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THE COUNCIL
OF
THE CITY OF NEW YORK
VINCENT J. GENTILE
COUNCIL MEMBER, 43RD DISTRICT

CHAIR - SUB COMMITTEE ON
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WATERFRONTS

July 8, 2010

James A. Walsh, Co- Chair
New York State Board of Elections
40 Steuben Street
Albany, NY 12207-2108

Commissioners Kellner and Walsh:

It has come to my attention that the voting machines New York will use this fall may discard thousands of my constituents' votes.

The State Board of Elections has apparently decided to configure our new machines in a way that will confuse voters. The machines do not adequately inform voters of what an "overvote" is, or that casting an overvote will result in their ballot being voided in the overvoted race. Several counties in Florida that set their machines this way had overvote rates fourteen times higher than counties that automatically rejected overvoted ballots (a practice common in the rest of the country). Research suggests the elderly, African Americans, Latinos and voters not fluent in English will be the most affected by this machine programming.

I understand that there is a simple fix, which takes less than a day to implement: have the machine automatically reject an overvoted ballot. This can be done by simply checking a box in the "configuration file" for the machines in Albany and does not require any reprogramming of the machines. This small change will cost the State Board of Elections nothing and help to ensure that no votes are discarded.

This easy fix will bring the machines in line with most jurisdictions including California, Connecticut, Minnesota and Wisconsin.

I look forward to your response and hope that the State Board of Elections will take every step possible, including this simple configuration, to make every vote count.

Sincerely

Vincent J. Gentile
Council Member, 43rd District



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