

I. In Focus This Week

Western New Yorkers try electronic vote counters

Minor problems pervade as lever machines are left behind

By [Kat Zambon](#)

Three years after the [Help America Vote Act](#) required election officials to upgrade their voting technology, optical scan vote counters made their general election debut in suburbs around western New York.

Several voters worried about privacy and security while others were excited to let the lever machines stay in storage.

"I think that people are probably concerned but I think people will probably be pleasantly surprised," Lois Weinstein, a retired nonprofit administrator and local candidate's wife said Tuesday morning at the Clearfield Community Center in Williamsville while handing out campaign materials. "What's great is that the machine will reject mistakes," she said, adding that she thought the machine was "foolproof."

"That was easy! I liked it!" a voter said to Weinstein as he left the polls.

"It was a little confusing until we got the machine going but we opened on time," Mary Howe, an election inspector said.

At the Faith United Church of Christ on Maple Road, Sharon Was worried that "you can't change your mind" with the new system once the ballot is fed into the counter. "You can't change your mind with the old way either," Eugene Was pointed out.

Some voters said the new system took them back to another era. "It was actually a little easier to use," Steve Matisz, emergency medical technician said at the Eggertsville Hose Company. "It felt like high school when you fill out the Scantron sheets."

"It was just like taking the SAT's again," a voter said after casting a ballot at Amberleigh on Maple Road.

"It was interesting to sit at the table ... I feel like I'm back in school," Mitch Steinhorn, a funeral director said before admitting that he almost accidentally broke a lever machine a few years earlier.

Carol Pintomarques didn't enjoy the flashback. "I feel like I'm going back in time instead of forward," she said. "In the year 2009 this is the best we can come up with to vote in the United States of America?"

Joe Ognibene, an election inspector at the Jewish Federation Apartments on Essjay Road noted that the instructions posted in the privacy booth said that voters could mark their ballots with a check instead of filling in the circle. "They're very contradictory ... I saw that when they mailed it out," he said.

Several voters complained that poll workers could see their ballots while feeding them into the vote counter. At All Saints Episcopal Church, one privacy booth faced the doorway, allowing those entering the polling place to easily look over a voter's shoulder. "I don't like it. I don't feel like it's as private," Diana Papa said after voting at Amberleigh. "I think it's going to be a lot easier to hack into."

However, Ron Papa said that he liked voting on the paper ballot because it made him feel more relaxed knowing that there wasn't someone in line behind him waiting to use the lever machine.

“It was simple and you’re a little more thoughtful because you want to be sure ... you did it correctly,” he said. Geoffrey Kuritzky said that he felt more connected to the voting process when he voted on the paper ballot.

Many voters simply preferred the old system. “It was an interesting new way of voting ... though the clunk of the old machines was reassuring,” Claude Welch, University at Buffalo professor said.

“I prefer the old way – you go click, click, click, click and then you’re done,” Michael Wrona said at the Sweet Home School District Office on Sweet Home Road.

“Bring back the machines. Too much work,” a voter said, leaving Amberleigh.

Election day in Fairfax County, Va. is business as usual

County fields phone calls from voters with concerns about a variety of issues

By [Samuel Derheimer](#)

The Fairfax County Office of Elections was calm and orderly on Tuesday – at least, compared to the high energy Election Day in 2008.

Election officials fielded phone calls from voters who didn’t know where their polling place was, those who tried to vote but found their names were not on the list of registered voters and those who simply needed to know if an election was being held that day.

The overwhelming majority of problems experienced by voters involved voter registration issues. Other voters were unhappy that Virginia had moved back to paper ballots (a decision the Virginia legislature made in 2007).

And then there were the less common cases...

One voter called the Office of Elections furious that he had been disenfranchised by his government. Officials at his precinct, a local school (a common polling place in Virginia and across the country), refused to allow him in to vote unless he removed his loaded firearm. Refusing to remove the gun, the voter chose to leave without voting.

