



The League of Women Voters of New York State
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THE LEAGUE OF WOMEN VOTERS *of New York State*

To: New York State Board of Elections
From: The League of Women Voters of New York State
Subject: Public Comments Regarding Certification of ES&S ExpressVote XL
Date: January 11th, 2020

Dear Commissioners and SBOE Staff,

Thank you for the opportunity to submit comments regarding the impending certification of the ES&S ExpressVote XL. League members had the opportunity to demo this machine at several public testing meetings organized by the SBOE before the COVID-19 pandemic. In addition to participating in demonstrations of the machine, we have thoroughly reviewed the testing reports conducted by NYSTEC and SLI Compliance, and solicited feedback from other organizations representing diverse communities of interest.

After reviewing these documents and reaching out to stakeholders throughout the state, the League considered the machine under the SARAT criteria of our national organization. SARAT stands for Secure, Accurate, Recountable, Accessible, and Transparent. Based on these factors, the League is not taking a public position on certification of this machine. While there are some drawbacks cited by disability rights organizations and language accessibility advocates, the machine offers many positive features that the aging equipment currently being used in New York State does not offer.

The League strongly supports recommendations made by Disability Rights New York to ensure voters' identities are protected and efforts are made to enhance the audio read-back feature to include reading of party names and write-in candidates. The League would also urge the SBOE to consider again reviewing the language accessibility of the ExpressVote XL and to remedy the ongoing issue of activation cards only printing in English.

Our hope as a voting rights organization is that we are able to achieve the best possible outcomes for the greatest number of voters. We are not technology experts, and do not have the knowledge or resources to assess security concerns made by other organizations and news media outlets. However, we are also an organization that greatly values public input and transparency. We hope, therefore, that you will carefully consider how these new machines meet our SARAT goals and be transparent in your assessment.

Based on the reactions of many organizations and individual voters, we would urge the SBOE to delay certification of the ES&S ExpressVote XL so that additional public hearings and demonstrations can be conducted. Now more than ever voters are concerned over the sanctity of their ballot; holding additional remote public demonstrations and public comment periods will further educate voters on this new equipment and address fears of fraud or hacking. Thank you again for the opportunity to provide comments and we hope to continue this conversation before the machine is certified.