet from poll site entrances. During the primary election in Sunset Park, very few sites posted the blue

Vote Here” signs at the entrances to poll sites. We also observed that the entrances to a number of sites throughout the city were difficult to find. These sites needed to make better use of directional arrows.

Poll inspectors were poorly trained in the use of translated materials. They mistakenly believed that the materials only had to be provided if voters specifically asked for them. One poll worker, at Southbridge Towers in Chinatown, remarked that the materials did not need to be out because there were no Chinese interpreters. To the contrary, the lack of interpreters made the display of translated materials all the more important. At JHS 190 in Forest Hills, Chinese materials were missing and poll workers explained that they wanted to keep the tables “clean.”

In the primary election, poll inspectors in Chinatown, Sunset Park, Flushing, and Bensonhurst said that they were instructed by site coordinators or in trainings not to put translated materials out on tables, but to leave them in the back of voting machines. They were told the materials only needed to be made available if voters specifically asked for them. This is not the proper procedure.

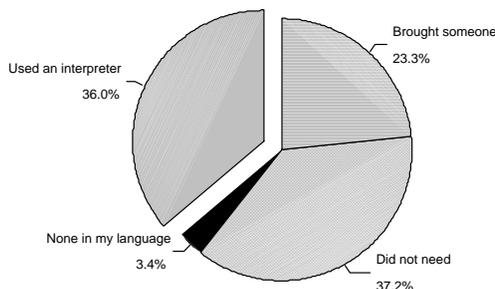
Some poll workers were completely unaware of their obligations under Section 203. Inspectors at IS 96 in Bensonhurst thought that these were the first elections in which they had to provide assistance in Chinese. They complained that they never received translated materials. However, IS 96 has been on the list of targeted sites for many years. Inspectors in Sheepshead Bay did not even know that there were any voting materials in Chinese. They left the Chinese Language Supply Kits in the back of voting machines. The kits were never opened until we visited those sites asking about the materials.

Some inspectors did not know about the different types of translated materials. Inspectors at PS 140 and PS 20 in Chinatown mixed up paper ballots, affidavit ballot envelopes and voter registration forms. At Bayside HS, the site coordinator and poll inspectors did not know that there was a multilingual tent card on affidavit ballots for voters. The coordinator thought that the tent card “contained instructions [specifically] for poll workers, not the public.”

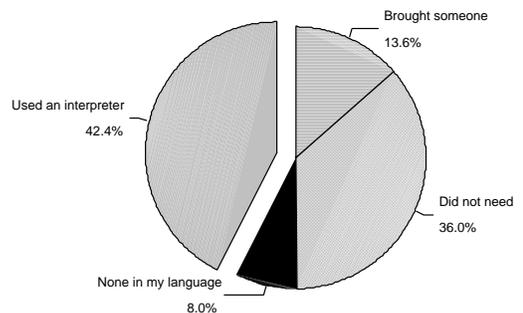
The lack of translated materials and signs made poll sites inaccessible to limited English proficient voters and is a violation of Section 203. The Board must specifically incorporate the availability of translated materials and posting of translated signs into its trainings of poll inspectors.

## **C. Interpreters**

Chinese Voters & Use of Interpreter



Korean Voters & Use of Interpreter



Interpreters greatly help limited English proficient voters exercise their right to vote. Indeed, 36% of Chinese voters and 42% of Korean voters we surveyed required the assistance of interpreters.

Most poll sites did not have the required number of interpreters. In both elections, about one out of three assigned interpreters did not show up on election day.

<b>Interpreter Coverage</b>		
	<u>Chinese</u>	<u>Korean</u>
<u>Primary Election</u>		
Assigned	137	26
Showed Up	98	18
<u>General Election</u>		
Assigned	120	77
Showed Up	78	54

In the primary election, for Chinese interpreters, 137 were assigned, but only 98 showed up on election day. For Korean interpreters, 26 were assigned, but only 18 showed up. In the general election, for Chinese interpreters, 120 were assigned, but only 78 showed up on election day. For Korean interpreters, 77 were assigned, but only 54 showed up.

Six poll sites that were targeted for language assistance had no interpreters at all. There were no Chinese interpreters at Southbridge Towers in Manhattan; PS 212 in Elmhurst; and PS 131 and JHS 217, both in Jamaica. There were no Korean interpreters at PS 5 in Elmhurst and CWV Post 870 in Woodside.

Some interpreters should be dismissed. The coordinator at Southbridge Towers telephoned one of the interpreters who did not show up. The interpreter said he could not come and never gave any advance notice. One interpreter at PS 150 in Sunnyside did not understand election procedures and did not understand or speak English well. This resulted in a voter losing her vote.

We also observed that stand-by interpreters, who were dispatched to poll sites with interpreter shortages, were not trained.

The Board must step up its efforts to recruit sufficient numbers of qualified interpreters, as required by federal law. New solutions must be considered, such as providing increased compensation for interpreters or allowing some interpreters to work split-shifts, where they work for eight hours, instead of the regular sixteen hours.

## **D. Poll Site and Election District Confusion**

As in previous years, there was much confusion over changes in poll sites and election districts (EDs), which resulted in disenfranchising many voters.

In Chinatown, there was confusion among voters at St. Patrick's Youth Center, PS 130 and Mott Street Senior Center. A number of voters at PS 130 at 42/64 were sent to St. Patrick's Youth Center. Voters at St. Patrick's Youth Center at 40/64 were sent to Mott Street Senior Center. At Mott Street Senior Center some of the voters were told to return to St. Patrick's Youth Center.

A number of ED and poll site changes in Flushing were also extremely disruptive. Voters

at Flushing House Residence for Adults were sent to the Taiwan Center. At PS 20, a voter was told to go to Senior Center to vote. He was very upset and remarked that voters take “precious time to vote.”

At Senior Center, a voter at 43/22 was directed to go to another poll site but her name was not there. She was not able to vote. After the election, we checked this voter’s registration at the Board of Elections and found that she was assigned to 24/22, which was at Senior Center. She should have been allowed to cast an affidavit ballot at Senior Center to preserve her vote.

Many voters were reassigned to distant poll sites, making it difficult to vote. Voters in Chinatown, Flushing, Bayside, Richmond Hill, Floral Park complained frequently of this problem. Poll workers also had difficulty in using the Board of Elections Street Finder and Poll Site List to identify voters’ ED and poll site assignments. In Richmond Hill, about twenty voters at PS 55 complained that they were directed to another, more distant poll site. One voter was sent to three different poll sites in the area.

Several of these voters complained that they received no notice of changed poll sites. This occurred at Seward Park HS in Chinatown, PS 20 and Senior Center in Flushing, and PS 115 in Floral Park.

The Board adopted a new procedure to give voters referral slips when voters had to be sent to different poll sites. However, the referral slips were only in English. These slips must be translated into Chinese and Korean. Some poll workers also did not know about the referral slips and did not use them, which we observed at St. Patrick’s Youth Center in Chinatown and Cardozo HS in Bayside.

The referral slips are positive improvements, but the Board must try to minimize overall poll site confusion. We urge the Board to consider the following procedures:

First, any changes to poll sites and EDs must be predicated upon an analysis of where former voters had previously voted and whether they will be sent to new sites. If these voters will be sent to new distant sites, less burdensome site changes must be considered.

Second, if poll site changes are made, then special notices should be mailed to individual voters. Informed bilingual poll workers and translated signs must be placed at changed poll sites directing voters where to go. Changes must also be publicized in the Asian-language media.

Third, even if voters are at the wrong poll sites or election districts, registered voters should be allowed to cast affidavit ballots and have their votes counted. For instance, voters who cast affidavit ballots at the wrong poll sites but are still in the congressional districts in which they reside should have their votes for Congress counted. Currently, if voters cast affidavit ballots at the wrong sites, their ballots are discarded. Voters should have their votes counted wherever possible.

## **E. Poll Worker Training**

Over the summer, we attended a Poll Site Coordinator Training class in Queens. We had previously urged that the trainings emphasize the rules and proper procedures regarding identification, interpreters and other persons providing assistance, and translated materials and signs. Some of these issues were reviewed in the trainings, but others were completely overlooked.

At the training, we observed one trainer specifically instruct coordinators not to put

certain translated materials out on the ED tables. He said, more than once, that he was fully aware of the instruction in the manual and said, "I'm telling you something different." He persuaded the coordinators to keep the affidavit ballot envelopes behind voting machines. We have observed on election day that because materials were not readily available, voters left without voting. On one occasion, we observed that inspectors gave Spanish affidavit envelopes to Korean-speaking voters.

Poll workers periodically are supposed to attend trainings, but we suspect they did not go or their trainings were poor. Poll inspectors in Chinatown did not know about new materials, such as the affidavit ballot tent cards, multilingual handout instructions on how to operate the voting machine, and referral slips.

On election day, we received a number of complaints about poll inspectors being poorly trained. The Coordinator at PS 20 in Flushing reported that many of the inspectors were working for the first time. They did not understand election procedures and did not follow instructions. She said that some had even "failed" the training. Indeed, one voter complained that her name was not on the list of registered voters and she was asked to provide identification. She was ultimately turned away and was not offered an affidavit ballot. We checked the registration of the voter and found that she was supposed to vote at Botanical Gardens, but she was not sent to that site to vote. In our survey, four other voters at PS 20 responded that poll workers were poorly trained.

A voter at PS 115 in Floral Park complained that it was his first time voting and that poll inspectors at 33/24 did not explain the voting process very well. A voter at PS 55 in Richmond Hill complained that a poll inspector at 74/32 did not know how to properly direct voters and that the inspector needed better training.