At another school, a very different problem arose. A school official called the Office of Elections furious over a line crossed by campaign volunteers – or to be more precise, a line they didn’t cross. Pollworkers and campaign volunteers had been arguing about exactly where the line laid marking where volunteers could stand and engage in electioneering (under Virginia law, there is a 40 ft. “prohibited area” around the entrance of the polling place).

An overzealous campaign volunteer spray-painted the school sidewalk where they believed the line to be. A very apologetic election official informed the angry school administrator that there was nothing the Office of Elections could do, as they have no control over campaign volunteers. The Office of Elections recommended calling the police to report the vandalism.

Omission: *Last week’s Director’s Note inadvertently omitted Sen. Ben Nelson (D-Neb.) from the list of Senate champions for the MOVE Act.*

II. Election Day Round-Up

In addition to New York and Virginia, a variety of state and local elections were held this week.

Yuma City, **Arizona**, officials were pleased with how election day proceeded, especially the [large number of absentee ballots](#) that were returned, although just under 4,000 were still outstanding at press time.

In **California**, a used car dealership that registered as a polling place for Tuesday's election turned voters away, [forcing some to fill out their ballots on the sidewalk](#). Several Los Angeles County poll workers were told to leave Finance Auto Sales when they arrived to set up voting machines at 6 a.m. "When we got there, the security guard called his boss and he refused to let us in," Pierre Saunders, a volunteer poll worker told the *Daily Breeze*. And in Palo Alto, election workers were reporting the [quietest election day](#) they had seen in years as many of the areas voters chose to mail in their ballots.

By only a six-vote margin, Aspen, **Colorado** voters opted to do away with [instant-runoff voting](#) in future city elections, according to Tuesday's tally in a mail-only election. Aspen residents voted 805-799 to eliminate ranking City Council and mayoral candidates by preference on the municipal election ballot, which replaced the traditional June runoff. The city used IRV for the first time in May.

While most of the reports coming out of **Connecticut** were of a [smooth election](#), there were a few minor issues. In Brooklyn, registrar of voters Janet St. Jean said she received complaints from voters about a [confusing layout design](#) for Tuesday's ballot. And in Torrington, a [scuffle ensued](#) outside a polling place.

The big story out of the handful of local elections in **Florida** was the cost of the elections. In Brevard County, where about 19 percent of the registered voters cast their ballots, the off-year elections will [cost communities thousands of dollars](#) -- price tags that are more than 40 times what it would cost for even-year polling when state and federal elections are decided. "This is an issue around the state," Brevard County Supervisor of Elections Lori Scott told Florida Today. "Other counties and municipalities are looking at what they can do (to cut back on cost.)"

Several problems popped up in **Georgia** where Atlanta was electing a new mayor in addition to other local races. At one polling station on Vernon, none of the [three DRE-machines](#) at the site were functioning when the polls opened. Voters used paper ballots until the machines could be fixed. And in Fulton County, about a dozen voters complained they couldn't vote because their [addresses were not in the county election registration system](#). Apparently, several voters encountered problems with how the DMV lists their addresses which made it appear that they did not live within the city limits, although they actually do.

Poll workers in several jurisdictions in **Iowa** used [pollbooks](#) for the first time on Tuesday.

Indiana's controversial transportation special election also proved confusing for some voters in St. Joseph County who received the [wrong maps to polling locations](#). Officials with St. Joseph County Voter Registration told a local television the special election was put together quickly and since commissioners also wanted to keep costs low voters didn't vote at their regular polling places which caused confusion with at least one voter reporting that he was unable to vote since polls were closed by the time he found the correct polling place.

In **Kansas**, an altercation erupted at a Lawrence polling place when a voter discovered that his name was on the inactive roll returned to the polling place with his ID and police [attempted to stop him from voting](#).

The story out of **Maine's** Tuesday election actually came before the election itself as several jurisdictions successfully tested [early voting pilot programs](#). "The towns that we have worked with on this have done an extraordinary job of maintaining that integrity, so we're pretty happy with what we've seen," Secretary of State Mathew Dunlap told *Capitol News Service*. In addition to the more than 10,000 people who voted early in Maine, nearly 100,000 voted absentee.

