

## **electionlineWeekly—November 20, 2008**

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### **I. In Focus This Week**

***Editor's Note:** Even though election officials nationwide have plenty to be thankful for next week after a relatively successful general election, we here at electionlineWeekly have decided to give you all one more reason to give thanks. ElectionlineWeekly will not publish next week. Enjoy the yams.*

### **Operation BRAVO's success may lead to more pilot projects**

*Sen. Nelson to support federal funding for Internet voting efforts*

By [Kat Zambon](#)

*Electionline.org*

In an election year filled with firsts, the 2008 presidential election also marked the first time that [Operation BRAVO](#) (Bringing Remote Access to Voters Overseas) successfully completed a pilot project. The Okaloosa [Fla.] Distance Balloting Pilot (ODBP), established by Operation BRAVO with \$500,000, allowed 93 voters to cast the first online verifiable ballots for a U.S. election from secure kiosks in Ramstein, Germany; Mildenhall, United Kingdom and Kadena, Japan.

The project's success may lead to more pilot programs to help military and overseas voters cast ballots using the Internet. Sen. Bill Nelson, D-Fla., met with Pat Hollarn, Okaloosa County elections supervisor and president of the Operation BRAVO Foundation on November 10 and announced his support for legislation that would award federal funding to states and counties interested in replicating the ODBP.

"This successful program should be a model for other localities that want to help those serving their country overseas cast their ballot online," Nelson [said](#). "While wide-scale use of Internet voting may be years away, we should continue to encourage and improve upon the technology." Nelson said he will likely include the funding measure in a larger voting rights reform package to amend the Help America Vote Act in the next Congress, the Northwest Florida Daily News [reported](#).

"The disenfranchisement of overseas voters has been recognized as a problem since the Korean War, but the federal government has not adequately addressed this problem," Hollarn said. "Overseas voters are not well-served by the current by-mail absentee voting process. The only reliable way to reach overseas voters is by electronic means."

When they arrived at the polling site, voters checked in with poll workers who used a computer with a direct connection to the Okaloosa County voter rolls. Then voters cast ballots on a touch-screen that was connected to [Scytl Secure Electronic Voting](#), a voter services vendor that is used in the Philippines, Switzerland, Finland, Mexico, Spain and Argentina. Scytl collected and stored the votes while the voters received a voter choice record to leave at the polling place in a secure box to serve as a back-up record of the vote and a receipt for the voter to ensure the vote was cast and counted accurately. The results were audited after the election and the electronic and paper records matched perfectly.

Carol Paquette, Operation BRAVO secretary said they chose Scytl, a Spanish company because U.S.-based companies were too insecure, Popular Mechanics [reported](#). The Pentagon funded an Internet voting pilot project called SERVE in 2004 but experts criticized it before its launch and it was never used. "SERVE collapsed in such a public and flashy manner, there's no market in this country for Internet voting vendors," Paquette said.

On September 5, *The New York Times* editorial board [wrote](#) that Kurt Browning, Florida's secretary of state should stop the ODBP, comparing it to SERVE and arguing that it had not been vetted enough. "The Division of Elections has thoroughly vetted and tested this system themselves," Paquette [wrote](#) in

response. "Their certification decision has not yet been issued, but they would not approve any system that was not reliable and secure."

Researchers concluded in a September 19 [report](#) that the system appeared reasonably safe from external security threats such as hackers or malicious software but is not completely safe from insider attacks such as malicious behavior by poll workers, though the voter choice records help protect against that possibility. At the same time, "the use of supervised polling stations provides significantly better protection against voter coercion or vote-selling than is present in some absentee voting systems, such as voting by mail," the report said.

"If the kiosk happened to be corrupted, it would be very difficult to detect problems," Alec Yasinac, University of South Alabama computer science professor and senior investigator said, "[but] this system is far more secure than what overseas voters have right now, passing ballots back and forth across foreign mail systems. Vote by mail is extremely unreliable and subject to manipulation." The system was [provisionally certified](#) by the state on September 26.