A few voters complained about poll inspectors at Senior Center in Flushing. During the general election, two voters were erroneously told that they could not vote because they had not voted in the primary election. Another voter complained that she was turned away from voting because she was Indian.<sup>7</sup> A fourth voter complained that an inspector at 45/22 wrongly instructed him to pull the vote-casting lever back and forth, and therefore, he lost his vote.

In our survey, fifteen voters complained that poll workers were poorly trained. Poll inspectors need better training in election procedures, voters' rights to language assistance, and the Board's language assistance program.

## **F. Voter Roll Book Problems:** **Voter Registration and Affidavit Ballots**

A number of voters complained that their names were not listed in the book of registered voters. These voters should have been given affidavit ballots, but poll inspectors simply turned them away. In other instances, original voter registration forms were lost or mishandled.

### **1. Affidavit Ballots**

A poll inspector at IS 131 in Chinatown said that a voter, whose name was not listed, could not vote because the voter was not enrolled in a political party. But this was a general election and party enrollment did not matter. The inspector did not allow the voter to cast an affidavit ballot and the voter left without voting.

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<sup>7</sup> We attempted to get more information from the voter, but she was upset and refused to provide any more details.

A voter at Senior Center in Flushing complained that he was directed to stand on two different lines, 42/22 and 22/22. He waited for almost half an hour and then was turned away because inspectors could not find his name. He was not allowed to vote on the machine nor was he offered an affidavit ballot.

We urge that voters whose names cannot be found on the list of registered voters be given affidavit ballots and that the affidavit ballot envelopes also be used as voter registration forms. This will remedy situations like those we observed in Flushing. At Flushing House Residence for Adults, a Korean voter's name was not listed. She did not cast an affidavit ballot but instead completed a voter registration form, remarking, "I may have filled this out before; it looks familiar." If the voter was in fact registered, then she lost her vote.

At Senior Center in Flushing, a voter complained that his name was not accurate on the list of registered voters, although he attested to correctly and completely filling out his original voter registration form. He voted by affidavit ballot at 24/22. In this situation, the voter's vote was preserved and if there were any problems barring his ballot from being counted, those problems would be remedied for the next election under our recommendation.

## 2. Voter Registration

There were numerous omissions of Asian American voters from the lists of registered voters at several election districts. Thirteen voters in the general election reported that their names were not listed.

The problems of missing names and other discrepancies arose in part from data entry mistakes as voter registration forms were entered into computerized lists. We spot-checked the Board of Elections's database of registered voters against copies of 167 voter registration forms we collected and submitted in 2003 from Asian American voters. In 2003, we delivered a total of 1,266 forms.

### **AALDEF Voter Registration Drives** From January 24 to December 5, 2003

Total number of forms submitted: 1,266  
Total number of forms from Asian Americans checked: 167  
Total number of forms with errors or missing: 36 (22%)  
Address Errors: 6  
Party Error: 1  
Date of Birth Errors: 5  
Missing Records: 24

We found numerous errors when the Board entered these voter registration forms. Thirty-six forms, or 22%, had errors or were missing. The errors were in the addresses, party enrollments, and dates of birth of voters. We also found that a number of forms were never processed. In total, about one in five had a mismatch or was missing.

- Voters' addresses were entered incorrectly. For example, the wrong apartment number was entered, or entirely omitted. Six forms had this type of error.
- Voters' preferred political party enrollments were sometimes ignored. One voter, who did not want to enroll in any political party, was enrolled into the Democratic party.

- Some voters' dates of birth were incorrectly entered, with errors in the year, date, or month. In one instance, the date of birth was listed on the form but the Board never entered that date. Five forms had this type of error.
- Worst of all, two dozen voter registration forms that we had submitted were entirely missing from the Board of Elections's database.

Voters who were not listed are entitled to cast their vote by affidavit ballots. But if there were mistakes in the voters' registration forms or their forms were lost, then their ballots would be discarded.

New York State election law requires that voters who are not given affidavit ballots be given voter registration forms. This did not occur.

Last year, after we reviewed forms submitted in 2002, we found many of the same problems. The Board must explore ways to remedy complaints that Asian voters' names are missing from the list of registered voters. For the past two years, we asked the Board to review the database of registered voters and compare the information to the original voter registration forms. This has not been done.

To simplify this process, we urge the Board to use the information in affidavit ballots to register voters and simultaneously correct data entry errors. Therefore, when voters complete affidavit ballots, the affidavit ballot envelopes should double as voter registration forms. Other counties in New York State use this procedure as an opportunity to register eligible voters. We have already recommended this procedure to the State Board of Elections as it implements the Help America Vote Act (HAVA).

If voters have taken all the necessary steps to register, corrective measures must be put into place so that the Board of Elections will count their votes. Using affidavit ballot envelopes as voter registration forms will remedy problems in future elections.

## **G. Other Problems**

There was not enough publicity in Chinese and Korean communities about the primary election, specifically which districts had races. A number of Asian voters erroneously came to vote when there were no elections in their districts. The Board should better explain to the public who is eligible to vote in the primary elections and which areas in Queens, Brooklyn, and Manhattan are having elections.

At Ralph Hernandez Tenement in Chinatown, we observed that hearing-impaired Chinese voters needed a sign-language interpreter.

At Civil Court in Chinatown, there were not enough poll inspectors to staff the three EDs at the site. Twelve inspectors were assigned, but only five were present. Interpreters helped out with general election duties, but then they were unable to assist Chinese-speaking voters. The interpreters at this site cited this problem this year and in 2002.

At PS 20 in Flushing, an Asian American voter at 18/22 was not allowed to bring a candidate palm card into the voting machine to help her cast her vote.

Flushing Bland Center was not targeted for Korean-language assistance, but we observed a number of Korean voters. We recommend that the Board target this poll site for Korean ballots and interpreters.

The following attachments detail these problems. They include specific incidents and observations at each poll site. A series of charts show the lack of availability of specific

translated materials, signs, and interpreters.

## IV. RECOMMENDATIONS

Overall, we commend the Board of Elections on its improvements in complying with Section 203 over the years. Other steps should be taken to address the problems reviewed in this report. AALDEF makes the following recommendations:

- Poll workers who are hostile, act in a discriminatory manner, or obstruct or deny language assistance to Asian American voters should be reprimanded or removed.
- Poll inspectors need better training in election procedures, voters' rights to language assistance, and the Board's language assistance program. Both the training materials and oral presentations by trainers must emphasize:
  - voters' rights to be assisted by persons of their choice, who may also accompany the voter inside the voting booth;
  - the proper use and posting of Chinese- and Korean- language materials;
  - how to direct voters to their assigned poll sites and election districts; and
  - that identification is not required to vote.
- Better efforts are needed to recruit sufficient numbers of qualified interpreters. New solutions must be considered, such as providing increased compensation for interpreters or allowing some interpreters to work split-shifts. All interpreters also need better training in general election procedures.
- Chinese and Korean translations on ballots must be enlarged.
- The Board must correct the pervasive problem of Asian voters' names missing from lists of registered voters, as well as new problems in the processing of voter registration forms. The Board should:
  - review the database of registered voters and compare the information to original voter registration forms;
  - instruct poll inspectors to look up voters' first names, if Asian surnames are not found; and
  - follow other counties in New York State and use information on affidavit ballot envelopes to correct data entry errors and register voters if their original forms were lost.
- Resolving poll site and election district confusion requires more concerted effort.
  - Any changes to poll sites and election districts must be predicated on an analysis of where voters previously voted, with a concerted effort not to move voters to distant sites.
  - If changes must be made, then mailed notices must be supplemented by the placement of bilingual poll workers and translated signs at changed poll sites directing voters where to vote. Changes must also be publicized in the Asian-language media.
  - Even if voters are at the wrong poll sites, registered voters should be allowed to cast affidavit ballots and have their votes counted.

AALDEF will continue to work with the Board of Elections to ensure full compliance with the Voting Rights Act and to grantee the right to vote to all New Yorkers.

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## **ATTACHMENTS**

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**Sites monitored for Section 203 compliance by AALDEF  
Primary Elections on September 9, 2003**

All election districts have Chinese ballots, except those in ~~strikeout~~.  
Election districts in underscore also have Korean ballots (Queens only).

Site	Address	Targeted ED/AD
<b>MANHATTAN</b>		
<b>Chinatown (10 sites)</b>		
Civil Court	111 Centre St.	19 /64
P.S. 2	122 Henry St.	64, 66 /64
P.S. 130	143 Baxter St.	34, 35, 36 /64
Mott St. Senior Center	180 Mott St.	39, 42 /64
Seward Park Annex	200 Monroe St.	28, 69, 71, 72, 73, 74 /64
I.S. 131	100 Hester St.	32, 33, 54, 55, 57 /64
P.S. 1	8 Henry St.	18, 22, 23, 29 /64
P.S. 126	80 Catherine St.	15, 17, 24, 25 /64
Rutgers Houses	200 Madison Ave.	26, 27 /64
St. Patrick Youth Center	268 Mulberry St.	40, 41 /64
		21 /66
<b>Battery Park City (1 site)</b>		
High School for Leadership	90 Trinity Place	<del>7, 9</del> /64
<b>BROOKLYN</b>		
<b>Sunset Park (6 sites)</b>		
P.S. 105	1031 59 St.	65, 66, 67, 70 /48
		4, 5, 7, 13, 84 /49
P.S. 176	1225 69 St.	55 /48
		12, 16, 17, 20 /49
P.S. 169	4305 7 Ave.	33, 34, 35, 36, 38, 39, 46, 48 /51
J.H.S. 220	49 St. & 9 Ave.	68, 71, 88 /48
		45, 47 /51
P.S. 94	5010 6 Ave	73, 74 /48
		50, 51, 52, 53, 63, 64 /51
P.S. 69	6302 9 Ave.	63, 64 /48
<b>Bensonhurst (4 sites)</b>		
P.S. 205	6701 20 Ave.	71 /47
		59, 70, 71, 77, 78, 79 /49
P.S. 186	7601 19 Ave.	50, 57, 58, 67, 68, 75, 87 /49
P.S. 204	8101 15 Ave.	19, 27, 30, 31, 32 /49
P.S. 128	8310 21 Ave.	44, 45, 46, 54, 56, 57, 59, 96 /47
		66 /49
<b>Sheepshead Bay (3 sites)</b>		
P.S. 254	1801 Ave. Y	21, 22, 29, 30 /45
J.H.S. 234	1875 E. 17 St.	34, 42, 44, 57, 58, 61 /45
J.H.S. 228	228 Ave. S & W. 4 St.	29, 30, 53 /47
<b>Williamsburg (1 site)</b>		
P.S. 250	108 Montrose Ave.	53 /50
		45, 49, 50 /53
<b>QUEENS</b>		
<b>Flushing (12 sites)</b>		
Flushing Bland Center	133-36 Roosevelt Ave.	12, 13, 14 /22
P.S. 20	142-30 Barclay Ave.	16, <u>18, 28, 30, 46, 47</u> , 48, <u>49</u> , 50 /22
J.H.S. 185	147-26 25 Drive	<u>89</u> , 90, 91 /26
		<u>1, 2, 4</u> /25
		<u>93</u> /26

