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HEADLINE: Port Chester hires expert to help develop new voting system

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BODY:

PORT CHESTER - The village will hire the Maryland-based organization FairVote to help develop its new election system and draft an agreement with the U.S. Department of Justice.

The village board agreed Monday night to spend up to \$18,000 for technical and legal assistance from the nonprofit, which has expertise on cumulative voting. A federal judge ruled Friday that Port Chester could use cumulative voting to remedy an at-large system for electing council members, a system he had deemed unfair to Hispanics.

Under cumulative voting, voters get as many votes as there are open seats. They can put all their votes toward one person or spread them among multiple candidates.

Village trustee elections had been suspended for the last three years because of the voting rights case brought by the Justice Department. On Friday, U.S. District Judge Stephen C. Robinson cleared the way for a special election in June to fill all six trustee seats using the new system.

"There are multiple challenges here," said Rob Richie, FairVote's executive director. For one, turnout is a challenge in any special election.

Normally village elections are held in March, but the judge said more time was needed to design the system and educate the public.

FairVote helped advocate for that system instead of the remedy favored by the Justice Department, to have trustees run in six districts.

Trustees will still run for three-year terms, but rather than on a staggered basis will now run all at once.

The parties in the case - Port Chester, the Justice Department and a second plaintiff, Cesar Ruiz - must return to court Dec. 8 with a consent decree outlining a plan for the election and related education efforts. Robinson said the plan should include a practice session for voters and Spanish-language assistance at the polls and in written materials. He wrote the details were critical, given "the backdrop of official discrimination" he found during the Port Chester case.

Village leaders said they wanted to make the process a model for other communities.

"I think at this juncture all parties are interested in making sure this process works," said Randolph McLaughlin, a Pace University law professor who is representing Ruiz. "It's great that the village is reaching out to FairVote, which is an organization that has a long history in this arena."

FairVote has worked on alternative voting systems in Minneapolis, Texas communities, San Francisco and, during the 1990s, the New York City Board of Education, Richie said.

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