Right before the kiosks in Japan opened, military lawyers became concerned, questioning under whose authority voting would take place and what government agencies were involved, issues that were resolved through communication, Hollarn said, but voters lost time as a result.

Similarly, voting equipment on its way to Ramstein was held up because by customs, Barbara Wood, a poll worker said, and she and her husband Tom Wood needed help from Scytl getting started. "Once that was set up everything went really smooth," she said. When voting ended on November 2, she and her husband hand-carried the ballot box and security keys with them back to Florida. "We flew home on [November 3] and everything was there in their office," she said.

Voters received emails and letters with their absentee ballots encouraging them to consider voting in person, Wood said, and they responded with enthusiasm. "I would say that everyone who came in there was absolutely delighted with it." Some voters from other Florida counties came in and left disappointed that the site was limited to Okaloosa County voters. "They were really hoping they could come in and vote and they couldn't," Wood said. Voting was open to all Okaloosa County registered voters and about half of the voters were from the military while the other half was civilian.

Both of the Woods served in the military and their son has been to Iraq twice and Afghanistan three times, she said, so the idea of helping voters overseas appealed to her. "We just thought it was something we could do that had a purpose and a meaning," Wood said, adding that she and her husband chose to volunteer in Germany because they had never been there before. "I'm an adventurous person so I enjoyed every minute of it."

While federal funding would allow states and counties to attempt projects similar to the ODBP, Paquette said she planned to focus on enfranchising military voters and try to set up stations in Afghanistan and Iraq. "It's easy to do," Paquette says. "The equipment is off-the-shelf. The voting assistance officers could be trained like our kiosk workers. That's how we see this scaling up."

### **Overseas and military voting updates**

The Justice Department filed a [complaint](#) against the state of Alabama and Beth Chapman, secretary of state on November 19 for failing to comply with the Uniformed and Overseas Civilian Absentee Voting Act (UOCAVA) requirement that states report on military and overseas voting within 90 days of an election in the 2006 general election. While Chapman took office in 2007, the department also charged that the state "has not provided any information demonstrating that there are any new efforts to obtain compliance" with the requirement in the 2008 general election. Chapman previously refused to sign a settlement agreement with the department for not reporting on the 2004 and 2006 elections because the agreement would have kept the state under Justice Department review through 2013, the Associated Press [reported](#).

The Justice Department also filed a [complaint in intervention](#) with McCain-Palin 2008 against the commonwealth of Virginia for failing to send ballots to military and overseas voters in a timely fashion. On

November 17, McCain-Palin 2008 was dismissed for lack of standing while the department's motion to intervene was granted. The court ordered the commonwealth to save military and overseas ballots that arrive after Virginia's absentee ballot deadline while they resolve the issue of whether the commonwealth violated UOCAVA.

Georgia's military and overseas voters may print and send an [online ballot](#) to vote in the December 2 run-off between Republican Sen. Saxby Chambliss and Democratic challenger Jim Martin if they do not receive an absentee ballot in time. Voters can also contact their county registrar and request a faxed write-in ballot or use the federal write-in absentee ballot but ballots must be postmarked by December 2 and arrive by December 5 in order to count. More information on military and overseas voting in Georgia for the December 2 run-off is available [here](#).

## II. Election Reform News This Week

Wednesday marked the [first day of hand recounting more than 2.9 million](#) ballots in the Minnesota race for U.S. Senate. On Tuesday, lawyers for DFL candidate Al Franken filed a last-minute brief with the state canvassing board alleging that more than half the state's county auditors had botched the canvassing process and may have improperly rejected ballots that should have been counted. Late Wednesday a [judge ruled](#) that Franken should be granted access to the ballots only in Ramsay County. The first day brought on quite a [spectacle](#) as observers for both candidates and the media packed counting rooms across the state. Things got vocal in [Minneapolis](#), two ballots went missing at the [Crystal City Hall](#), Franken gained votes in [St. Louis County](#); and [Beltrami County](#) started and finished its recount of more than 22,000 ballots.