P.S. 163	159-01 59 Ave.	53, <u>54</u>	/22
		22	/25
P.S. 107	167-02 45 Ave.	<u>39</u>	/22
Botanical Gardens	43-50 Main St.	<u>14, 15, 16, 18, 19, 20</u>	/25
Rosenthal Senior Center	45-35 Kissena Blvd.	15, <u>17, 19, 20, 21</u>	/22
I.S. 237	46-21 Colden St.	<u>22, 23, 24, 42, 43, 44, 45, 51, 52</u>	/22
Taiwan Center	137-44 Northern Blvd.	25	/22
		<u>3, 26, 65</u>	/22
Queensboro Hill Library	60-05 Main St.	55, 56	/22
Flushing H.S.	35-01 Union Street	<u>5, 6, 7, 8, 9</u>	/22
Union Plaza Nursing Home	33-23 Union Street	<del>63</del>	<del>/22</del>
<b>Jackson Heights (2 sites)</b>			
P.S. 89	85-28 Britton Ave.	20, 21, 28, <u>29, 30</u> , 31, 46	/39
P.S. 149	93-11 34 Ave.	19, 43, 48	/34
<b>Fresh Meadows (2 sites)</b>			
P.S. 173	174-10 67 Ave.	80, 81	/24
P.S. 177	56-37 188 St.	70, 71, 72, 73	/24
		24, 25, 26, 28, 29, 78	/25
<b>Jamaica (1 site)</b>			
St. Nicholas Tolentin	150-75 Goethals Ave.	35, 36, 37, 41, 42	/25

**Sites Monitored for Section 203 Compliance by AALDEF  
General Elections on November 4, 2003**

All election districts have Chinese ballots, except those in ~~strikeout~~.  
Election districts in underscored also have Korean ballots (Queens only).

Site Name	Site Address	Targeted ED/AD
<b>MANHATTAN</b>		
<b>Chinatown (20 sites)</b>		
Civil Court	111 Centre St.	19/64
St. Margaret House	49 Fulton St.	9/64
Southbridge Tower	66 Frankfort St.	11/64
P.S. 130	143 Baxter St.	34, 35, 36/64
Mott St. Senior Center	180 Mott St.	39, 42/64
St. Patrick Youth Center	268 Mulberry St.	40, 41/64
		21/66
Seward Park Annex	200 Monroe St.	28, 69, 71, 72, 73, 74/64
P.S. 131	100 Hester St.	32, 33, 54, 55, 57/64
Rutgers Houses	200 Madison Ave.	26, 27/64
P.S. 2	122 Henry St.	56, 64, 66/64
P.S. 1	8 Henry St.	18, 22, 23, 29/64
P.S. 126	80 Catherine St.	15, 17, 24, 25/64
Ralph Hernandez Tenen.	189 Allen St.	43, 45, 53/64
P.S. 20	166 Essex St.	52, 58/64
P.S. 140	123 Ridge St.	83, 84/64
		11, 12, 13/74
Seward Park H.S.	55 Essex St.	59/64
Masaryk Towers	77 Columbia St.	85, 86/64
		2/74
P.S. 134	293-311 East Broadway	81, 82/64
LaGuardia Houses	286 South St.	70/64
Confucius Plaza	20 Confucius Plaza	20, 21, 30, 31/64
<b>BROOKLYN</b>		
<b>Sunset Park (6 sites)</b>		
P.S. 105	1031 59 St.	65, 66, 67, 70/48
		4, 5, 7, 13, 84/49
P.S. 176	1225 69 St.	55/48
		12, 16, 17, 20/49
P.S. 69	6302 9 Ave.	63, 64/48
P.S. 169	4305 7 Ave.	33, 34, 35, 36, 38, 39, 46, 48/51
J.H.S. 220	49 St. & 9 Ave.	68, 71, 88/48
		45, 47/51
P.S. 94	5010 6 Ave	73, 74/48
		50, 51, 52, 53, 63, 64/51
<b>Bensonhurst (3 sites)</b>		
P.S. 205	6701 20 Ave.	71/47
		52, 59, 70, 71, 77, 78, 79/49
P.S. 186	7601 19 Ave.	50, 57, 58, 67, 68, 75, 87/49
P.S. 128	8310 21 Ave.	44, 45, 46, 54, 56, 57, 59, 96/47
		66/49
<b>Williamsburg (1 site)</b>		
P.S. 250	108 Montrose Ave.	53/50
		45, 49, 50/53

## QUEENS

**Flushing (9 sites)**

Flushing Bland Center	133-36 Roosevelt Ave.	12, 13, 14/22
Flushing Hse.Res.for Adults	38-20 Bowne St.	<u>27, 29/22</u>
P.S. 20	142-30 Barclay Ave.	16, <u>18, 28, 30, 46, 47, 48, 49, 50/22</u>
J.H.S. 189	144-80 Barclay Ave.	<u>31, 32, 33, 34, 35, 36, 40, 41/22</u>
P.S. 22	153-01 Sanford Ave.	<u>37, 38, 62/22</u>
Taiwan Center	137-44 Northern Blvd.	<u>3, 26, 65/22</u>
Botanical Gardens	43-50 Main St.	15, 17, 19, 20, <u>21/22</u>
Rosenthal Senior Center	45-35 Kissena Blvd.	<u>22, 23, 24, 42, 43, 44, 45, 51, 52/22</u>
I.S. 237	46-21 Colden St.	25/22

**Elmhurst (6 sites)**

P.S. 13	55-01 94 St.	37, 38, 39, 40, 41, <u>42/35</u>
P.S. 5	50-40 Jacobus St.	<u>54, 55/35</u>
P.S. 7	80-55 Cornish Ave.	45, 46, 47, 48, 52, <u>53, 73/35</u>
P.S. 89	85-28 Britton Ave.	20, 21, 28, <u>29, 30, 31, 46/39</u>
P.S. 222	86-17 37 Ave.	24/39
Newtown H.S.	48-01 90 St.	<u>43, 44/35</u> 22, 23, <u>25, 26/39</u>

**Jackson Heights (7 sites)**

I.S. 145	33-34 80 St.	<u>10, 11, 12, 13/34</u>
P.S. 149	93-11 34 Ave.	19, 43, 48/34
Southridge Co-Op	33-24 91 St.	20, 21, 22, 23, <u>42/34</u>
P.S. 148	89-02 32 Ave.	14, 67/34
P.S. 212	34-25 82 St.	24/34
I.S. 230	34-01 73 St.	<u>30, 33, 34/34</u>
P.S. 69	77-02 37 Ave.	<u>32/34</u> <u>32, 40, 41, 42, 44/39</u>

**Woodside (3 sites)**

CWV Post 870	39-48 61 St.	<u>36, 63/34</u>
P.S. 12	42-00 72 St.	<u>35, 37, 52, 53/34</u> <u>49, 50, 51/35</u>
St. Sebastian's School	57-15 Woodside Ave.	<u>40, 46/30</u> <u>56, 57/34</u>

**Sunnyside (4 sites)**

J.H.S. 125	46-02 47 Ave.	27, <u>34, 35/37</u>
P.S. 199	39-20 48 St.	45/37
P.S. 11	54-25 Skillman Ave.	<u>27, 28, 29, 31, 32/30</u>
P.S. 150	40-01 43 Ave.	<u>54/30</u> <u>28, 30, 31, 32, 43/37</u>

**Bayside (3sites)**

Benj. Cardozo H.S.	57-00 223 St.	<u>3, 4, 5, 8/24</u>
P.S. 169	18-25 212 St.	<u>22, 24, 25, 29, 32/26</u>
Bayside H.S.	32-24 Corp. Kennedy St.	<u>53, 54/26</u>

**Jamaica (3 sites)**

P.S. 131	170-35 84 Ave.	60/25
J.H.S. 217	85-05 144 St.	45/25
P.S. 117	85-15 143 St.	44, 46, 47/25

**Forest Hills (3 sites)**

J.H.S. 190	68-17 Austin St.	43, <u>45, 47, 48/28</u>
P.S. 144	93-02 69 Ave.	19, 20, 21, 22, 23, 39, 40, 41/28
P.S. 196	71-25 113 St.	86, 87, 88, 89, 90/28

**Floral Park (1 site)**

PS 115	80-51 261 Street	N/A
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**Richmond Hill (1site)**

PS 55	131-10 97 Avenue	N/A
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## Specific Observations at Each Poll Site Primary Election, September 9, 2003

### 1. Chinatown, Manhattan

#### **Civil Court, 111 Centre St.**

Materials: There were no magnifying sheets on any of the ED tables or inside any of the voting machines. In fact, poll workers said that they did not know what the magnifying sheet was. The entrance to the polling area was poorly marked. Poll workers should have made better use of directional arrows to indicate where to vote.

