

July 13, 2020

Ms. Diane Mederos
Chair, Rhode Island Board of Elections
200 Plainfield Pike
Cranston, RI 02921

Dear Chair Mederos:

Our organizations provide the following comments on issues on the agenda for today's meeting of the Board of Elections, as well as the actions taken by the Board at its July 8th meeting. We begin with the decisions made at last week's meeting.

While we support the purchase and deployment of drop boxes for depositing mail ballots in all 39 municipalities, we disagree with the decision to only deploy a single drop box in each community. Treating all 39 cities and towns the same ignores the huge disparity in their populations. We are moving to a primarily mail ballot election to mitigate the effects of COVID-19 and providing the largest communities—in some instances those hit hardest by the pandemic—with a single drop box creates a new inequity in our voting system.

We vehemently disagree with the decision to not endorse sending mail ballot applications to all eligible voters for the September primary. There is no public policy reason to treat the September primary different from the November 8th general election or the June 2nd Presidential preference primary. The rationale offered at the July 8th meeting – that some communities had no contested elections -- did not acknowledge both that our state's second-most populous city will have two contested mayoral primaries on September 8th as will the second Congressional district. Rhode Island ranks among the states where the general election has the highest rates in the country of uncontested races for the state legislature during the general election, meaning the primary election is the *de facto* general election for voters in those districts. In addition, any concerns about costs or timing in once again mailing applications to all qualified voters are both surmountable. They are also vastly outweighed by the benefits of a robust process that makes access to mail ballot applications easier for the public, as the June primary demonstrated.

As we wrote to you in our June 30th letter, we believe that the Board of Elections should take responsibility for qualifying mail ballots, because the Board is the only entity with the necessary infrastructure to scale that operation. We note that the Election Task Force you sit on endorsed that idea at its meeting on July 9th.

We caution the Board to be careful with polling place consolidation. Predicting what mode of voting voters will choose in the fall elections is particularly challenging during the pandemic. As we saw recently, Wisconsin, Washington, D.C. and other jurisdictions did a poor job of consolidating polling places and saw significant lines as a result. Kentucky, on the other hand, did a much better job. We urge the Board to look to other states for best practices.

Our groups stand ready to work with the Board and other state officials to recruit the necessary poll workers to make the fall elections a success.

Now we address the issues before the Board on today's agenda. We strongly support eliminating the requirement of two witnesses and/or a notary signature on the oath envelope as was done for the June 2nd PPP. As you know, Rhode Island is in a small minority of states that require that practice. We believe proper matching of the voter's signature with appropriate procedural protections, as is the practice in states that are predominately mail ballots, provides adequate safeguards without requiring voters to be exposed to others during an unprecedented pandemic. We hope you join us in calling on the General Assembly or the Governor to remove that requirement this week.

We support tabulation of mail ballots that are either postmarked by Election Day and received within three days of the election or received without a postmark the day after the election. At your last meeting it was stated that postage paid mail does not receive a postmark. Our understanding is that is not correct. Election mail is the only exception to that rule. We urge the Board to contact Tammy Patrick of the Democracy Fund for assistance with how the Board can verify that ballots entered the mail stream by Election Day.

Our groups have been advocating for many of these issues for over a month. We believe time is of the essence and urge the Board to act quickly in adopting our suggestions.

Sincerely,

ACLU of Rhode Island
Clean Water Action Rhode Island
Common Cause Rhode Island
Latino Policy Institute
League of Women Voters of Rhode Island
NAACP Providence Branch
Planned Parenthood of Southern New England
Rhode Island Coalition Against Gun Violence
Rhode Island Coalition for the Homeless
Rhode Island Commission for Human Rights
Rhode Island Working Families Party
Sunrise Providence
Women's Fund of Rhode Island
The Womxn Project