It's like déjà vu all over again for Greenwich, Conn. which was once again — for the fourth time in the past year — [randomly chosen to participate in the state's mandatory election audit](#). About 40 poll workers will hand count the ballots cast Nov. 4 in District 2/Harbor and in District 5/Riverside during the audit. No irregularities were discovered during the three previous audits done by the town, which took place after last November's municipal election, this February presidential primaries and the Aug. 12 Democratic congressional primary. "It's a pain in the neck. I think Greenwich is the only name in the hat," Veronica Baron Musca, who is retiring at the end of year as GOP registrar told the *Greenwich Time*. Democratic registrar Sharon Vecchiolla, who won a ninth two-year term on Nov. 4, echoed Musca's comments. "I would hope that the secretary of the state's office, with this election and further down the road, won't require any more audits," said Vecchiolla, who described the process as a chore for her and her staff. Under Connecticut law, election results from 10 percent of all voting precincts in the state must be audited after elections, a mandate that was put in place in 2007 when mechanical level machines were replaced with electronic scanners.

[Morris County, N.J.'s first superintendent of elections, RoseAnne Travaglia, 71, died this week](#) after a long illness. She was nominated to the position for the first time in 1982 by then-Gov. Thomas H. Kean, a Republican, and nominated for her current five-year term by Gov. Jon S. Corzine, a Democrat. She was a Morris County employee for 39 years, beginning her career as an election clerk. She was recognized by the 97th Congress for her contributions to the Morris County election process. In 1982, after her appointment, Travaglia said she wanted to investigate the "feasibility of using electronic voting in Morris County." In 1993, she had the opportunity to oversee the county's first use of electronic voting machines, which are still in use today. Her last election was the Nov. 4 election that brought thousands of new voters to the poll to cast ballots for president. John Sette, president of the county board of elections told the *Daily Record* that even as her illness weakened her, she was in charge of the elections office. "She was in charge right till the end," he said.

A losing candidate in the supervisor of elections race in Broward County, Fla. was [arrested](#) late last week when she was trying to watch a recount process. According to the *South Florida Sun-Sentinel*, former candidate Ellen Brodsky has been questioning how things work at the county supervisor's office for years and lost in "a landslide" to incumbent Brenda Snipes. Elections officials said Brodsky was being disruptive

as the canvassing board conducted a recount in the Lauderhill warehouse. When Brodsky refused to leave, she was arrested and charged with trespassing and disorderly conduct. She denies charges on the police report that she was "screaming profanities" and stopping the flow of traffic from people entering and exiting the building. Next month Brodsky is expected to be given a court date. Each of the two charges against Brodsky is a second-degree misdemeanor punishable by up to 60 days in jail. And she said she'll run for the office again in four years. Even an arrest won't keep her away forever. "I need to get a job in election integrity to make the system better," Brodsky said.

### **III. 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@electionline.org](mailto:sgreene@electionline.org).*

[Residual Votes in the 2008 Minnesota Senate Race](#) – By Jonathan W. Chipman, Michael C. Herrony and Jeffrey B. Lewis, November 15, 2008

The role of the approximately 34,000 residual votes in the closely watched recount for U.S. Senate race in Minnesota is examined. These ballots lack a recorded vote for the Senate race where the two candidates, incumbent Republican Senator Norm Coleman and Democrat Al Franken, are separated by a little more than 200 votes. Using precinct-level data from the 2006 and 2008 general elections, the authors find that a significant number of residual votes were from Democratic-leaning voters, in particular African-American voters, who seem to have intentionally skipped voting for the Senate race. There appears to be a smaller number of Democratic-leaning voters who likely meant to cast a ballot for the race but for whatever reason did not. Based on these findings they predict the recount will lead to a slight increase in votes for Franken and a larger number of intentional under votes.

