

ACLU OF RI POSITION: AMEND

**TESTIMONY ON 24-H 7222,
RELATING TO LOCAL CANVASSING AUTHORITIES – REGISTRATION OF
VOTERS
February 6, 2024**

This proposal has three sections, all addressing the methods by which local boards of canvassers must notify residents of various election-related matters. The ACLU supports two of the sections, but opposes one. Our comments start with the latter proposal.

a. *Amendment to R.I.G.L. §17-8-10.* Presently, boards of canvassers are required to advertise in a newspaper and post in at least three public locations detailed information about any local bond or referendum questions appearing on the ballot. This proposed amendment would allow public bodies to substitute those public notices with merely a posting of the information on the municipality’s website. We oppose this amendment, as we believe the crucial information regarding upcoming ballot questions merits the two methods of notice currently required. If any amendment is to be made, it should be to supplement, not replace, current forms of notices with a required website posting. In exchange, we would not oppose reducing the “public location” notices from three to one.

We recognize that, with the decline of newspaper circulation, that form of notification does not necessarily reach a huge swath of residents. However, the alternative proposed here has flaws of its own when it is designed to serve as the exclusive method of public notification rather than as a supplement to other forms of notice.

U.S. Census Bureau estimates indicate that 14.7 percent of Rhode Island households do not have broadband access.¹ Furthermore, Black households and households with residents over 65 years old are less likely to have a computer and internet access. Thus, the newspaper and public location notices serve a valuable role in notifying at least some members of the public of the content of upcoming ballot questions.

We have heard responses that a person need only have a smartphone to be able to gain access to this information, so the lack of broadband access is not an issue. But a smartphone is perhaps the worst place to expect somebody to read what may be dense layers of text underlying a proposed referendum or bond question. This is precisely the sort of information that a newspaper is in the best position to provide.

¹ <https://www.census.gov/content/dam/Census/library/publications/2021/acs/acs-49.pdf>

In sum, replacing one partially flawed method for reaching the public with another flawed method is not the best solution. We instead urge that the new language contained in this amendment *supplement* the current statutory requirement rather than replace it.

b. *Amendment to R.I.G.L. §17-9.1-3.* This amendment would permit boards of canvassers to post notice of unusual voter registration hours on the municipality's website instead of via a newspaper advertisement. For the reasons expressed above, we generally oppose the elimination of newspaper advertising requirements for public matters, but due to the niche nature of this particular notification, we do not object to it, particularly in light of the proposal's inclusion of language requiring the website posting to be "conspicuous and prominent."

c. *Amendment to add R.I.G.L. §17-8-11.* For all the reasons expressed above, we support this proposed amendment which would require local boards to advertise times of early voting both on the municipal website and through newspaper advertisements. Like information about ballot questions, this is an important piece of data that deserves widespread circulation through various media.

We would offer one additional observation. We think it is important that, for any notifications that do get posted on municipal websites, those websites be broadly accessible to people with disabilities by complying with the most up-to-date federal WCAG standards.

Thank you for considering our views.