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**Statement from Assemblywoman Helene Weinstein
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Over the past several years, along with many of my colleagues and LOREO, I have been urging the New York City Board of Elections to take steps to ensure that all Russian-American New Yorkers can fully participate in the electoral process, regardless of their fluency in English. Unfortunately, there continue to be many potential voters that have been unfairly shut out of the voting process because of their lack of English language fluency. Indeed, during past elections, I have been at polling sites where both Haitian and Russian voters had to rely upon other voters to assist them because of our failure to have either translators or language appropriate information and ballots.

Unfortunately, all too often, our efforts to increase language accessibility have been met with the same response, "We follow the Federal Voting Rights Act," It was for that reason, based upon the large number of Russian speaking New York City residents, that on the state level, we passed legislation requiring that in New York City, a number of specific election materials be made available in Russian.

However, we should not restrict our efforts to these limited requirements when we are looking to expand voter participation. The Federal Voting Rights Act requirements **represent the minimum steps** that boards of elections must take with respect to meeting the needs of language minority groups and does not preclude a more expansive approach to address concerns in communities with a large number of other minority groups.

In New York's Election Law, there are a number of provisions that authorize a local board of elections to deem appropriate the use of languages other than English. For instance, Election Law § 4-118 provides that a local board may publish notices of a primary in languages other than English and Election Law § 8-102 provides that a local board may post notices in languages other than English that explain how to operate a voting machine so as to have the votes counted. Election Law §§ 4-119, 4-120, 7-102 and 8-104 also contain similar language regarding the use of language other than English for materials issued by the State Board of Elections or local boards.

I was a member of the Joint Legislative Conference Committee that drafted the 2005 New York law to implement the selection of new voting machines pursuant to the Help America Vote Act.

Page 2 – Assemblywoman Weinstein Statement

We explicitly provided that any new machine must be able to accommodate alternative language accessibility. Therefore our state law clearly envisions that non-English languages not required by the Voting Rights Act may, and would likely, be used in the new voting machines and that the languages required by the Voting Rights Act may be used beyond the counties in New York that are affected by the Voting Rights Act.

Making use of this type of flexibility in all aspects of voting information and materials is crucial in our city, where hundreds of languages are spoken, to fulfill the promise of a democratic process.

Therefore, without any further legislative authority, the NYC Board of Elections can immediately move to accommodate voters who speak additional languages by:

1) Translating all official web-based information and documents that are currently translated into the “covered” languages into additional languages, spoken by large numbers of New Yorkers, most notably Russian, not just the information specified in statute, including, Where to Vote, (poll site locator) and other General information.

2) Soliciting applications for Poll Workers and interpreters in languages spoken by large numbers of New Yorkers, in addition to the Federal Voting Rights Act covered languages.

3) Having phone staff available who can communicate in additional languages spoken by large numbers of New Yorkers, beyond those covered by the Voting Rights Act.

4) Translating all official notices that are printed and either published in newspapers or mailed to voters, translating the publication of candidates, election date and poll sites that are currently translated into the “covered” languages into additional languages spoken by large numbers of New Yorkers, which translations should then be published and mailed to voters in communities that have large numbers of these additional languages.

5) Translating official notices within the polling site into additional languages spoken by large numbers of New Yorkers, ie: Russian.

6) Ensuring that all New Yorkers, regardless whether they are fluent in English, can benefit from the education requirements of H.A.V.A. by having online/DVD demonstrations of how to vote using the new machines in additional languages.