#### **Mott Street Senior Center, 180 Mott St.**

Materials: Sample ballots were not posted near the machines and instead, were posted near the entrance, too far away for voters to see. There were no magnifying sheets on any of the ED tables or inside any of the voting machines. The sheets were left in unopened supply kits and poll inspectors said that they did not know their purpose.

Poll site/ED confusion: One ED, 40/64, was moved from Mott Street Senior Center to St. Patrick's Youth Center. This caused much confusion among voters. Poll workers complained that they did not know which addresses were affected by the move and had much difficulty in directing voters. For example, they could not tell whether the address of a Chinese voter placed him at Mott St. Senior Center or St. Patrick's Youth Center. Poll workers used the new referral slip to direct voters to new sites, but they were incorrectly completed. One elderly Chinese voter at 42/64 was given a slip and sent to St. Patrick's Youth Center, but there, he was told to return to Mott St. Senior Center where he belonged.

Machines: The voting machine at 39/64 broke down in the morning. The lever for one of the Democratic judicial candidates, Frank Nervo, did not work. We observed two Chinese voters who sought to vote for that candidate. The voters complained about this problem and a poll inspector answered "You can't vote for him, he's a Republican." The first voter simply left without voting. The second voter replied to the poll inspector that the candidate was a Democrat. The poll inspector never offered the voter an emergency ballot and the voter left unable to vote.

#### **St. Patrick's Youth Center, 268 Mulberry St.**

Poll site/ED confusion: ED 40/64 was at Mott St. Senior Center during last year's election and many voters at this election district went to that poll site, not knowing that they were supposed to vote at St. Patrick's Youth Center.

Materials: There were almost no Chinese materials at 41/64. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

Other: Voters complained that the lighting for 41/64 was too dark to see.

#### **PS 130, 143 Baxter St.**

Voter list: A voter at 35/64 was listed twice under two

different names, "Yu, Yaoyu L." and "Yuliu, Yu Yao". The same address, apartment number, and birth date were listed under both names. In the signature boxes, one had a signature and the other had a printed name. The signing years were also different. Inspectors allowed the voter to vote and made an annotation in the list about the discrepancy.

Materials: There were no magnifying sheets on any of the ED tables or inside any of the voting machines, except at 34/64.

#### **PS 126, 80 Catherine St.**

Materials: Almost no Chinese language materials were available for voters. There were none on the tables at EDs 15, 17, 24, and 25 /64. No voting instructions, either posters or laminated cards, were available. No sample ballots, except at 15/64, were posted. There were no magnifying sheets on any of the ED tables and they were inside only half of the voting machines. The site coordinator reported that they did not have enough referral slips and some EDs did not receive any.

#### **PS 2, 122 Henry St.**

Materials: None of the EDs had laminated voting instruction cards. None of the voting machines had any magnifying sheets hung inside the machines.

#### **PS 1, 8 Henry St.**

Materials: There were no magnifying sheets on any of the ED tables or inside any of the voting machines, except inside one.

Poll workers: One Chinese poll inspector complained that the site coordinator tried to transfer him to a different poll site, to which he did not want to go. Another inspector then told him to go home and that he would not be paid for the day. Inspector Lee believed that he was singled out and that no other poll inspectors were asked to leave or be transferred. He received two different notices assigning him to two different poll sites on election day.

#### **Rutgers Houses, 200 Madison St.**

Materials: None of the poll workers knew about the laminated voting instruction cards or the magnifying sheets.

#### **Seward Park Annex, 200 Monroe St.**

Interpreters: One of the interpreters received two different notices assigning him to two different poll sites: Seward Park Annex and Rutgers Houses. He went to Seward Park. Upon inspection of his notices, we found his name was spelled differently on each, "Zhang, Dalin" and "Zhang, Da Lin" (space added).

Materials: None of the poll workers knew about the laminated voting instruction cards. They were out but poll workers did not offer them to voters. There were no magnifying sheets on any of the ED tables or inside any of the voting machines. The sheets were

kept in the supply kits but poll workers did not know what to do with them.

**IS 131, 100 Hester St.**

Poll site/ED confusion: One ED was moved to Mott Street Senior Center, which caused much confusion. Voters who had normally voted at IS 131 were directed to go to that poll site but poll workers did not give voters referral slips.

Poll workers: Poll inspectors at this site were usually well versed in election procedures, but did not know about the new tent card about affidavit ballots, the laminated voting instruction card, or referral slips.

Materials: There were magnifying sheets inside supply kits but poll workers did not know what to do with them.

**High School for Leadership, 90 Trinity Place**

Poll site/ED confusion: Poll workers at 7 and 9/64 did not know how to use the street finder. We received a complaint that this led one Chinese voter at 7/64 to complete an affidavit ballot.

**2. Flushing, Queens**

**IS 137, 46-21 Colden St.**

Chinese Materials: Some of the translated materials were missing and kept behind the voting machines. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

**Botanical Gardens, 43-50 Main St.**

Chinese Materials: There were no magnifying sheets on any of the ED tables.

Korean Materials: Most translated materials were missing from every ED table. EDs 17 and 19 /22 had almost no Korean materials at all.

**Rosenthal Senior Center, 45-35 Kissena Blvd.**

Chinese Materials: Some materials at 22 and 44/22 were missing, such as affidavit ballot envelopes and voter registration forms. These materials were kept at the interpreter table. There were no magnifying sheets on any of the ED tables, except at 22/22.

Korean Materials: Affidavit ballot envelopes and voter registration forms at 22/22 were missing and kept at the interpreter table.

**PS 20, 142-30 Barclay Ave.**

Chinese Materials: Most of the different kinds of translated materials were missing and a number of ED tables had almost none. Inspectors at 30/22 said that the materials were behind the voting machine. Even when we asked, the inspectors never took them out and continued to make them unavailable. There were no magnifying sheets on any of the ED tables, except at 47/22, or inside any of the voting machines. While voting materials were missing, we observed that the tables were filled with inspectors' own personal reading materials, like newspapers and novels.

Korean Materials: Most translated materials were missing from every ED table.

**Taiwan Center, 137-44 Northern Blvd.**

Chinese Materials: Most translated materials were missing from every ED table. We observed that the Chinese language supply kit was present but it was unopened and poll workers did not know about it. Only the large voting instruction poster in Spanish was hung. There were no magnifying sheets on any of the ED tables.

Korean Materials: Very few translated materials were on any of the ED tables. The Korean language supply kit was also unopened and poll workers did not know about it either.

**Flushing Bland Center, 133-36 Roosevelt Ave.**

Chinese Materials: Very few translated materials were on any of the ED tables. There were only two EDs that had magnifying sheets available on the tables, and only two other voting machines had them hung inside.

Poll workers: One poll inspector at 91/26 said, "People who don't speak English need to learn English to vote."

**Flushing High School, 35-01 Union Street**

Chinese Materials: Some different kinds of materials were missing from all of the ED tables. ED 5/22 kept all of its materials behind the voting machine. There were no magnifying sheets on any of the ED tables, except one.

Korean Materials: Almost all translated materials were entirely missing from every ED.

**JHS 185, 147-26 25 Drive**

Chinese Materials: ED 89/26 had almost no translated materials available for voters. They were all kept in the back of the voting machine. Two EDs did not hang the large voting machine instructions poster, but hung the poster in Spanish. There were no magnifying sheets on any of the ED tables.

Korean Materials: ED 89/26 had no translated materials and 91/26 kept most of the materials in the back of the voting machine. When we arrived at the site, around 11:00 AM, the Korean language supply kit was opened for the first time.

**Queensboro Hill Library, 60-05 Main St.**

Chinese Materials: ED 55/22 was missing affidavit ballot envelopes and voter registration forms. There were no magnifying sheets on any of the ED tables.

**PS 163, 159-01 59 Ave.**

Chinese Materials: There were no affidavit ballots, affidavit ballot envelopes, or magnifying sheets on any of the ED tables. These were all kept at the interpreter table. However, because three different types of ballots were at the interpreter tables, each specific to an ED, they could easily be mixed up.

Machines: An inspector complained that the handle on the voting machine at 53/22 was difficult to pull back. The voting machine at 54/22 was broken when we visited the site.

**PS 107, 167-02 45 Ave.**

Chinese Materials: The inspectors said that they were expressly told to keep all translated materials in the back of the voting machines. This rendered them inaccessible to voters. There were no magnifying sheets on any of the ED tables and no directional arrows posted identifying the entrance to the poll site. The site coordinator claimed that the supply kits were incomplete.

Korean Materials: Almost no translated materials were available at any of the ED tables. They were all kept in Korean language supply kits behind voting machines.

**3. Jackson Heights, Queens**

**PS 89, 85-28 Britton Ave.**

Chinese Materials: Most EDs were missing affidavit ballot envelopes and voter registration forms. There were no magnifying sheets on any of the ED tables, except one.

Korean Materials: Most EDs were missing affidavit ballot envelopes and voter registration forms.

**PS 149, 93-11 34th Ave.**

Chinese Materials: Poll workers reported that they did not receive Chinese language supply kits so almost no translated materials were available. There were no magnifying sheets on any of the ED tables.

Korean Materials: The site was not targeted for Korean assistance, but poll workers complained that they needed translated materials and signs for Korean voters. Poll workers hand-wrote signs in Korean to direct voters. PS 149 should be targeted for assistance in the next election.

Poll site/ED confusion: An inspector complained that voters were assigned to different EDs from last year, which caused much confusion. Voters had to move from table to table to find out where they could vote. Some voters were so frustrated that they left without voting.