On Tuesday, voters in the Takoma Park, **Maryland** got to try out a [new, transparent voting system](#) that lets voters go online to verify that their ballots got counted in the final tally. The system also lets anyone independently audit election results to verify the votes went to the correct candidates.

Although there were no major problems in **Massachusetts** on Tuesday, there were several flaps that caught attention including a [Vietnamese poll worker](#) who was helping translate ballot information being

tossed for telling voters which candidate to pick and a [murder](#) which occurred near a polling place early in the day brought out extra police to keep an eye on voters.

Instant-runoff voting was what it was all about in **Minnesota** on Tuesday. In [St. Paul](#), voters followed their counterparts in Minneapolis and approved a change to the way they will elect candidates in future city races. The city will switch to ranked choice voting in 2011, after voters approved the system Tuesday by about a 4 percent margin. It will only be for mayor and City Council races, not school board or Ramsey County Board elections. And in the aforementioned [Minneapolis](#), voters gave IRV a whirl for the first time. Election officials said ranked choice voting in Minneapolis was a success and voters said the process was not difficult and they did not have a difficult time adapting.

[Printing woes](#) plagued poll workers and election night workers in **Mississippi** delaying election night results by several hours. While poll worker cards got stuck in a few machines, Election Commissioner Larry Gardner told the *Natchez Democrat*, one of the night's main delays was due to the printers attached to the voting machines being overtaxed and paperless. "(The printers) were not built as good as they should be for what we're using them for. They're really not designed to be used like this," Gardner told the paper.

New Jersey conducted its first election with a [new vote-by-mail option](#) and thousands more ballots were counted this year than in the 2005 gubernatorial race. This year, the number of mail-in ballots issued in Morris County was almost double compared to the 2005 race -- just over 9,800, as compared to 5,400 ballots in 2005, said Adam Smith, an elections clerk. Similar numbers were reported in Union County, where about 9,000 mail-in ballots were sent out this year, compared to about 6,400 in 2005. Election officials started counting the mail-in ballots when polls opened paced their count throughout the day so it didn't take any longer than usual to tally results after polls closed.

While the [new voting system](#) in use throughout much of **New York** was met with divided opinions, one thing that was completely certain in the Big Apple on Tuesday was that the man in front of the Brooklyn polling place was [completely, and totally naked](#).

Turnout was particularly light in several **North Carolina** counties. For the Carteret County Board of Elections, it was the [first time in its new location](#) in the county's new government complex and library. A new home meant additional storage space and more efficient movement of voting equipment to and from precincts. "(Monday) we loaded the precinct carts to be delivered, and we were just thrilled," Carteret County Elections Director Lindy Lewis told the Jacksonville Daily News. "Everything here has worked great."

Although things went [relatively well](#) on Tuesday, it simply wouldn't be an election if something didn't go wrong in **Ohio**. In Summit County, at least five polling locations [ran out of ballots](#) as turnout was higher than predicted. Would-be voters told the Akron Beacon-Journal they left sites without voting, not knowing when additional ballots would be delivered. [Publication of election results was delayed](#) until about 11:50 p.m. in Licking County because of a Web site problem. The Hamilton County Board of Elections [inadvertently left the Columbia Township trustee candidates off](#) both absentee ballots and the ballots at Fairfax polling locations this morning. Sally Krisel, director of elections, told the *Cincinnati Enquirer* about 53 absentee ballots and 70 ballots from this morning were without the trustee candidates. She said officials at the Board of Elections caught the mistake around 8 a.m. and quickly printed and sent new ballots to the polling locations. And in Cleveland, [police arrested a poll worker on weapons charges](#) after a report of a dispute with protesters. Lt. Thomas Stacho told The Plain Dealer picketers outside a polling place at West 43rd and Robert Avenue got into a dispute with a polling worker about 1 p.m. Police responded and found that the poll worker had a 10-inch long file knife in a leather sheath. He was accused of a weapons charge.

