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MEMORANDUM OF SUPPORT

For NY [A1115C/S309B](#)

The “Protect Our Ballots” Act (aka - The Hybrid-Ban Bill)

& [A829A/S6211](#)

**Ensure New York Voters Make the Right Choice
For the Next Decade of Voting**

I will share with you part of my testimony to the Congress of the United States from January of 2020, adding in my thoughts on the critical decision about voting equipment facing New Yorkers.

I am the Reverend Dr. T. Anthony Spearman. I am an ordained elder in the African Methodist Episcopal Zion Church, and the Former President of the North Carolina State Conference of Branches of the National Association for the Advancement of Colored People. I hope that my reflections on the election security question will help us move closer to “form a more Perfect Union, establish Justice, Insure domestic tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity” and shape, for generations to come, a newer and truer democracy than the one present to us today.

I was reared in a household where the right to vote was held sacred and I learned to exercise that right by voting in every election since my eighteenth year of existence. For nearly fifty years I have participated in Voter Registration Drives, Get Out the Vote efforts and while pastoring encouraged and led these endeavors at the church, going from door to door registering people to vote and most recently, in my role as President of the State Conference of Branches NAACP requesting the opportunity to get into the jails to register eligible voters.

The politics of choosing a new voting system are familiar to anyone who has been involved in government procurement. Vendors will always advocate for the system that is most profitable for them. They will utilize relationships and alliances to make their case. Elected officials must put voter’s interests above vendor’s interests.

New York has been smart in offering the option of hand-marked paper ballots for the last ten years. This is what security experts recommend. It would be a step backwards to move to all touchscreen systems, even in some counties. Keep in mind that mistakes or hacking in just one or two counties can change the results of close elections in the entire state.

In North Carolina, the NAACP, fought and even [went to court](#) so that voters would have the option of [hand-marked paper ballots](#), along with ballot-markers for voters who need to or choose to use them. Getting hand-marked paper ballots in Guilford County was not easy. As in New York, vendors leaned heavily on the state to purchase expensive ballot-markers for all voters.

I was against this because the machine in question, the ExpressVote (produced by ES&S), counts votes with barcodes, which I cannot read. Another source of my opposition was my personal experience with touchscreen voting machines. I was the Chief Election Judge in one of the largest precincts in Guilford County where they were using touchscreen voting machines called iVotronics. Many problems arose with these devices, also produced by ES&S.

ES&S employed six lobbyists in our state. They also supported a \$10 million dollar bond to keep other vendors out of North Carolina, this would have forced all 100 counties to buy the same brand of equipment at non-competitive prices. This began to disturb me and I vocalized my concern and conducted research on my own.

During this time, I became acquainted with the work of many election security experts. I relied on the findings of those scientists and urge elected and election officials across the nation to do so as well. We must listen to scientists, not vendor-marketing claims. Sometimes good science and good budgeting go hand in hand. In Guilford County, where I sit on the Board of Elections, the hand-marked paper ballot system we chose saved 6 million dollars, which allowed us, among other things, to increase the pay of school bus drivers.

New York has the opportunity now to set high standards for election security and voter protection. The Protect Our Ballots Act is a groundbreaking piece of legislation that guarantees all voters a choice between a hand-marked paper ballot, and a ballot-marker. It prevents votes from being counted with barcodes, requires ballots be made with durable paper, and bans the use of voting machines that have the ability to alter votes on paper ballots. There is no downside to this bill. The systems that are banned are the most expensive on the market and have been documented to lead to longer lines for voters. It is supported by civil and disability rights leaders, as well as many good government groups.

I also support a companion bill A829A/S6211 that would allow the State Board of Elections more discretion in rejecting voting machines on the basis of security. As an election commissioner, I know that, as more information becomes available, you want to be able to protect the public.

In New York, unlike in North Carolina, the State Conference of the NAACP has sadly allied itself with the voting machine vendors, and not the voters it is pledged to protect. The language of their [letter](#) plainly advertises their alliance. The NAACP has done legendary work that we can all be proud of, but in this instance, the New York State Conference is on the wrong track. Touchscreen voting machines will not "increase voter empowerment". They will inflate the bank accounts of voting machine vendors, while likely creating long lines, confusion, and suspicion in communities of color. Other New York [community of color leaders](#) support the Protect Our Ballots Act. I call upon the State Conference of the NAACP to listen to local advocates who have researched the issue and are supporting the bill.

Forty-five good government groups have joined twenty-five elections and election security experts in [advocating](#) for the Protect Our Ballots Act to pass. I join them in solidarity, asking elected officials and the Governor of New York to take immediate action. Come back into session, if necessary, to pass these bills. Touchscreen-for-all voting systems are moving rapidly toward approval in your state, and could even be approved before the next legislative session.

That is not good for New York, not good for the NAACP, and not good for voters. These excellent bills are before you. Please pass them now.

Sincerely,



Reverend Dr. T. Anthony Spearman
Founder & National President