**4. Fresh Meadows, Queens**

**PS 173, 174-10 67 Ave.**

Chinese Materials: Almost no translated materials were on any of the tables, except at 80/24. They were all kept in unopened supply kits behind the voting machine. There were no magnifying sheets on any of the ED tables. Directional arrows were poorly placed. We observed that it was difficult to find the entrance to the poll site.

Poll workers: The Coordinator told our monitor that he wanted the ED tables to look “professional,” so he directed inspectors to keep all translated voting materials behind the voting machines, which kept them hidden from voters.

Machines: The voting machine at 29/25 jammed at one point during the day, but the coordinator was eventually able to fix it.

**PS 177, 56-37 188 St.**

Chinese Materials: Some materials were kept in supply kits behind the voting machines. There were no magnifying sheets on any of the ED tables, except one.

**St. Nicholas of Tolentine, 150-75 Goethals Ave.**

Chinese Materials: Some translated materials were not available at a number of ED tables. ED 35/25 was missing several materials. ED 36/25 kept all the materials at the interpreter table. There were no magnifying sheets on any of the ED tables.

**5. Sunset Park, Brooklyn**

**PS 176, 1225 69th St**

Materials: There were no magnifying sheets on any of the ED tables, except at 55/48, or hung inside any of the voting machines.

**PS 69, 6302 9th Ave.**

Materials: Poll workers complained that the Chinese language supply kit was incomplete and a number of translated materials were missing.

**PS 105, 1031 59th St.**

Materials: There were no magnifying sheets hung inside any of the voting machines. Few Chinese signs were posted, but all of the signs in Spanish were posted.

**JHS 220, 49th St. and 9th Ave.**

Materials: Many translated materials were missing at all the EDs. Magnifying sheets were only on a few ED tables and none were inside any of the voting machines. Many Chinese language signs outside of the poll site were missing. Directional arrows were misleading and pointed in different directions. We found that it was extremely difficult to find the entrance to the polling area.

**PS 169, 4305 7th Ave.**

Poll workers: A poll inspector at 38/51 reported that he was told by the site coordinator to leave the translated materials in the supply kits and behind the voting machine. The Coordinator also commented to our observer that there were “too many” Chinese materials and that there were no English materials. We pointed out that all of the materials were bilingual.

Materials: Many inspectors reported that they did not receive the Chinese language supply kits, and many materials were missing. ED 33/51 had no translated materials at all. ED 38/51 received the kit but did not open it and kept it behind the voting machine. Almost none of the ED tables had magnifying sheets available and none were inside any of the voting machines. Most of the inspectors said that they did not know that the materials had to be on the table and available for voters.

**PS 94, 5010 6th Ave.**

Materials: Many translated materials were missing at all the EDs. In particular, 73/48 had almost no

translated materials. None of the EDs had the laminated voting instruction card or magnifying sheets. No magnifying sheets were inside any of the voting machines.

#### **6. Bensonhurst, Brooklyn**

##### **PS 204, 8101 15 Ave**

Materials: Most translated materials were missing. EDs 19, 27, and 32/49 had almost no translated materials. None of the EDs had tent cards regarding affidavit ballots or magnifying sheets. No magnifying sheets were hung inside any of the voting machines. Very few Chinese language signs were posted outside the poll site. The red "Interpreter Available" sign was missing.

##### **PS 186, 7601 19 Ave.**

Materials: The tent cards regarding affidavit ballots were missing at all the EDs. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

Poll workers: When we inquired about translated materials, an older, white male poll inspector at 67/49 sarcastically responded, "What, are we in China? It's ridiculous."

##### **PS 205, 6701 20th Ave.**

Materials: A number of translated materials were missing at many EDs. EDs 71/47 and 71/49 had very few translated materials. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

Broken voting machines: Poll workers complained that the voting machine at 78/49 was not set up properly and this caused much confusion among voters.

##### **PS 128, 8310 21st Ave.**

Materials: Many translated materials were missing. EDs 45, 46, and 96/47 had very few materials. None of the EDs had the tent card and few had posted the large voting instruction poster. There were no magnifying sheets on any of the ED tables or inside any of the voting machines. No Chinese directional arrows were posted so it was difficult to find the entrance to the polling area, which was different from the main entrance to the school.

#### **7. Sheepshead Bay, Brooklyn**

##### **JHS 234, 1875 E. 17 St.**

Materials: Translated materials were put out only when we asked about them. Before we had arrived, the materials were kept behind the voting machines. Most EDs had no voter registration forms in Chinese. They were kept behind the machine, although the Spanish and English forms were on the tables. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

##### **JHS 228, 228 Ave. S & W. 4 St.**

Materials: Almost all translated materials, except the large voting instructions poster and sample ballots, were missing from the tables and kept behind the voting machines. There were no magnifying sheets on any of the ED tables or inside any of the voting machines.

##### **PS 254, 1801 Ave. Y**

Materials: Almost all the tables were missing laminated voting instruction cards. There were no magnifying sheets on any of the ED tables or inside any of the voting machines. The site coordinator reported that the EDs did not receive Chinese language supplies kits.

#### **8. Williamsburg, Brooklyn**

##### **PS 250, 108 Montrose Ave.**

Materials: Many translated materials were missing. There were no translated materials at 53/50 and very few at 49 and 50 /53. There were no magnifying sheets on any of the ED tables and none were hung inside any of the voting machines. ED 40/53 was not targeted for language assistance, but we observed Chinese voters at this ED. Inspectors had to give them Spanish voting materials.

Poll workers: There were many serious problems at this site. Poll inspectors would not allow voters to be assisted by interpreters; in fact, they discouraged voters from being assisted. The inspectors assumed the interpreters were electioneering simply because they could not understand them and because they were approaching voters. The police segregated the interpreters and moved them far away from the entrance to the polling area. This isolated the interpreters and made it even more difficult for them to offer assistance to voters. (Ironically, the police placed partisan poll watchers at the front entrance, where we observed that voters easily mistook them for poll workers and sought assistance from them.)

All four poll inspectors at 53/50 were hostile toward Chinese voters and made it exceptionally difficult for them to be assisted by interpreters. They required voters to declare, more than once and clearly in English for each inspector to hear, that the voters needed assistance. But if the voters said a simple word or two in English, the inspectors deemed the voters to be sufficiently English proficient and not in need of interpreters.

One inspector assumed interpreters were electioneering because she could not understand Chinese. We observed Chinese voters who came to the table for language assistance, but two inspectors actively blocked interpreters from assisting the voters. We observed one voter at the table with an interpreter, when one poll inspector said, "She needs to ask for an interpreter." This inspector made the voter ask her for an interpreter, twice, while the interpreter was standing right next to the voter. The inspector decided that the voter did not need an

interpreter and she told the interpreter to go away.

We also observed that another inspector was nasty toward Chinese voters. She required them to produce identification and when she was done, threw the ID back at the voters. When voters truly needed assistance, by her standard, she sent the voters to the back of the line to let other English speaking voters vote first.

Poll inspectors at 49/53 were also disrespectful toward limited English proficient voters and demanded that voters provide identification before they could vote. In particular, one inspector, whom we complained about last year, was rude. We observed that she did not allow Chinese voters, whose name she could not find on the list of registered voters, to complete affidavit ballots. She also would not give her name when we asked. We had to get her name from other Board of Elections staff, who also acknowledged that "she had an attitude problem."

At the site, many poll workers were inhospitable to the interpreters. Interpreters complained of hostility from poll workers at 40, 49/53 and 53 /50. One interpreter said that inspectors had "bad attitudes" and were "racist" towards them. The interpreters said that the inspectors talked behind the interpreters' backs, assuming that the interpreters did not understand English. Poll workers would not share chairs with the interpreters, making them stand all day.

The coordinator did not care for the interpreters either and also joined in accusing them of electioneering. When a Board of Elections official asked how she knew the interpreters were electioneering, she admitted that she did not understand Chinese but insisted that they were electioneering simply, as she said, "Because I know it."

All this gave interpreters the impression that they were not allowed to approach voters. They thought they could only stand quietly at the side and provide assistance only if explicitly requested by a voter. The voter's request had to be absolutely unambiguous and made to the satisfaction of inspectors. This was too much of a hurdle. It is also contrary to our urging that interpreters be instructed to actively approach and assist voters. We observed that of all the EDs at PS 250, most Asian American voters were at 53/50 and second, at 49/53. These were also the two EDs with the most problems. The Board of Elections must call all these individuals in for retraining before the next election.

## Specific Observations at Each Poll Site General Election, November 4, 2003

### 1. Chinatown, Manhattan

#### **PS 1, 8 Henry St.**

Materials/Signs: Missing Chinese-language voter registration forms at most EDs. Missing magnifying sheets from all ED tables and almost all voting machines.

#### **PS 126, 80 Catherine St.**

Materials/Signs: Missing Chinese "Interpreter Available" sign at entrance. Missing magnifying sheets from all ED tables. Missing almost all Chinese-language materials at 25/64. The materials were left in an unopened supply kit.

#### **PS 2, 122 Henry St.**

Materials/Signs: Missing Chinese-language voter registration forms at all EDs. Missing magnifying sheets from almost all ED tables and all voting machines.

#### **St. Patrick's Youth Center, 268 Mulberry St.**

Materials/Signs: Missing magnifying sheets from all ED tables.

Poll site confusion: There was confusion among voters at 40/64. They did not know whether they were supposed to vote at this site or Mott Street Senior Center. Voters who had to go to Mott Street Senior Center were not given referral slips.

Poll workers: Poll inspector, Mrs. Martinez, reportedly told an interpreter to instruct voters how to vote on particular proposals, specifically "yes" for ballot question 1, "no" for question 2 and "no" for question 3. The same inspector also told the interpreter that voters had to cast votes in all the races and ballot questions, otherwise none of their votes would count.