Voting officials in the counties around Harrisburg, **Pennsylvania** were unanimous shortly after the polls closed Tuesday. Machines, weather and voters cooperated to make it a [perfect day for polling](#). Turnout could have been better, some said. Early estimates ranged from 20 percent to 25 percent. "It was very smooth, very quiet. A very nice day at the polls," said a spokeswoman for Dauphin County voter registrar

Steven Chiavetta. Polling locations in Reading gave [electronic pollbooks](#) a whirl for the first time and the response from poll workers and voters was generally enthusiastic. And while it wasn't Hatfield vs. McCoy, it was Pollitt vs. Pollitt when a [family feud broke out into the polling precincts](#) Tuesday in Greene Township, when one man – along with his nephew – campaigned against his own brother due to a civil matter. Sheriff's deputies and a representative with the district attorney's office made a pass through Greene Township early in the morning, Jon Pollitt (the brother) said, just to make sure there were no fisticuffs. But it was quiet, and he said his brother only swung by at one point to take a photo of their placard-holding. Jon Pollitt said he cleared his activities with the district attorney's office and Mercer County Elections Office beforehand.

A couple of races in **South Carolina** were close enough to trigger the state's [mandatory recount law](#), but the county's director of elections does not expect the outcomes to change. State law requires a recount when the winning and losing candidates are separated by less than 1 percent of the vote. In Mount Pleasant and on Isle of Palms, the fifth-place finishers in multi-candidate contests for four council seats were close enough to the unofficial winners to trigger recounts. Charleston County uses electronic voting machines, so the only votes to recount are absentee ballots that were sent by mail, according to Marilyn Bowers, executive director of the Charleston County Board of Elections and Voter Registration. "We do not expect any change in the winners," Bowers told the Post and Courier. "There are not enough to make a difference.

Voters in several **Texas** counties participated in a [vote center pilot](#) this election cycle. In Galveston County, things got off to a bumpy start with computer problems and a crash of the state's voter registration database. The computer and database problems were all repaired in under an hour. Secretary of State spokeswoman Ashley Burton said the Texas Election Administration Management system was back online within 30 minutes. "You kind of get those problems each election, but they are easily resolved," Burton said.

In **Utah**, Weber County and Ogden officials are bickering over who is to blame for a [lengthy delay in counting city ballots](#) during Tuesday's general election. Mark Johnson, the city's management services director, said the inability of county election workers to properly operate optical scanning equipment is the reason the city was unable to post results to its Web site until after 2:30 a.m. Wednesday. However, Gloria Berrett, Weber County elections administrator, defended her staff's abilities. City officials knew that using the optical scan system to count ballots would be slower than the county's more expensive electronic voting system, Berrett said. And in another type of standoff, a polling place was forced to relocate after an [armed standoff](#) shut down area roads.

And finally, in **Virginia** where a lot was at stake on the ballot, things went fairly well with a few minor exceptions, such as the [car hitting the polling place](#) in Southern Virginia, a [voting machine malfunction](#) in Staunton, and the Lynchburg city manager being [inadvertently placed on the inactive voter list](#).

III. Election Reform News This Week

What if you had an election and no one showed up...for four election cycles? For one [Boston-area precinct](#), that is precisely the case. According to *The Boston Globe*, this phantom precinct, made up of Boston's Harbor Islands, where no ballots have been cast in the last four elections, is a quirk of the city's intricate electoral landscape, which because of an obscure legal exemption has not been redrawn in almost a century. For each Election Day, a pristine ballot box is cleaned, filled with fresh ink, and forced at least 50 test ballots before being lugged to a seaside precinct where nobody will vote. "It's the lonely machine," Loretta Paulding, the election warden in charge of Ward 1, Precinct 15, for the last 15 years told *The Globe*. "But I do have to keep an eye on it. And at the end of the night, I still have to tally up zero, zero, zero." State law requires every other city and town to redraw its electoral map once a decade, using the federal census to ensure that voters are equally apportioned. But the Legislature granted Boston an exemption in 1920. "It doesn't make any sense," John Donovan, the city's head assistant registrar of voters told the paper.

