



July 31, 2023

Peter S. Kosinski, Co-Chair
Douglas A. Kellner, Co-Chair
Andrew J. Spano, Commissioner
Anthony J. Casale, Commissioner

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

Dear Commissioners:

The Let New York Vote coalition has been a proud, vocal champion of voting rights across the state since its inception in 2018. We've fought hard to dramatically improve the voting landscape by increasing access to the ballot, simplifying voter registration, and securing our elections. **That's why the Let NY Vote coalition has championed legislation over the last two years that would increase the safety and security of our elections, and it's why we are asking the NYSBOE not to certify the ExpressVote XL for use in New York during its August meeting.**

In 2023, we supported the VIVA bill, A5934A Cunningham/S6169A Cleare, which would have codified the use of paper ballots marked by the voter. This is the gold standard when it comes to election security and current voting technology. The bill would have required that every voter will have the option to mark a paper ballot by hand or with a ballot marking device that does not also count votes.

We believe each individual voter – and no one or nothing else - should have control of their own ballot throughout the process of voting. By ensuring that each voter controls their own ballot throughout the process of voting, we increase confidence in our elections and help counter mis- and disinformation attacking the conduct and outcome of our elections.

In 2022, we supported A1115C Paulin/S309B Myrie which would have outright banned the use of all-in-one/hybrid machines like the ExpressVote XL. As numerous election security experts have noted these machines are vulnerable and prone to error in a way that voter-marked paper ballots are not.

We believe that it is vital to the safety, security and health of our democracy that voters have the utmost confidence that their votes are accurately counted. The ExpressVote XL does just the



opposite by relying on a barcode to tabulate votes and makes post-election auditing much more difficult.

We understand New York must begin to replace its aging election infrastructure, but there is a better path forward that improves voting for all New Yorkers without compromising the safety and security of our elections.

Sincerely,

The Let New York Vote Coalition