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HAVA information for your paper ballot jurisdiction

I want to make sure you know that **you don't have to change to a different election system.**

As I'm sure you are aware, the Help America Vote Act of 2002 (HAVA) requires your jurisdiction to furnish every polling place with voting methods that disabled people can use to vote independently. Many election officials believe that they must use computerized equipment to comply with this HAVA requirement.

This is not true.

Section 301(c) of HAVA specifically preserves the rights of jurisdictions to continue using paper ballots systems. You can comply with HAVA by supplementing your current paper ballot system with simple, inexpensive methods that allow disabled individuals to independently cast a paper ballot. Such methods do not require the use of electronic equipment to record and/or count votes.

I am writing to encourage you to continue using your paper ballot system. Though you may have already decided to do so, I have listed below some of the many reasons why keeping your paper ballot system would serve both you and your constituents well.

- ◆ **Paper ballots provide the most accurate election tallies.** When there is a question about the accuracy of a tally, or when a machine count is exceedingly close, hand counts are most often used to determine the true result.

For example, in Washington State's 2004 gubernatorial election, the margin of victory was 261 of 2.8 million ballots, and state law required a machine recount. The recount narrowed the margin to 42 votes, and the losing candidate requested and paid for a hand recount. This hand recount reversed the outcome.

Many machine miscounts were discovered through this process in Washington, and the election was disputed on a variety of grounds. However, no one disputed the accuracy of the hand count.

- ◆ **Few electronic systems comply with the HAVA requirements for the disabled.** A recent advisory released by the federal Election Assistance Commission states that to comply with the accessibility requirements of HAVA, an electronic system must provide the means for both visually and physically impaired people to vote independently.

The only computerized systems that fully meet the requirements of HAVA are:

- AccuPoll e-voting machine with voter-verifiable paper record
- AutoMark ballot-marking device, which produces a paper ballot

**None** of the e-voting machines offered by the major vendors (Diebold, ES&S, Sequoia, Hart Intercivic, Danaher, Unilect, AVS) fulfill the federal standards established to allow the disabled to vote independently. However, some simple, inexpensive solutions to accessibility are already available; others are being explored.

- ◆ **Paper ballots are far less costly in the short run and the long run.** The tables on this page show estimates of the major costs of purchasing various types of election systems.

Since prices vary significantly from one vendor to the next, these prices are estimates only. They are based on actual costs to the indicated jurisdictions and adjusted to apply to a hypothetical jurisdiction with 10,000 voters and 10 polling places.

### Two Types of Electronic Counting and/or Recording System

<b>1) Optical Scanner;</b> Based on costs of ES&S Model 650 to Jefferson Co., WA		
One central count scanner	\$65,610	
Third party items (workstations, printers)	\$13,690	
Election Management Software license fee (yearly)	\$38,500	
Election Support Services (yearly)	\$17,650	
<b>Total for the first year</b>		<b>\$135,450</b>
Annual hardware and software maintenance <b>after</b> first year	\$10,980	
<b>Total for each year thereafter</b> (\$38,500+\$17,650+\$10,980)		<b>\$67,130</b>
<b>2) Direct Record Electronic (DRE);</b> Based on costs of Sequoia DREs to Snohomish Co., WA		
50 DREs (one for each 200 voters)	\$150,000	
Election Management Software	\$200,000	
Peripherals such as card activators, results cartridges, external battery packs, vote simulation cartridges	\$13,750	
<b>Total for the first year</b>		<b>\$364,000</b>
Plus: <b>Repair and maintenance, support services,</b> environmentally controlled storage, constant power to maintain battery charge		
<b>Total for each year thereafter</b>		<b>?????</b>

However, these electronic systems **do not fulfill the HAVA requirement for accessibility**, so purchasing them would not fulfill your need to comply with HAVA.

You can comply with HAVA simply by supplementing your current paper ballot system with inexpensive methods that allow the disabled to cast hand-countable paper ballots without assistance. For example:

### Three Types of Accessible Vote-Casting Methods

<b>1) AutoMark Ballot Marking Device;</b> Based on costs to South Dakota.		
10 AutoMark Voter Assist Terminal (one for each poll site)	\$54,000	
Ballot Management Software	\$2,500	
<b>Total acquisition cost</b>		<b>\$56,500</b>
<b>2) Tactile Ballot Templates for the Blind</b> (see <a href="http://www.votersunite.org/info/tactileballots.asp">www.votersunite.org/info/tactileballots.asp</a> )		
Software to translate printed ballot into audio	\$1,000	
Materials to construct templates (each election)	\$800	
<b>Total acquisition cost</b>		<b>\$1,800</b>
<b>3) Simple non-electronic devices for the dexterity impaired.</b> (currently under development).		
		<b>Est. \$500</b>