U.S. Senator Russ Feingold (D-Wis.) and U.S. Representative Keith Ellison (D-Minn.) reintroduced legislation to "make it easier for Americans" to register to vote by allowing [same day registration at polling places for all federal elections](#). The bill is cosponsored in the Senate by Senators Amy Klobuchar (D-Minn.), Jon Tester (D-Mont.), Tom Harkin (D-Iowa), and John Kerry (D-Mass.). In the House, the cosponsors are Representatives Tammy Baldwin (D-Wis.), Kendrick Meek (D-Fla.), Timothy Walz (D-Minn.), Bob Filner (D-Calif.), and James Oberstar (D-Minn.). According to a local television station, since 1968, American political participation has hovered at around 50 percent for presidential elections and 40 percent for congressional elections. In the 2008 election, the top five states in terms of voter turnout were Minnesota, Wisconsin, Maine, New Hampshire, and Iowa – all of which allow voters to register on Election Day and all of which had turnout of 70 percent or more.

A few more folks have thrown their hats into the secretary of state ring since electionlineWeekly last [reported](#) on the races to lead state elections offices. In Nebraska, an Omaha consultant — [Kris Pierce](#) (D) — had decided to take on incumbent John Gale who had previously announced his intentions to seek a third term. Council Bluffs Republican [Matt Schultz](#) recently kicked off his Republican bid for Iowa Secretary of State. And in Connecticut, A former Democratic alderman became the first person to declare his candidacy for secretary of the state. [Gerry Garcia](#), a financial adviser, who was 9th Ward alderman from 1996 to 2001, promised to be "a new voice to speak on behalf of Connecticut voters and small businesses."

IV. Research and Report Summaries

electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to sgreene@pewtrusts.org.

[NIST Workshop on a Common Data Formats for Electronic Voting Systems](#) - October 29 - 30, 2009 - National Institute of Standards and Technology, Gaithersburg, MD: Last week the National Institute of Standards and Technology held a two-day workshop is to identify and agree upon a set of requirements for a common data format for voting systems. A number of [papers](#) were presented on topics including election official and state experiences with common data formats and common data format research.

[Technical Study Commissioned by the U.S. Election Assistance Commission to Analyze the Translation of the NVRA Form](#) – Compass Languages, Oct. 1, 2009: Research commissioned by the U.S. Election Assistance Commission focuses on the usability and processing of the National Voter Registration Application (NVRA) form in Asian languages. Challenges arise in processing the form if it is completed in a non-Latin script such as Chinese, Japanese, Korean or Vietnamese. Additionally, the design and layout of the form can present problems if font type, font size and spacing are not thoroughly considered. Several possible solutions to these issues are provided as well.

V. Opinion

National: [Voting-machine sale](#); [Same-day registration, II](#); [Election reform](#); [DOJ](#); [Election reform](#)

Connecticut: [Registrar's office](#)

District of Columbia: [Same-day registration](#)

Florida: [Instant-runoff voting](#)

Kansas: [Cost of elections, II](#); [Voter registration](#)

Minnesota: [Instant-runoff voting, II](#); [Absentee voting](#)

New York: [Paper ballots](#)

Ohio: [Election fraud](#)

Oklahoma: [Local elections](#)

Texas: [Vote centers, II](#)

Virginia: [Ballot issues, II](#); [Election workers](#)

Virginia: [Electronic voting machines](#)

Washington: [Vote-by-mail](#); [IRV](#)

***some sites require registration*

VI. Job Opportunities

All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to mmoretti@electionline.org

Executive Director/Election Commission, City of Cambridge, MA — seeking experienced manager to oversee day-to-day dept administration of Election Commission. Reports to City Manager and Board of Election Commissioners, responsible for all aspects of federal, state, and municipal elections, voter registration & city census. Experience in project management, staff supervision, & budgeting required. Familiarity with election laws and the City of Cambridge desirable. \$61,266-\$73,265 + excellent benefits. Detailed job description available on www.cambridgema.gov (click on JOBS). Please email your resume and cover letter by 5pm on 11/24/09 to employment@cambridgema.gov. We are an AA/EEO Employer.