

07 - 0180

Voting Machines Options Working Group Report

Presented to the Minnesota Senate Subcommittee Elections by:

Mai Thor and Mark Halvorson, Working Group Co-Chairs, on February 14th, 2007

Introduction

The Voting Machines Options Working Group was established by the Minnesota legislature in the 2005-2006 session (MN Statute 206.91 - see appendix 1.) to "investigate and recommend to the legislature requirements for additional options for voting equipment that complies with the requirements of section 301 of the Help America Vote Act. Public Law 107-252, to provide private and independent voting for individuals with disabilities." The law also stipulated that the working group report back to the legislature by February 15th, 2007.

The selecting group, (a subgroup of the working group), chose 27 people representing diverse interests, to participate on the working group (appendix 2). The working group met four times and focused on two areas: 1) Developing and distributing AutoMark surveys and 2) Investigating ballot marking devices in addition to the AutoMark.

AutoMark Surveys (Appendix 3)

About 400 surveys were collected from voters, election judges and election administrators documenting their experiences using the AutoMark ballot marking device. (For survey results go to: www.lwvmn.org/automark.asp.) The surveys used in the general election were altered slightly from the ones used in the primary. Overall the feedback regarding the AutoMark was positive and for many disabled voters the AutoMark provided a chance to vote in private for the first time.

Assessment of other ballot marking devices

In addition to the AutoMark, the working group learned that only two additional options exist that meet current Minnesota law and are compatible with our optical scan voting machines - the VotePad and the Vote By Phone. The group did not assess any devices that are not compatible with optical scanners.

In December 2005 Citizens for Election Integrity Minnesota and the Minnesota Disability Law Center cosponsored a "mock election" for citizens, particularly members of the disability community, to try out the VotePad ballot marking device. While many people were initially intrigued by the concept of a non electronic ballot marking device several specific concerns were raised including the device being cumbersome to use and the inability to assess the exact cost involved in the preparation of the device. The National Federation of the Blind of Minnesota did not endorse the Vote Pad. The working group does not endorse the VotePad at this point as a viable option.

The other device is the Vote by Phone. The working group had concerns about the ability of the Vote by Phone device to accommodate people who are Deaf/ Hard of Hearing and the potential challenge for some polling places to provide a phone and fax. The working group does not endorse the Vote by Phone device at this time.

An overview of equipment used by all states in the 2006 election can be found at electionline.org in the section on Voting Systems under the "2006 Election Info."

Working group recommendations

- I. Training/Education on the use of the AutoMark
 1. Training for election judges.
 - a. Ensure all election judges are trained to work specifically with the AutoMark
 - b. Develop a video for AutoMark training
 2. Training for voters.
 - a. Outreach - voters need to be exposed to the AutoMark before Election Day
 - b. Develop an educational video for voters

- II. Continue to use the AutoMark for the 2008 elections
 1. The Working Group expressed a willingness to reconvene if directed to do so by the legislature for the purpose of investigating HAVA compliant voting equipment options that may become available in the future.
 2. The working group does not support a change to the statute that requires a paper ballot to allow for another ballot marking device to be used.

- III. The working group recommends that the Secretary of State forward this report and the surveys to the maker of the AutoMark, Vogue Election Products and Services.

Appendix 1

Sec. 37. [206.91] VOTING MACHINES OPTIONS WORKING GROUP.

(a) A working group is hereby established to investigate and recommend to the legislature requirements for additional options for voting equipment that complies with the requirements of section 301 of the Help America Vote Act, Public Law 107-252, to provide private and independent voting for individuals with disabilities.

The working group must be cochaired by representatives of the Minnesota Disability Law Center and Citizens for Election Integrity - Minnesota.

(b) The working group must convene its first meeting by June 30, 2006, and must

report to the legislature by February 15, 2007.

(c) The working group must include, but is not limited to:

(1) the disability community;

(2) the secretary of state;

(3) county and local election officials;

(4) major and minor political parties;

(5)(i) one member of the senate majority caucus and one member of the senate minority caucus appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(ii) one member of the house majority caucus and one member of the house minority caucus appointed by the speaker;

(6) nonpartisan organizations;

(7) at least one individual with computer security expertise and knowledge of elections; and

(8) members of the public, other than vendors of election equipment, selected by consensus of the other members, including representatives of language and other minorities.

(d) Members of the working group will be selected by:

(1) a representative of the Office of the Secretary of State;

(2) a representative of the county election officials;

(3) the cochaairs; and

(4) two legislators representing each party.

EFFECTIVE DATE. This section is effective the day following final enactment.

