

The Public Employees Federation (PEF) is a union representing 54,000 professional, scientific, and technical state employees. The following resolution was passed unanimously by over 800 delegates to the PEF 2005 statewide convention in Rochester on 9/21/05

### **PEF 2005 Resolution to Oppose Privatizing Public Elections**

WHEREAS, PEF recognizes that free, fair, transparent and easily verifiable public elections provide the backbone of our democracy, and public confidence in the election system is crucial,

WHEREAS, PEF opposes any costly, non-transparent and potentially corrupting privatization of public functions especially concerning how our precious votes are counted,

WHEREAS, Unlike private entities, NYS public employees are automatically bound by the public officers law which assures transparency, and accountability to the public, and contains prohibitions against partisan political activities,

WHEREAS, New York State law specifies that each county in NYS can comply with the HAVA mandated replacement of hard-working lever voting machines by choosing either precinct based optical scan or Direct Recording electronic (i.e. touchscreen or fully electronic) voting systems,

WHEREAS, touchscreen computer voting technologies rely on non-transparent proprietary software with code accessible only to the vendors and require costly and potentially corrupt private contracts to program and maintain and the severe problems experienced by fully electronic systems in Florida and elsewhere have reduced voter confidence in fully electronic voting and,

WHEREAS, Optical scan systems have successfully been in use in elections nationwide for over 30 years and have been successfully programmed, operated and maintained by public employees in agencies such as the Division of the Lottery, NYS Education Department and DMV and, hand-marked permanent paper ballots (similar to a lottery ticket) where the voter's original ballot can be maintained and recounted, used with precinct-counted optical scanners are widely recognized as the most reliable, user-friendly, cost-effective and verifiable of the two computer-based voting options, and now therefore be it

RESOLVED, that PEF support the implementation of precinct-counted optical scanning machines programmed and maintained only by public employees with the addition of a ballot-marking device for voters with disabilities and language minorities as the HAVA-compliant electronic voting option of choice.

RESOLVED, further, that PEF adopt this position in its legislative agenda and urge the New York State Assembly, Senate, and Governor and NYS counties to incorporate the following:

Contracts to private firms to handle electronic voting systems should be banned in favor of using only public employees.

- Expertise in the software, data, and hardware and all other components of their electronic voting systems prior to their use, as well as the necessary knowledge of op-scan computer security, auditing and programming be delegated to public servants.
- Professional-quality 100% audits of elections conducted with electronic voting systems should be mandated. This would follow the practice of the professional world of information technology, in which all transaction-capturing and transaction-processing computer systems are 100% audited and discrepancies are 100% investigated and corrected.
- Before electronic voting systems are used, including tabulators used with optical scanners, all source code of their software be posted on the web site of the state Board of Elections.

RESOLVED, further, That a copy of this resolution be sent to all unions representing NYS Public Employees, the appropriate union and government officials in each county in NYS, Senators Schumer and Clinton, Governor George Pataki, State Senator Bruno, State Assemblymember Silver and Deputy Executive Director, New York State Board of Elections, Peter Kosinski.

\*\*Submitted by William H. Sell PEF Div.# 355