#### **PS 130, 143 Baxter St.**

Materials/Signs: Missing magnifying sheets from all ED tables and all voting machines.

Interpreters: The interpreters seemed overwhelmed at times because they were both translating for voters and serving as information clerks, looking up non-Asian voters' names.

Poll site confusion: Voters assigned to 42/64 normally voted at this site, but they were sent to St. Patrick's Youth Center.

#### **Mott Street Senior Center, 180 Mott St.**

Materials/Signs: Missing magnifying sheets from all ED tables and half of the voting machines.

Poll site confusion: Voters assigned to 40/64 complained that they were initially sent to St. Patrick's Youth Center to vote. But once there, they were told to return to Mott Street Senior Center.

Poll workers: One poll inspector rushed one of the interpreters who was assisting a voter. The inspector told the interpreter to "hurry up," because there was another voter waiting.

#### **PS 140, 123 Ridge St.**

Materials/Signs: Missing magnifying sheets from all

voting machines.

Poll workers: Poll inspectors did not understand the different types of translated materials, such as paper ballots, affidavit ballot envelopes and voter registration forms.

#### **PS 20, 166 Essex St.**

Materials/Signs: Not enough signage outside the main entrance. Missing magnifying sheets from all voting machines.

Interpreters: Interpreters did not know that they were supposed to wear bilingual name tags.

Poll workers: Poll inspectors did not understand the different types of translated materials, such as paper ballots, affidavit ballot envelopes and voter registration forms.

#### **Ralph Hernandez Tenement, 189 Allen St.**

Materials/Signs: Missing magnifying sheets from all voting machines.

Poll workers: A male Spanish-speaking poll inspector at 45/64 was rude towards a Chinese voter because the inspector could not understand the spelling of the voter's name.

Other: This site has deaf Chinese voters and they needed a sign-language interpreter.

#### **Southbridge Towers, 66 Frankfort St.**

Materials/Signs: Missing Chinese "Interpreter Available" sign at entrance. Missing magnifying sheets from all ED tables and voting machines. Missing Chinese-language affidavit ballot envelopes and voter registration forms at 11/64. Some of the materials were at the interpreter table but there were no interpreters to assist Chinese-speaking voters.

Interpreters: The Chinese interpreters did not show up. The Coordinator called the Board of Elections three times but still no interpreters were assigned. The coordinator called one of the interpreters who was supposed to show. The interpreter said he had class and could not come. He never gave any advance notice.

Poll workers: A poll worker remarked that the materials did not need to be out because there were no Chinese interpreters, and that they "might as well save them for next time."

#### **Civil Court, 111 Centre St.**

Materials/Signs: Missing Chinese-language affidavit ballot envelopes and voter registration forms at 19/64. Missing magnifying sheets from all voting machines.

Poll workers: One interpreter complained that there were not enough poll inspectors, only five, to staff the three EDs. There were supposed to be twelve inspectors. The interpreters helped out, but then they could not interpret for voters. This happened this year and last year.

#### **St. Margaret Houses, 49 Fulton St.**

Materials/Signs: Missing Chinese-language affidavit ballot envelopes and voter registration forms at 9/64. Missing magnifying sheets from all ED tables and

voting machines.

PS 134, 293-311 East Broadway

Materials/Signs: Missing magnifying sheets from all ED tables and voting machines. Both interpreters complained that Chinese translations were too small to read.

**Seward Park HS, 55 Essex St.**

Materials/Signs: Missing magnifying sheets from all ED tables and voting machines.

Interpreters: Interpreters were missing name tags.

Poll site confusion: Some voters complained that the poll site was moved from prior years and voters did not receive notice of this change.

**Masaryk Towers, 77 Columbia St.**

Materials/Signs: Missing Chinese-language paper ballots at all EDs. Missing magnifying sheets from all ED tables and voting machines. Interpreters complained that Chinese translations were too small to read.

**LaGuardia Houses, 286 South St.**

Materials/Signs: Missing Chinese-language paper ballots at 70/64. Missing magnifying sheet at ED table.

**Confucius Plaza, 20 Confucius Plaza**

Materials/Signs: There were not enough magnifying sheets for voters to use. This site needed a bilingual information clerk.

**Rutgers Houses, 200 Madison St.**

Materials/Signs: Missing Chinese "Interpreter Available" sign at entrance. Missing magnifying sheets from half of the ED tables and half of the voting machines. Missing almost all Chinese language materials for all ED tables.

**Seward Park Annex, 200 Monroe St.**

Materials/Signs: Missing Chinese "Interpreter Available" sign at entrance. Missing magnifying sheets from some of the ED tables and all of the voting machines.

**IS 131, 100 Hester St.**

Materials/Signs: Missing all Chinese-language materials from 33/64, and many materials from 54/64. Missing magnifying sheets from most of the ED tables and some of the voting machines.

Other: A voter came to vote but his name was not on the list of registered voters. An interpreter, Lucy Lam, assisted the voter in completing an affidavit ballot. But because translated materials were not out, the interpreter had to pull a Chinese-language paper ballot from another table, which may not have corresponded to the voter's assigned ED.

A poll inspector then intervened and found that the voter should vote at 32/64. However, because the voter's name was not on the list, the inspector asked the voter if he was enrolled in a political party. The voter said he was not and did not want to do so. The inspector determined that the voter could not vote

because only voters who were registered in political parties could vote. But this was a general election and party enrollment did not matter. The voter left without voting or casting an affidavit ballot.

**2. Flushing, Queens**

**JHS 189, 144-80 Barclay Ave.**

Materials/Signs: Missing Chinese and Korean "Vote Here" and other directional signs at entrance. Because of the lack of signs, two voters entered the main entrance to the school, instead of the entrance to the voting area, and got lost. Missing many Chinese- and Korean-language materials at 31 and 33 /22. Almost all materials were kept in unopened supply kits behind voting machines. Missing magnifying sheets from all ED tables and all voting machines.

Poll workers: The site coordinator was inattentive, even when inspectors had trouble helping voters who had to complete affidavit ballots. She also did not wear a name badge.

**PS 22, 153-01 Sanford Ave.**

Materials/Signs: Missing almost all Chinese- and Korean-language materials at 62/22. Almost all materials were kept in an unopened supply kit behind voting machines.

**PS 20, 142-30 Barclay Ave.**

Materials/Signs: Missing almost all Chinese-language materials at 48, 49 and 50 /22 and all Korean-language materials at 49/22. Missing multilingual laminated voting instruction hand-outs at all ED tables. Missing magnifying sheets from all voting machines.

Poll workers: The coordinator, Francis Clay, reported that many of the inspectors were working for the first time. They did not understand election procedures and did not follow instructions. She said some even "failed" the training.

Other: One voter at 18/22 was not allowed to bring a candidate palm card into the voting machine to help her cast her vote.

**Flushing Hse. Res. for Adults, 38-20 Bowne St.**

Materials/Signs: Missing multilingual voting instruction hand-outs and magnifying sheets at all ED tables.

Poll site confusion: A number of voters were sent to the Taiwan Center.

Other: One voter's name did not appear on the list of registered voters. She proceeded to complete a voter registration form but remarked, "I may have filled this out before, it looks familiar." She did not complete an affidavit ballot. If the voter was registered, then she lost her vote.

**Taiwan Center, 137-44 Northern Blvd.**

Materials/Signs: Missing almost all Chinese-language materials at all EDs and Korean-language paper ballots, affidavit ballot envelopes and voter registration forms at 3/22.

**Flushing Bland Center, 133-36 Roosevelt Ave.**

Materials/Signs: Missing Chinese-language paper ballots, affidavit ballot envelopes and voter registration forms at all EDs. Missing multilingual laminated voting instruction hand-outs at all ED tables.

Poll workers: The Site Coordinator, Betty Glover, commented that, "People living here for 30 years should learn to speak English."

Other: This site was not targeted for Korean assistance, but there were a number of Korean voters. This poll site should be targeted for Korean ballots and/or interpreters.

### **Rosenthal Senior Center, 45-35 Kissena Blvd.**

Materials/Signs: Missing Chinese- and Korean-language paper ballots, affidavit ballot envelopes and voter registration forms at almost all ED tables. Some were kept at the interpreter tables or in unopened supply kits. Missing multilingual voting instruction hand-outs and magnifying sheets at all ED tables.

### **Botanical Gardens, 43-50 Main St.**

Materials/Signs: Missing Chinese- and Korean-language sample ballots at almost all EDs. Missing magnifying sheets from all ED tables.

### **IS 237, 46-21 Colden St.**

Materials/Signs: Missing many Chinese-language materials at the ED table. Because translated materials were not accessible, an interpreter had to assist a voter complete an English voter registration form.

Interpreter: One Chinese interpreter commented that "ignorant" or "crazy" people should not be allowed to vote.

## **3. Bayside, Queens**

### **Cardozo HS, 57-00 223rd St.**

Materials/Signs: Missing many Chinese-language materials at the ED table. Missing Chinese- and Korean-language paper ballots, affidavit ballot envelopes and voter registration forms at 3 and 8 /24. They were either behind the voting machine or at the interpreter table.

Poll site confusion: A number of voters arrived and were directed to another poll site, reportedly PS 41, but poll workers did not give the voters referral slips.

Other: The interpreters commented that it was difficult for Chinese and Korean voters to read and understand the long and numerous ballot proposals, especially when they were seeing it for the first time when they arrived at the polls.

### **PS 169, 18-25 212th St.**

Materials/Signs: Missing all Chinese-language voting materials at 22/26 and all Korean-language voting materials at 22, 24, 25 /26. They were kept hidden behind voting machines.

Interpreter: Two Chinese interpreters were assigned, but none showed up on election day.

Poll workers: One poll clerk, Jessie, did not wear a name badge.

