

Testimony of Shelley L. Tomkin
Chair, Ward 3 Democratic Committee;
Ward Three Representative to the DC Democratic State Committee
Before the Council of the District of Columbia
Committee on Government Operations and the Environment,
Chair, Councilmember, Mary Cheh
January 19, 2011

Thank you for the opportunity today to testify with regard to a proposal by Rokey Suleman, Executive Director of the DC Board of Elections and Ethics, to modify procedures for the April 26th Special Election to elect an at-large DC City Council Member. I particularly appreciate Chairman Cheh's invitation to DC residents to express their opinions on this proposal.

I am testifying today in my capacity as Chair of the Ward 3 Democratic Committee as well as one of the female Ward 3 Representatives to the DC Democratic State Committee. A central mission of the Ward Three Democratic Committee is to ensure the integrity of the election process in the District of Columbia and to encourage voter participation and accessibility of voting opportunities for DC residents. Our members have years of "nuts and bolts" experience in working in campaigns and at the polls on election day.

The Board of Elections and Ethics has conducted an analysis of various options for conducting the election in order to save money given current budgetary constraints. From this analysis, the Executive Director of the Board of Elections and Ethics has recommended that the customary voting at 143 polling sites city-wide be reduced to just 16 voting centers (2 in each ward) over a three day period on April 23, 25, and 26th. It is estimated that this reduction in the number of polling sites would reduce the costs by approximately \$200,000.

I appreciate the opportunity to express the view that if implemented this proposal holds the potential to compromise the integrity of the election by discouraging voter turnout city-wide. The need to facilitate voter participation and to ensure fundamentally fair elections outweighs the cost differential involved. It undermines a central precept of the Board of Elections and Ethics' own mission statement to "enfranchise eligible residents" and "to ensure the integrity of the electoral process."

Fundamental Fairness and Accessibility

First, it seems fairly obvious that many more residents will be likely to turn-out to vote if there are 143 polling places available to them in their immediate neighborhoods, than if the number of voting centers is reduced to 16. The problem is a simple one---the proposal in question makes it more difficult for most DC residents to travel to their polling place to vote. For example, the two sites selected for voting centers in Ward 3—the Chevy Chase Community Center and the Palisades Recreation Center--are not located centrally in the Ward. They are both at the edges of the ward. Neither site is located near a Metro stop and parking is difficult in both locations. Although there is nothing wrong with these two locations, their selection highlights the difficulty in identifying "central" locations that would not present an inconvenience to the vast majority of voters in a ward. The accessibility issue also becomes a question of the fundamental fairness of the election to both the voters and the candidates. Under the two site-per-ward plan, it would be easier for some voters to get to their polling place (those who normally vote at the two designated voting centers) than for most others who will be at a disadvantage.

Second, the 16- site plan could also open the BOEE up to potential legal challenges after the election, (particularly in a close election) with some losing candidates charging that the placement of polling places intentionally disadvantaged their campaign efforts by facilitating voting by some constituencies and discouraging voting by other groups. Third, the "rules of the game" are being dramatically changed, with a short time frame to educate and provide notice to

voters of this new voting plan. Finally, candidates for the at-large seat will face dramatically different conditions than those who were elected in the Fall.

Other Cost-Cutting Approaches

If the Council were to mandate that early voting (beginning 14 days prior to the election), same day registration, and voting out of precinct take place centrally at the BOEE instead of in the precinct, it could also not only save costs, but protect against voter fraud in what could be a close election. At present there are no mechanisms to cross-check on site whether individuals have registered or voted in multiple jurisdictions or have voted more than once in the District of Columbia. The mechanism to control against that is to for the BOEE to check after the fact, a process presumably incurring additional cost. Limiting same day registration to the BOEE's offices—or to one location in the city—could enable DC to conduct same day registration with greater protection against voter fraud, while at the same time reducing costs.

In conclusion, the reduction of polling sites could potentially compromise the integrity of the election and suppress voter turnout. In a city deeply sensitive to the principle that a key cornerstone of the Civil Rights Movement was citizen enfranchisement, we must not make it more difficult for DC residents to vote in order to save money. That is simply unacceptable. We ask that the traditional 143 voting sites be maintained with early voting, same day registration, and out-of-precinct voting conducted at BOEE headquarters. Thank you for your consideration.