



July 31, 2023

The Honorable Kathleen Hochul, Governor of the State of New York

Senate Majority Leader Chuck Schumer
NY Senator Kirsten Gillibrand

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

We Oppose Approval of ExpressVote XL, a voting machine submitted for use in New York State by Election Systems & Software (ES&S), for the following reasons:

- It will eliminate hand-marked paper ballots wherever it is used in New York.
- The voter cannot verify their vote because the vote that is counted is a barcode.
- “Voters who use electronic voting machines ... take longer to vote than users of paper system(s),” according to data from the [U.S. Election Assistance Commission](#). This could increase wait times, causing hardship for many communities, including young, elderly, disabled and BIPOC voters.
- Experts say elections held on this system [cannot be confirmed by audits](#).
- The cost is exorbitant. Experts estimate each polling station will need almost [six times as many voting machines as before](#). This will astronomically raise costs.
- The ExpressVote XL has a poor track record. It has declared the [wrong candidate the winner](#) in [two states](#) and is the subject of a [lawsuit](#) in Pennsylvania.
- Only [one third of polling locations are fully accessible](#), in Philadelphia where the ExpressVote XL is used, so it does not seem to improve accessibility.
- Experts say they do not believe the “[thermal paper ballots](#) are a reliable means of physically memorializing votes” for a two-year retention period.
- In our opinion the ExpressVote XL will decrease confidence & participation.

Signed,

New York Organizations

Affiliated Brookhaven Civic Organization
Bethlehem Morning Voice Huddle
The Black Institute
CCoHOPE Indivisible
Concerned Families of Westchester
Downtown Nasty Women Social Group
Dutchess County Progressive Action Alliance (DCPAA)
East End Action Network
Heart of Riverhead Civic Association
Indivisible North Fork
Indivisible Scarsdale
Indivisible Westchester
Markers For Democracy
Money Out, Voters In (MOVI)
The NY Buddy Group
New York Democratic Lawyers Council Legislative Affairs Committee
New York Progressive Action Network (NYPAN)
NYPAN of the Southern Finger Lakes
Northern Manhattan Republicans
Reform Elections Now
Riverhead Town Democratic Committee
Seniors Taking Action
Sierra Club, NY State Chapter, (Atlantic)
Social Justice Team of First UU Society of Albany
Target Majority NYC: A Swing Left/Indivisible Group
Team Min
Ulster Activists, Election Reform Committee
The Wednesday Group
WESPAC Foundation, Inc.

National Organizations

Center for Common Ground
Coalition for Good Governance
Common Power
Fair Maps
Grassroots Election Protection
Justice Coalition USA
National Voting Rights Task Force
Scrutineers
SMART Elections
We Stand United

Out of State Concerned Organizations

Clean Count Cook County - IL
Florida Fair Elections Coalition
Michigan Election Reform Alliance
Protect Our Vote Philly
Shelby Advocates for Valid Elections - TN
Tally Texas

Elections, Election Security, Auditing and Technology Experts*

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