Appendix 2

Members of the Voting Machine Options Working Group

Co-Chairs

Mai Thor, Minnesota Disability Law Center
Mark Halvorson, Citizens for Election Integrity Minnesota

State Representatives

Bill Hilty, DFL
Tom Emmer, R

State Senators

Senator John Marty
Senator Warren Limmer

Secretary of State

Jim Hansen, Intergovernmental Relations Director
Beth Fraser, Director of Governmental Affairs, (for the last meeting)

Community and Disability Groups

Ady Wickstrom, Webmaster & Technology Consultant, League of Women Voters MN
Margot Imdeike Cross, Minnesota State Council on Disability
Steve Jacobson, National Federation of the Blind
Jamie Taylor
Roberta Blomster

Computer Experts

Prof. Nick Hopper, Computer Science & Engineering, U of M
John Soberg, owner, Profix Inc.

Election Officials

David Maeda, formerly Hennepin County, now with the City of Minnetonka
Aaron Hoffman, Ramsey County
Rosalie Miller, Wadena County
Carol Peterson, Washington County
Judy Scherr, City of Rochester
Tom Ferber, City of Bloomington
Irene Bright, Kimberly Township (Aitkin County)
Nancy Barsness, New Prairie Township (Pope County)

Political Party Representatives

Dan Weinand, DFL State Director
Dwight Tostenson, Finance Director, Republican Party of Minnesota
Ken Pentel, Green Party of Minnesota
Bruce Kennedy, Representing the Constitution, Independence and Libertarian Party of Minnesota

Appendix 3

Sample AutoMark Questionnaires

For Voters:

1. How did you learn about the AutoMark?
2. Was the AutoMark easy to understand and use?
3. Were you able to use it independently and privately?
4. Was it easily accessible?
5. What didn't you like about it and what would you improve?
6. What features did you use?
7. Would you use the AutoMark again? Why or why Not?
8. How long did it take you to use the AutoMark?
9. Any other comments you'd like to share?

For Election Judges

1. Did you have to assist people to use the AutoMark? If so, what kind of assistance did you provide?
2. How much time did it take voters to vote?
3. What was the general response from voters about the machine?
4. Did you receive sufficient training?
5. Did you have trouble with setting up or closing down?
6. Were there any machine malfunctions? If so, please describe.
7. Are there other comments you'd like to share?

For Election Administrators

1. Did you receive sufficient instructions and training on the AutoMark?
2. Who did the programming for the AutoMark? How long did it take to program? Were there any programming problems?
3. Did you have trouble with setting up or closing down?
4. How long did it take to complete testing of each machine?
5. Were there any machine malfunctions, if so please describe?
6. If yes to # 5. Did you have to replace the machine with a new one or were you able to fix it?
7. If the vendor was called to service a machine, did they respond in a timely manner?
8. What kind of feedback did you get from voters?
9. Any other comments you'd like to share?



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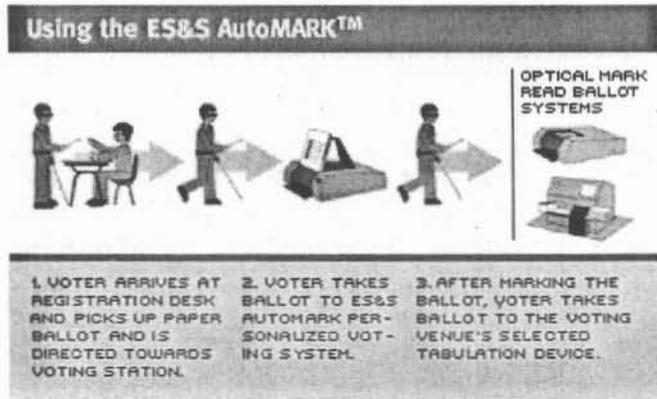
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Products and Services

ES&S AutoMARK™

Election Systems & Software (ES&S) and AutoMARK Technical Systems, LLC have teamed up to offer the ES&S AutoMARK™, breakthrough ballot-marking technology that allows voters with disabilities and other special needs to mark a ballot privately and independently when using an optical scan voting system.



The ES&S AutoMARK™ voter assist terminal is a ballot-marking system designed to provide privacy and accessibility to voters who are blind, vision-impaired, or have a disability or condition that would make it difficult or impossible to mark a ballot in the usual way. The technology also provides language assistance to voters who are more comfortable speaking a different language or who need help to better understand written instructions.

ES&S AutoMARK Overview

- > Video Demo
- > Audio Demo
- > Product Facts

Key Features:

- A sip/puff tube for voters who are not able to use a touch screen
- An audio function for voters with impaired vision to listen to choices
- Protects legacy optical scan hardware/software solutions
- A zoom feature enables the voter to increase the font size for each race list on the optical scan ballot
- Multiple-language support helps ensure that all citizens in a diverse population can exercise their privilege
- The ability to mark for multiple candidates