### **Bayside HS, 32-24 Corporal Kennedy St.**

Materials/Signs: Poll inspectors kept many Korean-language voting materials behind voting machines and said they would take the materials out if they were needed.

Poll workers: The site coordinator and poll inspectors at 54/36 did not know that there was a multilingual tent card for voters to reference. The coordinator also did not see a need for the tent card to be out, because it "contained instructions for poll workers, not the public." The coordinator also did not wear a name tag.

## **4. Elmhurst, Queens**

### **PS 89, 85-28 Britton Ave.**

Materials/Signs: Missing Chinese- and Korean-language affidavit ballot envelopes and voter registration forms.

### **Newtown HS, 48-01 90th St.**

Materials/Signs: Missing Chinese-language affidavit ballots, affidavit ballot envelopes and voter registration forms at some EDs. Various translated materials were spread out over all the EDs but none had made complete sets of materials available. One voter complained that there were no bilingual materials or signs in Chinese.

### **PS 222, 86-17 37th Ave.**

Materials/Signs: Missing Chinese-language affidavit ballot envelopes and voter registration forms and magnifying sheet at ED table.

Interpreters: Two interpreters were assigned but one did not show. The one who showed up did not wear a name tag.

### **PS 5, 50-40 Jacobus St.**

Materials/Signs: Missing Chinese and Korean "Vote Here" and "Interpreter Available" signs at entrance. Missing Chinese- and Korean-language affidavit ballots, affidavit ballot envelopes and voter registration forms at all EDs. Missing multilingual voting instruction hand-outs at all ED tables. Missing magnifying sheets from all ED tables and voting machines.

Interpreters: Missing Korean interpreters, even though 2 were assigned.

### **PS 13, 55-01 94th St.**

Materials/Signs: Missing Chinese and Korean "Vote Here" and "Interpreter Available" signs at entrance. Missing Chinese-language affidavit ballots, affidavit ballot envelopes, voter registration forms and sample ballots from 37/35. Missing almost all Chinese-language materials at 41/35. Missing Korean-language affidavit ballots, affidavit ballot envelopes and voter registration forms from 42/35. Missing magnifying sheets from all ED tables and voting machines.

### **PS 7, 80-55 Cornish Ave.**

Materials/Signs: Missing Chinese "Vote Here" and "Interpreter Available" and Korean "Vote Here" signs

at entrance. Missing Chinese- and Korean-language affidavit ballot envelopes and voter registration forms at most ED tables. Missing Chinese-language large voting instruction posters at most EDs. Missing magnifying sheets from all ED tables.

### **5. Jackson Heights, Queens**

#### **PS 148, 89-02 32nd Ave.**

Materials/Signs: Missing Chinese “Interpreter Available” sign at entrance. Missing multilingual voting instruction hand-outs at ED tables.

#### **PS 149, 93-11 34th Ave.**

Materials/Signs: Missing all Chinese materials at 19/34. They were hidden behind the voting machine. Poll workers: A female poll inspector said, “Everybody knows what they are doing,” and did not want to bring out the translated materials. She said the poll workers would bring out the materials only upon request.

#### **PS 145, 33-34 80th St.**

Materials/Signs: Missing Chinese- and Korean-language affidavit ballot envelopes and voter registration forms at most ED tables. Missing Chinese- and Korean-language large voting instruction posters at most EDs. Missing magnifying sheets from all ED tables.

#### **PS 69, 77-02 37th Ave.**

Materials/Signs: Missing Chinese and Korean “Vote Here” sign at entrance. Missing many Chinese-language materials at most ED tables and almost all Korean-language materials at most ED tables. Missing Chinese-language large voting instruction posters at most EDs. Missing magnifying sheets from all ED tables.

Poll workers: Poll inspectors at 32/34 refused to put translated materials out on their table. A staff person from the Board of Elections came and instructed them to put the materials out. The inspectors were belligerent and became hostile towards the staff person. The inspectors insisted that the Board’s rules did not require materials to be out, but that people could ask for them. Poll inspectors at 44/39 said that voter registration forms were available at tables at the front door, so they could keep their forms in the back, and would only hand them out if asked.

#### **PS 212, 34-25 82nd St.**

Materials/Signs: Missing “Vote Here” and “Interpreter Available” signs at entrance. Interpreters: No Chinese interpreters, even though 2 were assigned. They were not replaced.

#### **IS 230, 34-01 73rd St.**

Materials/Signs: Missing Chinese-language voter registration forms and Korean-language affidavit ballots, affidavit ballot envelopes and voter registration forms at all ED tables.

### **6. Jamaica, Queens**

#### **PS 131, 170-35 84th Ave.**

Materials/Signs: Missing magnifying sheets from the ED table.

Interpreters: No Chinese interpreters, even though 2 were assigned. They were not replaced.

#### **PS 117, 85-15 143rd St.**

Materials/Signs: Missing “Vote Here” sign at entrance. Missing Chinese-language affidavit ballot envelopes and voter registration forms at all EDs. Missing magnifying sheets from all ED tables.

Poll workers: The Coordinator, Linda Willingham, insisted that only a few types of translated materials be placed at each ED table. She explained that the coordinator’s manual stated that the tables should not be cluttered. This resulted in many materials being hidden from voters.

#### **JHS 217, 85-05 144th St.**

Materials/Signs: Missing “Interpreter Available” sign at entrance. Missing Chinese-language affidavit ballot envelopes and voter registration forms at all EDs. They were kept behind voting machines. Missing Chinese-language large voting instruction posters at all EDs. Missing magnifying sheets from all ED tables.

Interpreters: No Chinese interpreters, even though 2 were assigned.

### **7. Sunnyside, Queens**

#### **JHS 125, 46-02 47th Ave.**

Materials/Signs: Missing Chinese and Korean “Vote Here” and “Interpreter Available” signs at entrance.

#### **PS 199, 39-20 48th Ave.**

Materials/Signs: Missing “Interpreter Available” table tent at the interpreter table. The interpreters said it was not in the supply kit. All Chinese materials were missing at 45/37.

Interpreters: Interpreters complained that there was no primary election in September and that they were not notified. They showed up to work on that day.

#### **PS 150, 40-01 43rd Ave.**

Materials/Signs: Missing Chinese “Interpreter Available” sign at entrance.

Interpreters: An interpreter did not understand election procedures and did not understand or speak English well. This resulted in a voter losing her vote.

#### **PS 11, 54-25 Skillman Ave.**

Materials/Signs: Missing Chinese “Interpreter Available” sign at entrance. Missing Chinese-language affidavit ballot envelopes and voter registration forms and Korean-language voter registration forms at all EDs

### **8. Woodside, Queens**

#### **St. Sebastian’s School, 57-15 Woodside Ave.**

Materials/Signs: Missing Chinese “Vote Here” and “Interpreter Available” and Korean “Vote Here” signs at entrance. Missing many Chinese- and Korean-

language materials at all EDs. Missing Chinese- and Korean-language large voting instruction posters at all EDs

**CWV Post 870, 39-48 61st St.**

Materials/Signs: Missing Chinese “Vote Here” and “No Electioneering” signs and Korean “Vote Here,” “Interpreter Available” and “No Electioneering” signs at entrance. Almost all Chinese- and Korean-language materials were missing at all EDs. They were left in unopened supply kits.

Interpreters: No Korean interpreters, even though 2 were assigned. They were not replaced.

**PS 12, 42-00 72nd St.**

Materials/Signs: Missing Chinese and Korean “Vote Here” and “No Electioneering” signs at entrance. Many different types of Chinese- and Korean-language materials were missing at each ED.

**9. Forest Hills, Queens**

**PS 196, 71-25 113th St.**

Materials/Signs: Missing Chinese-language sample ballots and laminated voting instruction hand-outs at both 89 and 90 /28.

**PS 144, 93-02 69th Ave.**

Materials/Signs: Missing Chinese-language sample ballots and laminated voting instruction hand-outs at 20, 21, 22 /28.

**JHS 190, 68-17 Austin St.**

Materials/Signs: Missing many Chinese materials. Poll workers explained that they wanted the tables to be “clean” and so they kept materials behind the voting machine (43/28); the materials were entirely missing (47/28); or they were left in unopened supply kits (45/28). Missing Chinese-language sample ballots, laminated voting instruction hand-outs and magnifying sheets at all EDs. All Korean-language materials were missing at 45/28.

**10. Sunset Park, Brooklyn**

**JHS 220, 49th St. and 9th Ave.**

Materials/Signs: Missing Chinese-language sample ballots, laminated voting instruction hand-outs and large voting instruction posters at all EDs. There were very few translated signs inside the poll site. None were on the walls or near voting machines. Missing magnifying sheets from all ED tables and all machines.

**PS 169, 4305 7th Ave.**

Materials/Signs: Missing “Vote Here,” directional arrows and “No Electioneering” signs outside the poll site. Missing all Chinese materials at half of all the EDs (33, 34, 35, 36 /51). Missing magnifying sheets and laminated voting instruction hand-outs at all ED tables and all machines.

**PS 94, 5010 6th Ave.**

Materials/Signs: Missing magnifying sheets from most

ED tables and at all machines.

**PS 105, 1031 59th St.**

Materials/Signs: Missing Chinese-language affidavit ballots, affidavit ballot envelopes and voter registration forms at 7/49. Poll inspectors said that their packets did not have translated materials, and asked where they could get them. Missing magnifying sheets from all ED tables and all machines.

Poll site confusion: A few voters complained that when they came to vote, they were told to go to another poll site.

**PS 176, 1225 69th St**

Materials/Signs: Missing magnifying sheets from all ED tables and all machines.

**PS 69, 6302 9th Ave.**

Materials/Signs: Missing “Interpreter Available” sign at entrance. Missing magnifying sheets from all machines.

