



Problems with LibertyVote Upgrade Path to Lot 1 Machines

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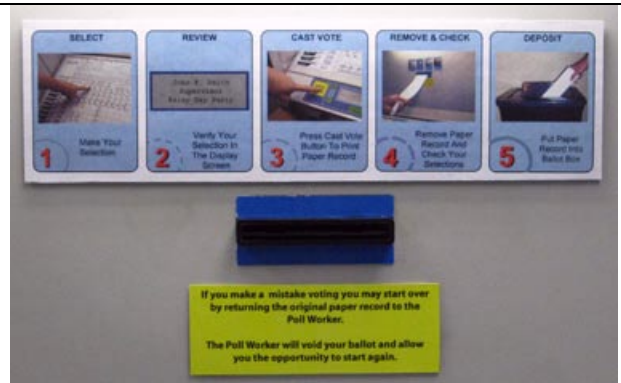
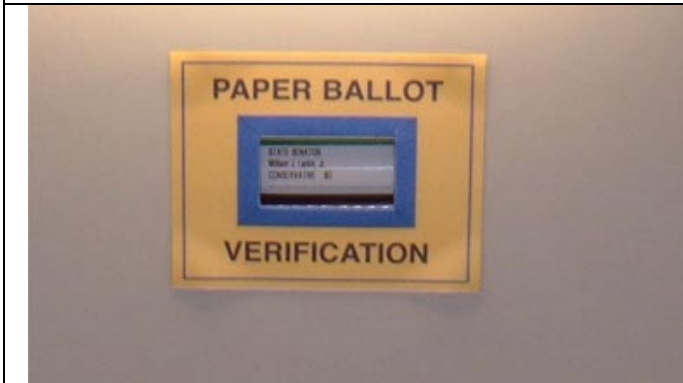
System Name: LibertyVote (BMD) with EMS LibertyControl, EPU 1

Problem Description: The LibertyVote VVPAT slot performs two mutually exclusive functions in Lot 1 and Lot 2 machines, prohibiting an upgrade path from the BMD version to the DRE version.

Many counties are concerned that their Lot 2 BMD purchases have a clear upgrade path to Lot 1 devices for lever machine replacement. The LibertyVote DRE and the version being presented as a BMD for Lot 2 does not allow an upgrade path because of the mutually exclusive use of the VVPAT slot in the two versions:

- In the LibertyVote DRE for Lot 1, the VVPAT slot located at the back of the machine is covered by clear plastic. This VVPAT is never removed or touched by the voter, as required by New York State election law.
- In the LibertyVote DRE being promoted as a Ballot Marking Device for Lot 2, the VVPAT slot is open, and the 'ballot' is ejected out of this slot.

Since the VVPAT slot performs different, mutually exclusive functions, any LibertyVote DRE purchased for use as a ballot marking device will not be able to be used in 2009 for lever machine replacement. Counties which purchase a LibertyVote DRE for the 2008 Lot 2 machines will not be able to use these machines in 2009, but instead must purchase completely new machines to serve non-disabled voters. This means that for each LibertyVote Lot 2 device purchased, an additional one must be purchased in 2009.



The LibertyVote DRE

The VVPAT slot is enclosed behind clear plastic, and cannot be removed.

The LibertyVote "BMD"

The VVPAT slot is open, and the 'ballot' is ejected from this slot.