



128 Dorrance Street, Suite 400  
Providence, RI 02903  
Phone: (401) 831-7171  
Fax: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)  
[info@riaclu.org](mailto:info@riaclu.org)

October 15, 2020

Rhode Island Board of Elections  
2000 Plainfield Pike  
Cranston, RI 02921

VIA EMAIL

Dear Members of the Board:

On behalf of the ACLU of Rhode Island, I am writing to address the sole item on tomorrow's Board agenda: "the Newport Board of Canvassers decision to close the Park Holm Senior Center polling place in precinct 2109 and moving the location to the Pell Elementary School in precinct 2102." We strongly urge you to reject that decision.

Our organization has received complaints from a number of Newport residents residing in Precinct 2109 who are deeply concerned about this decision of the Newport Canvassing Authority (referred to as the "Board of Canvassers" in the agenda and as "BOC" in this letter), which was approved on a 2-1 vote on Tuesday. We share those concerns and ask you to exercise your authority under R.I.G.L. 17-11-1.1(a) to keep the Park Holm Senior Center (PHSC) open as a polling place on November 3rd. We believe the BOC'S decision is arbitrary and capricious, and would have a clearly adverse impact on people of color and other vulnerable voters residing in Newport.

We note the following salient points for your consideration:

1. Demographically, Precinct 2109 has a high concentration of the City of Newport's non-white population, as well as a large contingent of elderly voters and people with disabilities.
2. The Park Holm Senior Center has been used for many years as a polling location for general elections.
3. The only rationale offered by the BOC for closing Precinct 2109 involved individual BOC members' health and safety concerns related to the Covid-19 pandemic due to PHSC's size and configuration.
4. The Chair of the Newport Housing Authority, which runs the PHSC, expressed support for using the senior center as a polling location and felt that any health and safety concerns could be easily addressed. A number of residents of the precinct also testified in opposition to PHSC's closure.

5. The BOC did not solicit or receive any expert medical testimony or information supporting the health and safety concerns raised *sua sponte* by BOC members.

6. The BOC did not conduct any health and safety inspections, or receive any expert medical testimony or information, regarding the safe use of other polling locations it is keeping open for the November election.

7. Upon information and belief, other polling locations being used in the City on November 3 – such as St. John’s Church and St. Peter’s Church – could be deemed, due to their size and/or configuration, to raise similar logistical and “safety” concerns to those purportedly being relied upon by the BOC to close PHSC.

8. Residents of Precinct 2109 would be the only voters in the City whose polling place is both being closed **and** consolidated with another precinct.

9. At the time of its decision, the BOC was in possession of, but ignored, a memo from the Newport City Solicitor who advised that the BOC could not “rely only on general statements of risk” in closing PHSC, but instead needed to determine that “the risk of exposure (which exists in every indoor venue) [offsets] the public interest in maintaining this polling site for voters who have been using it for years.”

At your October 2nd meeting, you expressed concerns about the numerous cities and towns proposing consolidation of voter districts, and mandated that they go back to the drawing board in light of the adverse impact that such consolidation would have on the rights of voters. We believe those concerns were justified, particularly in light of the lower-than-anticipated applications for mail ballots received for the upcoming election.

That would be reason enough, in our view, for you to reject the BOC’s decision. But even more to the point, the Newport Board of Canvassers has utterly failed to justify the closure of Precinct 2109. The BOC ignored the pleas of the community that is directly affected by the closure, has failed to validate in any objective way its singling out of PHSC for closure, and has made a voting decision whose adverse effects will fall largely on the economically disenfranchised, the elderly, those with disabilities, and people of color.

For all these reasons, the ACLU of RI asks that you reject the BOC’s decision and require that the Park Holm Senior Center remain open as a polling location for the November election.

Thank you for considering our views.

Sincerely,

Steven Brown  
Executive Director

cc: Raymond Marcaccio  
Robert Rapoza