



State of Rhode Island
Department of State | Elections Division
Nellie M. Gorbea, *Secretary of State*

May 14, 2021

Patricia Chatelle
Board of Elections
2000 Plainfield Pike, Suite A
Cranston, RI 02921

Re: Mail Ballot Drop Box Regulations

Dear Ms. Chatelle,

This letter is to offer support for the proposed rules/regulations related to mail ballot drop boxes and to provide suggested changes. With over 350,000 voters voting by mail last year, it is imperative we make it as accessible as possible for voters to vote by mail. Mail ballot drop boxes are essential to ensuring mail ballots are returned on time.

While we support your proposed rules and regulations, I offer the below suggestions:

- Section 1.4 A - Indicate the Department of State's drop box is located outside the Elections Division (148 W. River St.). This will reduce confusion for voters who attempt to drop their mail ballot at one of our other two locations that does not have a drop box.
- Section 1.4 E - modify the language on the drop box to "OFFICIAL BALLOT DROP BOX FOR MAIL BALLOTS" or something similar. By using "ELECTION DAY" voters may be confused when they attempt to place their ballot in the drop box on one of the 20 days leading up to Election Day.
- Section 1.6 A - designate a Department of State staff member as an official agent of the Board of Elections
- Section 1.6 C - add "staff member of the Department of State"
- Section 1.6 D - add "staff member of the Department of State"

We also believe it is important to consider using drop boxes for mail ballot applications. Even before the pandemic we saw an increase in voters casting ballots by mail. I believe we will continue to see more voters casting ballots safely and securely from home. Applying for a mail ballot is the first step in the process, and we believe we should make the drop boxes available for this purpose to benefit voters.

As we embark on post-pandemic voting, it is imperative we continue utilizing the procedures that helped us successfully run smooth elections in 2020. We look forward to building on our successes and providing access to voting for all eligible Rhode Islanders no matter the voter's preference.

Sincerely,

Rob Rock
Director of Elections

**TESTIMONY TO R.I. STATE BOARD OF ELECTIONS ON PROPOSED
RULES AND REGULATIONS ESTABLISHING VOTE-BY-MAIL BALLOT DROP BOXES
[410-RICR-20-00-25]
May 4, 2021**

This testimony is submitted on behalf of the R.I. Voting Access Coalition, a coalition of more than two dozen organizations (listed below) promoting the exercise of the franchise and fairness in elections. We write to express our general support for these proposed regulations which would make permanent the emergency rules adopted by the Board this past year in response to the pandemic, and require the use of drop boxes for the collection of emergency and mail ballots in all future elections.

We believe the utility of drop boxes was amply demonstrated during the recent statewide elections that featured their placement at city and town halls pursuant to temporary Board rules. The drop boxes worked as expected, and offered a very convenient, accessible and secure way for thousands of voters to submit their mail ballots on time without having to worry about the unfortunate vagaries of postal service delivery.

While the pandemic may be subsiding, the presence of drop boxes as an option for ballot delivery will continue to be an effective and opportune tool for making the voting process easier. Drop boxes are used by a majority of voters in many states that vote primarily by mail, so Rhode Island will be in good company in recognizing their continued value and efficacy even after Covid-19 is contained.

Having said that, we do wish to offer a few amendments to Sections 1.4(A) and 1.4(D) of the proposal, as provided and explained below:

A. A Drop Box shall be established in each city and town in the State of Rhode Island, outside the office of the Board of Elections, and outside the Office of the Secretary of State, and to the extent feasible shall be located prominently and in close proximity to the entrance at the exterior of the city or town hall building in each community, taking into account the accessibility requirement of subsection (D). Additional Drop Boxes may be established at specified locations within a community upon the approval or direction of the Board of Elections. The Drop Box may, for good cause shown, be established inside a city or town hall building but only if it is placed in the vicinity of the office of the local board of canvassers and the building remains open and accessible to the public up throughout the prescribed time period prior to Election Day and until the close of the polls at 8 P.M. on Election Day and provided further that prominent signage be displayed outside of the municipal building that notifies the public of the existence and location of the Drop Box. The Drop Box may be established outside an alternate location within the city or town upon request of the local Board and, for good cause shown, upon approval of the State Board. A Drop Box shall also be located within all polling places used in each city and town on Election Day, provided that the polling place is not located within a city or town hall where a permanent Drop Box is already installed on the premises.

D. The location of the Drop Box and the slot opening must be accessible to any ~~handicapped~~ person with a disability, and be at a height that permits the deposit of a ballot from the height of a wheelchair.

Our suggestions seek to strengthen the proposal in a few small ways. First, the regulation inadvertently fails to include the Board of Elections itself as a location for a drop box, and we propose correcting that oversight.

Second, as currently worded, the regulation appears to authorize more than one drop box in a community only at the request of the municipality. However, we believe that the Board itself should have the authority to order additional drop boxes in a community if it finds that it is in the best interests of voters to have more than one.

Third, the regulations set the near exterior of city and town hall entrances as the default location for a municipality's main drop box site. We recommend that, in allowing cities or towns to use an alternative site or the interior of a building instead, the regulations set a "good cause" standard for making those determinations. The Board appeared to implicitly use such a standard in its decision-making on alternative sites this past year, but we believe it would be helpful to codify that criterion.

Fourth, in requiring main drop box sites to be located in close proximity to city or town hall, we suggest that the regulation clarify that municipality decisions on placement must be made in conjunction with the regulation's requirement that accessibility for voters with disabilities be taken into account.

Finally, we recommend updating the language in Section 4(D) in accordance with current norms.

We thank you for your consideration of our suggestions, and trust that you will give them your careful consideration. If the suggestions we have made are not adopted, we respectfully request, in accordance with R.I.G.L. §42-35-2.6, a statement of the reasons for not accepting them.

Signed:

ACLU of Rhode Island
 Alliance of RI Southeast Asians for Education (ARISE)
 Brown Votes
 CaneWalk
 Clean Water Action Rhode Island
 College Democrats of Rhode Island
 Common Cause Rhode Island
 Disability Rights Rhode Island
 Every Vote Counts Brown University Chapter
 Formerly Incarcerated Union of Rhode Island
 Housing Network of Rhode Island

Latino Policy Institute at Roger Williams University
League of Women Voters of Rhode Island
NAACP Providence Branch
National Council of Jewish Women, RI Action Team
National Federation of the Blind of Rhode Island
Planned Parenthood of Southern New England
Represent US
Rhode Island Coalition Against Domestic Violence
Rhode Island Coalition Against Gun Violence
Rhode Island Coalition for the Homeless
Rhode Island Commission for Human Rights
Rhode Island Democratic Women's Caucus
Rhode Island Developmental Disabilities Council
Rhode Island Latino PAC
Rhode Island NOW
Rhode Island Working Families Party
The Womxn Project
United Auto Workers Region 9A
Women's Fund of Rhode Island