

I A C R E



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INTERNATIONAL ASSOCIATION OF CLERKS, RECORDERS, ELECTION OFFICIALS AND TREASURERS

“Winning the Race for Excellence, Fueled by Love, Friendship and Loyalty”
Rockne W. Clarke, President

T E S T I M O N Y

DATE: December 7, 2006
TO: The United States Election Assistance Commission
FROM: Elizabeth Ensley, Election Officials’ Division Director-At-Large,
International Association of Clerks, Recorders, Election Officials and Treasurers
RE: **PUBLIC HEARING: ASSESSING THE 2006 ELECTION**

Thank you for allowing me to make this presentation to the Election Assistance Commission. I appreciate the opportunity to address the administration of the 2006 elections in regard to the successes and areas where improvement is needed for future elections. I understand that the scope of the Election Assistance Commission limits its ability to respond. However, the power to initiate research, disseminate information, report to Congress and distribute funds is useful to election officials.

Private voting for disabled voters was the real success of this election. Many voted unassisted for the first time in their lives. Needless to say, public officials rarely are thanked for doing their job. However, several phone calls and a letter to the editor in my jurisdiction alone reflected the appreciation that was felt by many across this country.

The opportunity for voters to vote a provisional ballot and to find out if their ballot was counted is the correct way to handle problems on Election Day. Many voters have made use of this new provision. However, I need to mention that this is new for some jurisdictions and many are still working through training, staffing and the logistics of handling two to three percent of the vote, in a brief period of time, prior to a statutory certification deadline. This is also a significant cost in running an election.

Distrust of electronic equipment continued to be the primary concern during this election with the well-publicized fear of fraud and lack of faith in the voting systems. Election Officials should always be aware of and be able to answer legitimate concerns pertaining to electronic security. However, some accusations ranged from ignorance of equipment use at the voting place to purposeful misrepresentation of facts about the software and hardware, which created a near hysteria. It seems the intention was to undermine the confidence in the election. Although the electronic voting systems are, in effect, mandated by the Help American Vote Act, there has been no help for local election officials in answering some of the claims against the systems. Likewise, the Voluntary Voting System Guidelines do not take effect until December of 2007 and, therefore, provided no help for this year.

Overall, the election proceeded fairly smoothly considering that most jurisdictions were implementing both new equipment and new registration software. Most voters found the new equipment easy to use. All of this was accomplished at great cost to local officials.

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The expense of new equipment purchased through the Help America Vote Act is only a fraction of the on-going cost to use and maintain the equipment required. Additional expenses for warehousing, training, employing additional board workers, programming, maintenance, transportation, audio files and supplies have, in some cases, doubled the cost of running an election.

Budget-busting programming costs are a severe hardship on jurisdictions with little income. These jurisdictions do not have the money to purchase programming software, they do not have the IT staff to support the software, nor do they have the election staff to run it. Therefore, they are completely reliant on the election support companies to program memory cards/packs and create audio files for electronic equipment. In many cases, this added cost for the Primary Election alone took the entire year's election budget for those jurisdictions.

Future costs for replacing electronic equipment cannot be overlooked either. It will be an expensive endeavor. Local jurisdictions will not have any more money in the future to replace, repair or acquire equipment than they had to purchase it in the first place. Federal assistance will be needed then, too.

The implementation time frame for HAVA has been too short. Besides installing new software in the office, election officials were also initiating new equipment in the field, which stretched the limitations of staff and added considerably to overtime costs.

Production deadlines were unrealistic for the manufacturing and programming needed to meet the requirements. Centralized voter registration software was not yet written at the time it was being bid. Equipment companies were mass producing huge quantities of machines and were frequently late in equipment delivery. Many election officials reported being frustrated with the performance of machines that caused jams, were poorly designed, had incomplete instructions, gave unexplained error messages, and had parts installed backwards in brand new, state-of-the-art equipment. There is a serious concern for maintenance costs once warranties expire.

Long lines at the voting place continue to plague many locations across the country. Additional research on the number of recommended machines per registered voter would be helpful in response to sometimes unrealistic estimates of numbers of machines needed according to voting machine salesmen. With the increased use of DREs, the lines will only get longer.

Requirements that UOCAVA ballot requests remain active through two November General Elections is irresponsible and creates a disservice to military personnel with unrealistic expectations regarding local officials' ability to track their movement. In many cases, fully one third of these ballots are returned as undeliverable. Additionally, angry UOCAVA voters called election offices to inquire why they were sent a ballot they did not request or why they did not receive a ballot sent to a former address. Meanwhile, the security of mailed unvoted ballots, which have no possibility of reaching the applicant, is of great concern. Yet this is mandated when it is well known that the military purposely keeps its members mobile, with one, two or three year tours of duty.

The Quick Start Management Guides were produced too late to benefit this election. The first guide on new equipment was sent after many states had already held their Primary Elections with the electronic equipment. The remaining guides were sent too close to the November General Election to be of help.

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The guides have some good ideas that will be beneficial in future elections. However, there was very little instruction or explanation to assist in implementation. The letter dated October 19th reminding election officials to review their security was intended to be a last minute reminder that did serve its purpose.

Election Worker training is always an issue and is more challenging with changes to equipment and procedures. It is clear that small group, hands-on training is needed for truly effective training. However, this is expensive and time consuming. Efforts should continue to refine and improve methods of training and funds need to be made available for local officials to provide this training.

Court ordered changes to election procedures well after an election has been started continue to create confusion among voters as well as election workers. This was reported by several jurisdictions in regards to voter identification requirements but has been a consistent problem throughout the years.

Alternate forms of elections such as all-mail ballot elections and consolidated vote centers still need to be studied for advantages and disadvantages to the election process.

Thank you for your time and consideration.