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THE LEAGUE OF WOMEN VOTERS *of New York State*

PUBLIC HEARING ON THE NEW YORK VOTING RIGHTS ACT (S.7528)

TESTIMONY TO THE NEW YORK STATE SENATE STANDING COMMITTEE ON ELECTIONS *March 3rd, 2020* *Hearing Room A, Legislative Office Building, Albany, New York*

The League of Women Voters of New York State was created directly out of the women's suffrage movement in 1919. In 2017, we celebrated the 100th anniversary of women winning the right to vote in New York State. This year, we are continuing celebrations in honor of the 100th anniversary of women winning the right to vote nationwide. As we celebrate, we pause to reflect on the fact that although wealthy, white women were enfranchised on these dates, African American women, immigrant women, and any women living in poverty still fought for many decades before becoming fully enfranchised. Even today, these populations are threatened by oppressive and racially charged voting reforms and voting rights roll backs.

In the last year, New York State has made great strides in enfranchising voters and ensuring ballot access, but changes on the Federal level have threatened voter protections and allowed bad actors to impose unnecessary burdens and unfair challenges on New York voters. Although we believe the majority of election officials act in good faith and want to do what is best for voters within their jurisdiction, there have been several obvious instances of voter suppression and intimidation in New York State.

Shelby County v. Holder was a landmark case addressing the constitutionality of two provisions of the Voting Rights Act of 1965. The two provisions impacted, Section 5—which requires certain states and local governments to obtain federal preclearance before implementing voting laws or practices; and Section 4(b)—which contains the formula to determine which jurisdictions are subject to preclearance based on their voting discrimination history. Litigation efforts in this space continue to center around voter photo ID, documentary proof of citizenship, redistricting, election protection, and voter purges.

The New York State Voting Rights Act would reinstate these protections in New York and ensure that a voter's ability to cast their ballot is not biasedly hindered by state, county, local governments, or political subdivision. The bill will prevent voter intimidation and ensure protected populations are not overlooked in the election or apportionment process. This act will also add much needed transparency and accountability to our election processes and streamline the process for addressing instances of voter disenfranchisement.

In addition to the enhanced protections for voters, the New York Voting Rights Act will strengthen accountability and transparency in the elections process through a statewide database of election information. Good government organizations, like the League, rely on public information to assist in

creating nonpartisan voter education programs. One of our most robust programs is our electronic voter guide Vote411.org. This online electronic ballot program shows voters all the candidates they will vote on for a primary, special, or general election. Each race lists all candidates and information about each candidate such as their position on policies and information about their campaigns. The program is used by half a million New York State voters each year.

Vote411 uses GIS shapefiles of districts to match voters with all the races that will appear on their ballot. Without these files, the League is unable to give voters their full ballot. In several regions of the state we have struggled to secure these GIS shapefiles and have been inhibited from operating our program to its full potential. This statewide database will not only increase transparency in the election process but also help us to fulfil our mission of providing nonpartisan election information to voters.

Although we believe the aim of the New York Voting Rights Act is sound public policy, we have concerns over the capacity of county boards of elections to fulfill some of the mandates of this legislation. In the last year, counties had already been required to satisfy several new elections programs that required additional staff and equipment and, in many cases, cost above and beyond their annual budgets. The state issued funding to help cover some of the new 2019 programs, but counties and the State Board of Elections have growing concerns over the long-term viability of these programs without a serious investment from the state.

In light of continuing budget negotiations, we urge the Senate Elections Committee to consider the impact that the costs of this policy and other new election policies will have on localities. The Governor's current budget proposal offers no aid to counties for 2020's three periods of early voting or new equipment and leaves the State Board of Elections with a \$1.6 million deficit. County boards who are only doing the bare minimum required by the new election policies are often only doing so because they are restricted by a lack staff and funding.

Without funding, election administrators will be unable to respond to court sanctions, provide information to a statewide database, add additional interpreters or ballots in other languages, or to respond to public inquiries about a given policy. We appreciate the immense thought and consideration that has gone into crafting this policy, but we hope lawmakers will consider the importance of funding such a reform so that it can be realized to its full potential.