



FOR IMMEDIATE RELEASE

June 9, 2023

FROM: SMART Legislation & Center for Common Ground

CONTACT: Lulu Friesdat, Founder, SMART Legislation

SMARTlegislation@gmail.com | 917.543.2125

[View in browser](#)

-

PRESS RELEASE

Celebrity Ad for NY Bill Gets Over Quarter Million Views

Areas of interest: Voting Rights, Celebrities, Communities of Color

New York City - June 9, 2023 -- As the New York legislature heaves its way to a tumultuous close on June 9th, election reform advocates are anxiously watching the process to see what improvements will be advanced for New York voters. The suspense is especially fierce regarding a bill known as VIVA NY. The Voting Integrity and Verification Act of New York [A5934A](#) (Cunningham) [S6169A](#) (Cleare) is on the New York Senate floor calendar, and is expected to pass there. But it is parked in the Assembly like a car stuck in a Los Angeles traffic jam.

[SMART Legislation](#), the Action Project for [SMART Elections](#), produced an ad to draw attention to the key goals of VIVA NY. The ad features both the award-winning actor Andre Braugher and Lurie Daniel Favors, the Executive Director of the Center for Law and Social Justice. The ad, [tweeted by the Center for Common Ground](#), had close to 150,000 views on the day it was released, June 8th. It was also shared by superhero actor Mark Ruffalo, recipient of the [Time CO2 Earth Award](#). Mr. [Ruffalo's tweet](#) had over 130,000 views.

In the ad, Mr. Braugher and Ms. Daniel Favors send a message to New York Legislators. "There's a crisis in New York and it could make it hard for our communities to vote. We want to be able to vote with a pen and paper the way we have for years. It's easy and quick and helps our voices to be heard. But powerful vendors are trying to sell us overpriced machines that can contribute to long lines. Please pass the bill called VIVA New York right now." The ad shows [ten-hour lines to vote](#) in states like Georgia that don't have a pen and paper option for in-person voting. Positive images from communities of color reinforce the idea that voting helps our voices be heard.

"Voting is one of our most important and sacred rights as Americans, and it should be as easy as possible," said [Assembly Member Brian A. Cunningham](#). "The VIVA NY bill allows voters to vote using a verifiable hand-marked paper ballot that they can mark privately and independently. Voters who want to use a ballot-marking device will continue to have that option available to them, making voting more accessible for all. A new voting mechanism shouldn't disenfranchise voters; it should empower them, and this legislation does just that."

The idea behind VIVA NY is that voters need to vote however they feel comfortable, and for many people that is still with a pen and paper. In 2022 [Center for Common Ground](#) contacted [6.4 million Black voters](#), as part of their ambitious Get Out the Vote campaign. Andrea Miller, Executive Director of the organization says, “The most consistent voters in every state are voters over 65. These voters are the least ‘tech comfortable’ in the country who often have trouble with cell phones.”

Her experience with all-touchscreen voting systems has hardened her against their use. She’s witnessed polling sites with too few machines, machines breaking down, and voters confused by technology. [Long lines to vote](#) have plagued all-touchscreen systems. Voters have to wait to use a machine and cannot all mark their ballots at the same time, the way they can with pen and paper. Voting machine vendors sell the idea that all-touchscreen systems are modern and better for everyone, but the promised benefits often do not materialize. One such new system seeking approval for use in New York is the ExpressVote XL. It was purchased by Philadelphia in 2019, but a [recent investigation](#) there found that only one third of poll sites were fully accessible.

Center for Common Ground is one of [25 good government and civil rights organizations](#) that wrote memos of support for VIVA NY. Other leading organizations include Let NY Vote, New York Progressive Action Network, Public Citizen, Reinvent Albany, SMART Legislation, The Village Independent Democrats and Vote Early NY, as well as numerous grassroots groups from around the state. Civil Rights groups supporting the bill include BLAC, Common Power, The Center for Law and Social Justice and Justice Coalition USA. The [Co-Chair of the State Board of Elections](#) Douglas Kellner is also on record favoring the bill.

Having hand-marked paper ballots available for voters is both faster and more-cost effective. It is also the preferred method of voting for both security and auditing experts. Ballots marked with pen and paper are considered more reliable for audits, because voters must actually verify the paper ballot as they mark it. Multiple [studies](#) have shown that voters tend to give at most a quick glance to computer generated ballots. Ballots marked with pen and paper also are subject to fewer risks of hacking and mechanical failure.

With such strong support from diverse communities, election officials and experts, why is VIVA New York not moving? Advocates point to the influential lobbying power of voting machine vendors, who stand to make massive profits from selling pricey all-touchscreen voting systems. The New York Times estimates the ExpressVote XL will cost \$10,000 per machine. Other ballot markers on the market sell for around [\\$4,000](#). Additionally, [experts estimate](#) that [a polling location needs approximately five times as many machines to service the same number of voters](#), exponentially increasing costs. This is especially relevant for New York. At thirteen years old, most voting machines in the state are reaching the end of their useful life. Many counties, already making tough budgeting decisions, will be buying new voting machines in the coming year. So increasing these costs has very real world consequences.

The lobbying relationships affecting VIVA NY are particularly blatant. The two dominant voting machine companies in the state, ES&S and Dominion Voting Systems, both have lobbyists, or members of lobbying firms that are deeply embedded in the Democratic Political Party. [Keith Wright](#) is both the Director of Strategic Planning for the ES&S lobbyist, and the Chair of the Manhattan Democratic Party. His firm formally opposed VIVA NY, according to sources in the legislature. [Stanley Schlein](#) is both the lobbyist for Dominion and considered “[the de facto boss](#)” of the Bronx Democratic Party. In the latter position he has particular influence with the New York Speaker Carl Heastie, who is from the Bronx. “Taxpayers will pick up the tab for overpriced voting machines. That money flows to the machine vendors and then back

to the lobbyists,” says Lulu Friesdat, Founder and Executive Director of SMART Legislation. “That these conflicting relationships are tolerated is unethical and needs to be addressed.”

The implementation of an all-touchscreen voting system for New York could be [catastrophic](#). When Los Angeles adopted an all-touchscreen system, voting machines broke down creating chaos and long lines to vote. Supervisor Janice Hahn moved for a hearing where she said, ***“We made it less accessible for people on election day. We made it less convenient. We made it less desirable to vote,” adding, “I’m sorry to say I’ve lost confidence, and I know the public has lost confidence. We have to fix this.”***

Says Andrea Miller, “Can you imagine a New York where it can take five or six hours just to vote? It isn't a pleasant thought. The last thing New York voters need is an expensive problem that destroys the solution.”

[Center for Common Ground](#) was founded to educate and empower under-represented voters in voter suppression states to engage in elections and advocate for their right to vote.

[SMART Legislation](#) is the Action Partner Project for [SMART Elections](#). We author and advocate legislation to protect elections. We want elections to be secure, fair, accessible, well-administered & publicly verifiable. Our goal is to increase public confidence.

[FAQ](#) on all-in-one, hybrid, and universal-use voting machines.

[Read all memos of support for VIVA NY.](#)