**11. Bensonhurst, Brooklyn**

**PS 186, 7601 19th Ave.**

Materials/Signs: Missing many Chinese-language materials at all the EDs.

**PS 205, 6701 20th Ave.**

Materials/Signs: Missing Chinese-language paper ballots and affidavit ballot envelopes. Missing magnifying sheets from most ED tables and most voting machines.

Poll workers: Poll workers said that they were told not to leave translated materials out on the tables.

**PS 128, 8310 21st Ave.**

Materials/Signs: Missing Chinese “Vote Here” sign at entrance. Missing all Chinese-language materials at all ED tables. Missing magnifying sheets from all ED tables and voting machines.

**12. Williamsburg, Brooklyn**

**PS 250, 108 Montrose Ave.**

Materials/Signs: Missing Chinese-language paper ballots, affidavit ballot envelopes and voter registration forms at 49/53. Missing magnifying sheets from most ED tables and all voting machines.

Poll workers: Poll inspectors were impatient and hostile toward Asian Americans, limited-English proficient voters and interpreters.

The site coordinator and a number of poll inspectors were unwilling to cooperate with interpreters. In fact, they tried to segregate the interpreters. In the morning, the interpreters were not given any tables or chairs. They were told that they had to stand all day long.

An interpreter reported that inspectors at 49/53 “lacked professionalism” and “lacked patience.” This made voters feel uncomfortable. The chairperson, an African American woman, displayed the most hostility.

She was impatient with Asian American voters who had difficulty in speaking English. She did not exhibit the same courtesy to Asian American voters as she did to non-Asian voters. At one point, she “drew” a line on the floor with her foot indicating to a voter where to stand. It was condescending.

An inspector at 49/50, was reportedly found asleep and “dozing off” for part of the day, according to a staff person from the Board of Elections who was stationed at the site all day. Ms. Gamble also started closing up her voting machine at 8:30 PM, before closing time.

Other: ED 49/53 was targeted for language assistance but there the ballots were not translated. We also observed Chinese voters who came to this ED to vote.



**TRANSLATED SIGNS (General Election)**

CODE: "X" = entirely missing. Korean signs only in Queens. "-" means not applicable.

Polling Site	Chinese Signs				Korean Signs			
	Vote Here (blue at entrance)	No Electioneering signs (blue, 100 ft. away)	Directional Arrows	"Interpreter Available" sign (red)	Vote Here (blue at entrance)	"No Electioneering" signs (blue, 100 feet away)	Directional Arrows	"Interpreter Available" sign (red)

**MANHATTAN**

Civil Court		X						
St. Margaret House		X						
Southbridge Tower		X		X				
PS 130								
Mott St. Senior Center								
St. Patrick Youth Center								
Seward Park Annex		X		X				
IS 131								
Rutgers Houses		X		X				
PS 2								
PS 1		X						
PS 126		X	X	X				
Ralph Hernandez Tenen		X						
PS 20								
PS 140	X		X					
Seward Park HS								
Masaryk Towers								
PS 134				X				
LaGuardia Houses								
Confucius Plaza								

**BROOKLYN**

PS 105								
PS 176								
PS 69				X				
PS 169	X	X	X					
PS 220								
PS 94		X	X					
PS 250		X						
PS 205								
PS 186								
PS 128	X		X					

**QUEENS**

Flushing Bland Center			X	X	-	-	-	-
Flushing Hse. Res. For Adult			X				X	
JHS 125	X			X	X			X
PS 20		X				X		
JHS 189	X	X	X		X	X	X	
PS 199			X		-	-	-	-
PS 11				X	-	-	-	-
PS 150				X				
Botanical Gardens		X				X		
Rosenthal Senior Center		X				X		

IS 237		X			-	-	-	-
PS 13	X	X			X	X		
PS 102								
PS 5	X			X	X	X		X
Benj. Cardozo HS		X				X		X
PS 169	X				X			
Bayside HS		X	X		-	-	-	-
PS 69	X	X			X	X		
IS 145								
PS 7	X	X			X	X		
PS 131					-	-	-	-
JHS 217			X	X	-	-	-	-
PS 117	X	X			-	-	-	-
PS 89		X				X		
Newtown HS					-	-	-	-
PS 222					-	-	-	-
PS 149					-	-	-	-
Southridge Co-Op								X
PS 148			X	X			X	X
PS 12	X	X			X	X		
St. Sebastian's School	X			X	X			
CWV Post 870	X	X			X	X		X
Latimer Gardens	X	X	X	X	X	X	X	X
Taiwan Center		X				X		
Flushing HS	X	X	X	X	X	X	X	X
JHS 190	X			X	X			X
PS 144		X	X		-	-	-	-
PS 196		X	X	X		X	X	X
PS 212	X			X	-	-	-	-
IS 230	X			X	X			

### INTERPRETERS (Primary Election)

Polling Site	Chinese			Korean		
	Number Assigned	Number On Election Day	Number Missing	Number Assigned	Number On Election Day	Number Missing

#### MANHATTAN

Civil Court	4	2	2			
PS 2	4	2	2			
PS 130	4	3	1			
Mott St. Senior Center	4	3	1			
PS 1	4	1	3			
PS 126	4	3	1			
St. Patrick Youth Ctr.	3	4	+1			

#### BROOKLYN

PS 105	4	2	2			
PS 176	4	2	2			
PS 254	4	4	0			
JHS 234	4	4	0			
PS 169	4	2	2			
JHS 220	4	3	1			
PS 94	4	2	2			
PS 250	4	0	4			
PS 205	4	4	0			
PS 186	4	1	3			
PS 204	4	2	2			
PS 128	4	5	+1			
JHS 228	4	4	0			
PS 69	3	1	2			

#### QUEENS

Flushing Bland Center	4	2	2			
PS 20	4	2	2	4	4	0
JHS 185	3	2	1	3	0	3
PS 163	4	2	2	2	2	0
PS 107	4	4	0	3	3	0
PS 173	4	4	0			
Botanical Gardens	4	6	+2	3	1	2
Rosenthal Senior Center	4	5	+1	4	3	1
IS 237	2	2	0			
PS 177	3	2	1			
PS 89	4	3	1	3	2	1
PS 149	3	2	1			
St. Nicholas Tolentine	4	3	1			
Taiwan Center	4	2	2	4	3	1
Queensboro Hill Library	4	3	1			

<b>TOTAL</b>	<b>137</b>	<b>98</b>	<b>39</b>	<b>26</b>	<b>18</b>	<b>8</b>
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**INTERPRETERS (General Election)**

Polling Site	Chinese			Korean		
	Number Assigned	Number On Election Day	Number MIS sing	Number Assigned	Number On Election Day	Number MIS sing

**MANHATTAN**

Civil Court	4	3	1			
St. Margaret House	2	2	0			
Southbridge Tower	2	0	2			
PS 130	4	4	0			
Mott St. Senior Center	4	2	2			
St. Patrick Youth Center	3	4	-1			
Seward Park Annex	3	5	-2			
IS 131	5	5	0			
Rutgers Houses	4	4	0			
PS 2	4	3	1			
PS 1	4	3	1			
PS 126	4	5	-1			
Ralph Hernandez Tenen	4	3	1			
PS 20	3	4	-1			
PS 140	3	2	1			
Seward Park HS	3	1	2			
Masaryk Towers	3	2	1			
PS 134	2	2	0			
LaGuardia Houses	0	2	-2			
Confucius Plaza	4	0	4			

**BROOKLYN**

PS 105	4	3	1			
PS 176	4	4	0			
PS 69	3	2	1			
PS 169	4	2	2			
JHS 220	4	2	2			
PS 94	4	5	-1			
PS 250	0	4	-4			
PS 205	4	0	4			
PS 186	4	2	2			
PS 128	4	6	-2			

Polling Site	Chinese			Korean		
	Number Assigned	Number On Election Day	Number Missing	Number Assigned	Number On Election Day	Number Missing

**QUEENS**

Flushing Bland Center	4	3	1	0	1	-1
Flushing Hse.Res.for Adult	3	3	0	3	2	1
JHS 125	2	1	1	2	1	1
PS 20	4	4	0	4	4	0
JHS 189	4	4	0	4	4	0
PS 22	2	2	0	3	3	0
PS 199	3	2	1	0	1	-1
PS 11	3	1	2	0	3	-3
PS 150	2	2	0	4	2	2
Botanical Gardens	4	4	0	3	1	2
Rosenthal Senior Center	4	5	-1	4	3	1
IS 237	2	2	0	0	0	0
PS 13	4	2	2	2	2	0
PS 5	3	2	1	2	0	2
Benj. Cardozo HS	3	3	0	4	3	1
PS 169	2	0	2	4	3	1
Bayside HS	0	0	0	2	1	1
PS 69	4	1	3	4	3	1
IS 145	4	2	2	2	2	0
PS 7	4	1	3	4	1	3
PS 131	2	0	2	0	0	0
JHS 217	2	0	2	0	0	0
PS 117	3	2	1	0	0	0
PS 89	4	3	1	3	1	2
Newtown HS	3	5	-2	0	3	-3
PS 222	2	1	1	0	0	0
PS 149	3	0	3	0	0	0
Southridge Co-Op	3	2	1	0	0	0
PS 148	3	3	0	0	0	0
PS 12	4	2	2	4	2	2
St. Sebastian's School	3	3	0	2	1	1
CWV Post 870	3	2	1	2	0	2
Latimer Gardens	3	0	3	3	0	3
Taiwan Center	4	2	2	4	4	0
Flushing HS	4	0	4	4	0	4
JHS 190	3	1	2	2	2	0
PS 144	4	3	1	0	0	0
PS 196	3	3	0	0	0	0
PS 212	2	0	2	0	0	0
IS 230	2	2	0	2	1	1