[Fixing Election Administration: The Way Forward](#) – Compiled by Rick Hasen, *Election Law Blog*, November 2008

In a series of guest posts on Rick Hasen's Election Law Blog, election experts chime in with their post-election thoughts and describe areas of election administration that continue to face challenges. Authors include electionline.org's own Doug Chapin, Ned Foley and Dan Tokaji of the Moritz College of Law at The Ohio State University, Heather Gerken, Yale Law School and Paul Gronke, Reed College.

### **IV. Opinion**

National: [Voting system](#)  
California: [Election Day](#); [Monitoring elections](#)  
Connecticut: [Election problems](#); [Voting system](#)  
Florida: [Voting system](#)  
Georgia: [2008 election](#); [Run-off system](#)  
Maryland: [Instant-runoff voting](#)  
Massachusetts: [Voter registration](#)  
Michigan: [Election Day](#)  
Mississippi: [Voting efficiency](#)  
Minnesota: [Voter fraud](#)  
Oklahoma: [Election concerns](#)  
South Carolina: [Early voting](#)  
Washington: [Ranked-choice voting](#)  
West Virginia: [Vote-by-mail](#)  
Wisconsin: [Early voting](#)

### **V. Job Listings**

*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](mailto:mmoretti@electionline.org)*

**Project Manager, Make Voting Work, Washington, D.C.** — the project manager would lead a set of defined initiatives identified from within our areas of concentration and our evolving scope and strategy. While the specific focus will be dependent on the experience of the successful candidate and the roles assigned to existing staff, the project manager is expected to develop long-term strategies, generate and oversee a set of initiatives and research that advance the strategy, oversee consultants for related projects, build partnerships with critical allies and design campaign strategies. Working with the MVW team, and in consultation with colleagues across PCS and Pew, the project manager will assist in developing and executing strategic and operational plans for the project. The project operates in a highly collaborative environment that emphasizes teamwork and values input from a variety of perspectives. The project manager will be expected to contribute at multiple levels, taking lead responsibility for the design and implementation of certain activities, assisting in the execution of other activities, and filling in on duties where needed. The ideal candidate will have an educational and employment background in public policy or a related field, deep knowledge of the election system, and work experience undertaking projects involving many partners, complex issues, extensive writing and live presentations. The candidate preferably will have experience at the state or federal level with issue campaigns, communications strategies, and grassroots or grassroots organizing. This position is term-limited with an end date of December 2009. Application: For application instructions and to view the full job description candidates are invited to visit the Careers@Pew page on our Web site at [www.pewtrusts.org](http://www.pewtrusts.org).

**Senior Outside Government Sales Manager, Everyone Counts, San Diego, Calif.** — energetic, self-motivated Outside Sales Executives who is looking to fulfill his/her earning potential. In this position, you are required to have experience negotiating contracts with government agencies and you will be traveling extensively to visit with various clients in the United States. Responsible for closing deals with interested clients, and for ensuring the successful management of a growing sales team. Responsibilities include: Direct contact with state and local government agencies, understanding their needs and devising creative and effective sales solutions; seeking and responding to Request for Proposals (RFP) in a timely and successful manner; understanding the contract process and assisting state and local officials through every step of the approval process in order to obtain a signed contract; skillfully close deals with various state governments with whom we already have an established interest; successful management of growing sales team in the U.S.; extensive domestic travel. Qualifications: Strong desire to travel; at least 7 years experience managing a team of sales associates, ideally including multiple locations; experience with state or local elections; experience working with state government agencies; experience with responding to RFPs; proven performance in government-related sales; experience with technology solutions for government ; sharp presentation and written communication skills; experience managing a successful sales team. Application: [jobs@everyonecounts.com](mailto:jobs@everyonecounts.com). [Web site](#).