



A Single Statewide Voting System for New York State

The benefits of standardized voting equipment

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The way elections are conducted in the State of New York is about to undergo fundamental change. It is crucial that the State get the choice of voting systems right the first time—for we are choosing how we deliver democracy to the people. Voters must have confidence that their vote has been accurately recorded and counted and that election results can be examined and confirmed. New York State must do everything possible to provide these guarantees.

State Election Law currently calls for each county to choose a voting system from a list to be certified by the New York State Board of Elections¹. Further, the decision is given to county election commissioners—appointed officials with accountability to no one but local party committees, and who generally lack any technical background to properly evaluate computerized voting systems.

This state of affairs is further complicated by a machine certification process that is running into significant delays and a State Board of Elections which, lacking the technical competence to assess machine vendors and consultants managing the testing, has consistently underestimated the complexity and scale of the task before them.

Continuing down this path could lead to a disastrous patchwork of expensive touch screen DREs rushed into use with inadequate testing, administered by under-trained staff and elderly poll workers. Long lines at the polls, frustrated voters, questionable results and subsequent legal challenges are easy to foresee in the confusion resulting from this mix of systems.

The alternative is to do what has long been called for by many— adopt a single state wide system using paper ballots, precinct based optical scanners, and ballot marking devices.

¹ State of New York Election Law 2006, Section 7-200:

§ 7-200. Adoption and use of voting machine or system

1. The board of elections of the city of New York and other county boards of elections may adopt any kind of voting machine or system approved by the state board of elections, or the use of which has been specifically authorized by law; and thereupon such voting machine or system may be used at any or all elections and shall be used at all general or special elections held by such boards in such city, town or village and in every contested primary election in the city of New York and in every contested primary election outside the city of New York in which there are one thousand or more enrolled voters qualified to vote...

Advantages of a Single Statewide Voting System

- Allows development of a single set of robust procedures for acceptance testing, machine maintenance, and election protocols.
- Allows development of a single set of training standards and materials for pollworkers and voters.
- Great cost benefits will result from economies of scale for the statewide purchase of machines, accessories, ballots, etc.
- Would receive full support from the voting public and the media².
- Takes the decision making process out of the hands of technically unsophisticated county election commissioners.
- Increases negotiating power with voting system vendors competing to win the huge New York State voting systems contract.
- Voters moving from county to county benefit from a uniform voting system across the State.

Choosing the Right System

Much material is available regarding the benefits of a paper ballot/precinct optical scanner/ballot marker system over DRE systems³. The far lower costs of purchasing, storage and maintenance, and the long lifespan and low failure rates are tangible benefits that will save the State many millions of dollars in the short and long term. Other benefits, even more important than the economic advantages, are the ability to verify election results independent of the scanner, and high voter confidence in the voting system and the election results.

Touch screen DREs would also be a poor choice in light of the growing evidence of failures and problems using this high-tech equipment in elections. Recently, Cuyahoga County, Ohio⁴ has joined Maryland⁵, New Mexico⁶, Miami Dade County⁷ and other states and counties currently contemplating abandoning multi-million dollar investments in DREs and replacing them with paper ballots and precinct scanners.

Finally, public and media support for adoption of precinct ballot scanners is overwhelming and growing daily⁸. New York State cannot afford to make the wrong choice—we have an opportunity to get it right the first time.

Legislation and Timeframe

In the Election Reform and Modernization Act of 2005, the New York State Legislature, unable to agree on a single statewide voting system decided to allow each county to choose its own voting system. This outcome was undoubtedly influenced by vendor lobbyists who had spent

² <http://www.nyvv.org/reports/EditorialEndorsements.pdf>

³ <http://www.nyvv.org/resources.shtml>, and http://www.brennancenter.org/stack_detail.asp?key=97&subkey=36941, among many others.

⁴ <http://www.cleveland.com/plaindealer/stories/index.ssf?/base/isope/1164801852271860.xml&coll=2&thispage=2>

⁵ http://www.votetrustusa.org/index.php?option=com_content&task=view&id=1804&Itemid=113

⁶ http://votetrustusa.org/index.php?option=com_content&task=view&id=983&Itemid=113

⁷ <http://www.nyvv.org/reports/MiamiDadeDumpsDREs.pdf>

⁸ <http://www.nyvv.org/reports/EditorialEndorsements.pdf>

millions of dollars ensuring their piece of the huge New York State election equipment pie. It was a poor choice for voters and has contributed to the long delays in HAVA implementation, and it portends a confusing hodgepodge of different systems, procedures, training and support needs.

Adoption of a single state wide voting system of precinct based ballot scanners will require changes to New York State election law. At the time of this writing county Election Commissioners are scheduled to select a new voting system no later than March 7, 2007⁹. Legislation adopting a single statewide voting system will need to be passed by both Assembly and Senate, and signed by the Governor within the first two months of the 2007 session.

⁹ <http://www.elections.state.ny.us/NYSBOE/hava/BOETimeline112206.pdf>