Note: Maintenance costs on these systems is projected to be minimal

- ◆ **Paper ballots are far less complicated and cumbersome.** Jurisdictions that use electronic devices to administer elections have added the following complications to their jobs:

- Additional training for election staff, poll workers, and voters
- Pre-election and post-election testing of the equipment
- Transporting equipment to polling places (if precinct equipment is used)
- Ensuring the security of electronic devices during transport and at polling places
- Tracking software versions to ensure the correct version is installed
- Updating software as bugs are found and fixed
- Managing hardware and software malfunctions, breakdowns, and repairs
- Contingency planning for the possibility of equipment malfunctions
- Significantly higher operating costs

Most of these jurisdictions also use the election equipment vendors to help them administer elections, which many people consider a breach of the public trust.

- ◆ **Paper ballots are less vulnerable to fraud.** Fraud is a possibility in any election and has been detected in elections that used paper ballot systems. However, election directors hand counting paper ballots have control over the election process and can significantly reduce fraud through the use of proper procedures.

In contrast, election directors limit their ability to guard against fraud when they allow computers to perform their procedures. The software determines voter intent, tallies the votes, and accumulates the totals from each precinct. As the diagram on the following page shows, election directors who use computers to perform these tasks give up control of the most significant tasks of administering elections. As a result, computer error or fraud may occur and not be detected.

But perhaps even more important, errors and even fraud involving paper ballots are detectable. They leave evidence and it takes many people to manipulate enough paper ballots to change an outcome. Electronic fraud is much more difficult to detect, possibly leaving no evidence at all, and one person can easily manipulate elections.

**Most importantly, paper ballots provide for an observable election.** When computers count votes, all counting is in secret. None of it can be observed by the public or by election directors. Counting votes in secret is not consistent with democracy.

Again, I encourage you to preserve your current paper ballot system, to avoid the costly inconveniences of electronic elections and to maintain the transparency essential to the democratic process.

Please feel free to contact me if you need any clarification or additional information, or if you have questions or comments. I would welcome the opportunity to speak with you.

Sincerely,

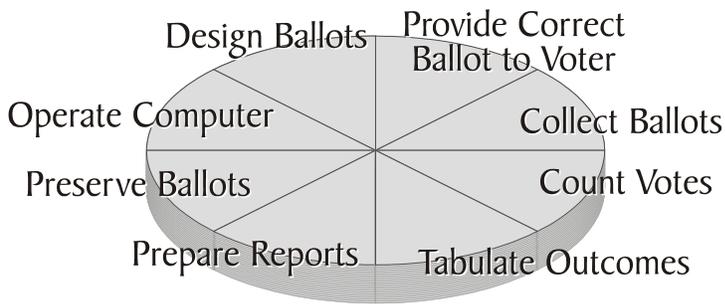


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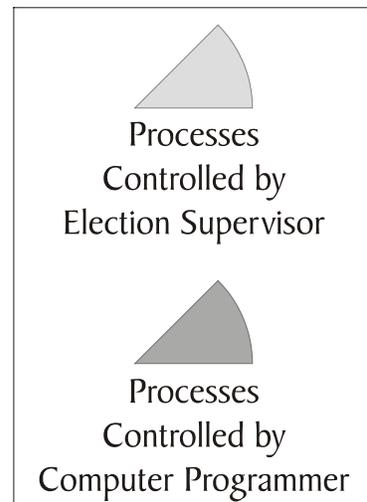
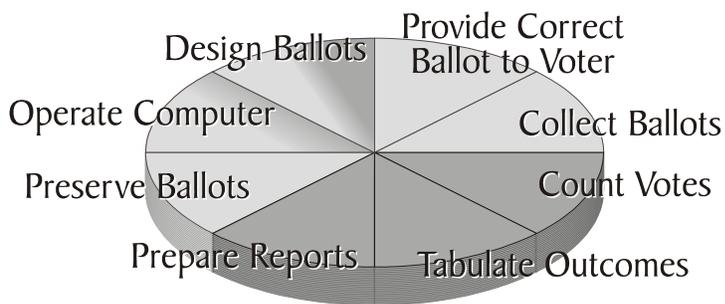
VotersUnite! is a national non-partisan organization dedicated to fair and accurate elections. It focuses on distributing well-researched information to elections officials, elected officials, the media, and the public; as well as providing activists with information they need to work toward transparent elections in their communities.

# We Want You, Not Computer Programmers, To Control Your Elections

## Hand Counted Paper Ballots



## Optical Scanners



## E-Voting Machines

