May 23, 2022

The Honorable Kathleen Hochul
Governor of the State of New York

The Honorable Carl Heastie & The Honorable Andrea Stewart-Cousins
Speaker of the New York Assembly
Majority Leader of the New York Senate

The Honorable Latrice Walker & The Honorable Senator Zellnor Myrie
Chair of the New York Assembly Election Law Committee
Chair of the New York Senate Elections Committee

New York State Board of Election Commissioners

  Douglas A. Kellner / Co-Chair

  Peter S. Kosinski / Co-Chair

  Anthony J. Casale / Commissioner

  Andrew J. Spano / Commissioner

Dear Honorable Elected and Election Officials,

The signatories on this letter lead national and regional civil rights organizations that specialize in turning out the BIPOC vote. **We strongly support The Protect Our Ballots Act (A1115C) and urge you to docket this bill.** This bill protects New York voters by keeping the current voting system where voters choose either a hand-marked paper ballot or a ballot-marking device.

The bill bans hybrid voting machines because security experts say they have the ability to change the vote. Barcodes make it impossible to verify who you voted for; and these voting machines are often set up as universal-use voting machines, so that everyone votes on the ballot-marking device. That means everyone waits longer. Many communities, including communities of color, disability rights, election security, and the voting rights community have real concerns about this type of machine, and we urgently ask you to pass A1115C immediately. Let's explore the problems for community of color voters in detail.

Moving from your current voting protocols (paper ballots) will have a major negative impact for communities of color.

My mother had an old saying, "Everything made by man breaks; it's not a question of if, it's a matter of when!" The new digital voting machines pose two distinct sets of problems for community of color voters: one when they are working and two when they aren't.

Working Machines and the Digital Divide

Let's assume the impossible for a moment, that all the machines are in working order, properly programmed for the correct election date and the correct candidates (these were major problems in 2020 with these same machines), **the digital divide is real**. Many community of color voters due to age and/or income are intimidated by the new technology and struggle using the machines taking as long as 10 minutes to cast a simple ballot. In Georgia when these machines were used in urban settings, long lines were the norm because of the time it takes voters to vote, not enough machines for the voters assigned to the polling location attempting to vote after work and broken machines.

Technical Problems and Non-Working Machines

If the machine needs calibration, the voter's selection is often misread which now requires the voter to try and figure out how to go back and attempt to vote for the desired candidate(s) again.

Voters are extremely confused when the machines are incorrectly programmed and the wrong candidates are shown on the ballot. They spend time trying to "find" the missing candidate(s); the time to vote stretches from 2 or 3 minutes to up to 10 minutes resulting in long voting lines.

Nationwide the most reliable voting demographic are voters 50 and older. Lack of familiarity with computers, and glasses getting bad reflections from the screens, make it difficult to read the screen and sometimes more difficult to verify that the machine has registered the correct choices. Here are the New York voting demographics for community of color voters who vote in every election:

61% African Americans over 50

52% Asian Americans over 50

56 Hispanic Americans over 50

In working class communities long lines become a source of disenfranchisement.

Many New Yorkers are hourly workers sometimes working multiple jobs. These voters cannot afford to wait in long lines to vote during the day. After work many have childcare responsibilities in the evening and long lines become a source of disenfranchisement.

America as a nation is struggling to maintain voter confidence in the outcome of our elections. While the machines do produce a paper ballot, humans don't read barcode so it is impossible to verify that the machine and voter agree on the selected candidates. The current system of verifiable paper ballots supports voter confidence rather than undermining it.

Respectfully,

Andrea Miller

Founding Board Member

Center for Common Ground

Dr. Gabriela Lemus

President

Mi Familia Vota Education Fund

Center for Common Ground was founded to educate and empower under-represented voters in voter suppression states to engage in elections and advocate for their right to vote.

Mi Familia Vota Education Fund (MFVEF) is a national non-profit organization working to unite the Latino community and its allies to promote social and economic justice through increased civic participation.