

EVT/WOTE '09 Opening Remarks

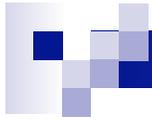
Lawrence Norden, Senior Counsel

The Brennan Center for Justice at NYU School of Law



Goal of VRE Work

- Barriers to Voting Eliminated
- All Eligible Voters Have Opportunity to Vote
- Votes Counted as Intended to be Cast



Type of Work

- Original Research/Summary of Research
- Policy Recommendations
- Implementation/Collaboration
- Legislative Drafting
- Litigation
- Public Advocacy

Machinery of Democracy

THE MACHINERY OF DEMOCRACY:
VOTING SYSTEM SECURITY,
ACCESSIBILITY, USABILITY, AND COST

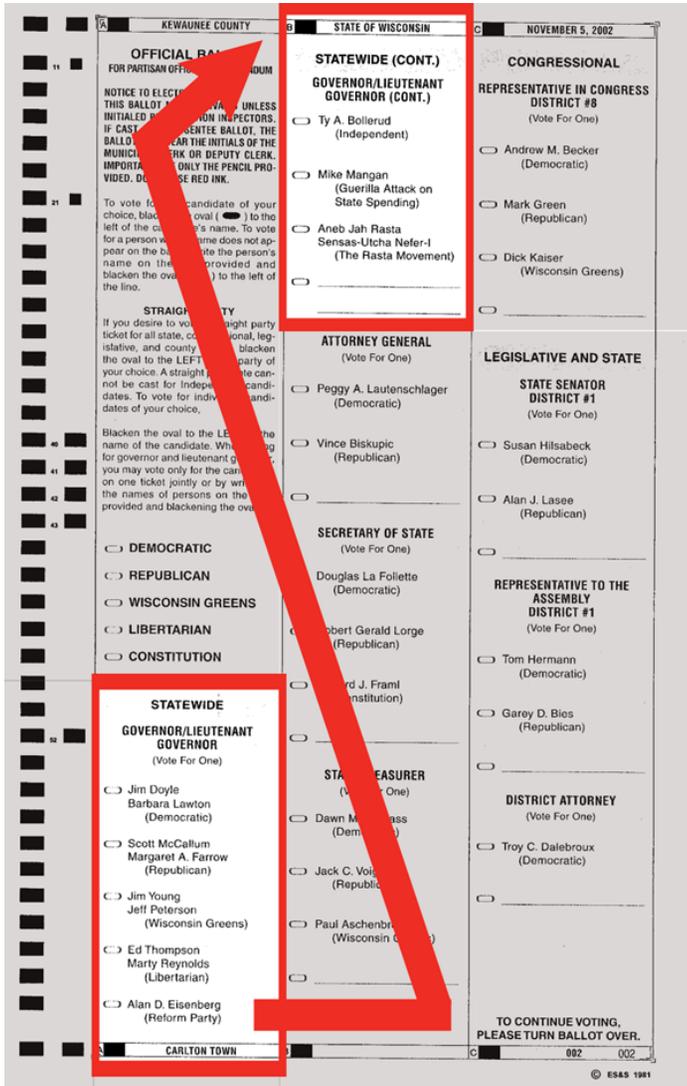
THE BRENNAN CENTER FOR JUSTICE
VOTING TECHNOLOGY ASSESSMENT PROJECT
LAWRENCE NORDEN, PROJECT DIRECTOR



VOTING RIGHTS
& ELECTIONS SERIES

BRENNAN CENTER
FOR JUSTICE
AT NYU SCHOOL OF LAW

Better Ballots



**Kewaunee County
State of Wisconsin
November 5, 2002
Official Ballot
For Partisan Office & Referendum**

Notice to Electors:
This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, this ballot must bear the initials of the municipal clerk or deputy clerk.

Instructions for Voters:
Use a number 2 pencil only.

To vote, fill in the oval next to your choice, like this: ○

To vote for a person whose name is not on the ballot, write the person's full name in the blank space, and fill in the oval next to it.

If you make a mistake or want to change your vote, ask a poll worker for a new ballot.

Straight Party

If you desire to vote a straight party ticket for all state, congressional, legislative, and county offices, fill in the oval to the left of the party below.

You cannot cast a straight party vote for independent candidates.

To vote for individual candidates fill in the oval next to your choice.

- Democratic
- Republican
- Wisconsin Greens
- Libertarian
- Constitution

Statewide	Congressional
Governor/Lieutenant Governor Vote for One	Representative in Congress District #8 Vote for One
<input type="radio"/> Jim Doyle/Barbara Lawton <small>Democratic</small>	<input type="radio"/> Andrew M. Becker <small>Democratic</small>
<input type="radio"/> Scott McCallum/ Margaret A Farrow <small>Democratic</small>	<input type="radio"/> Mark Green <small>Republican</small>
<input type="radio"/> Jim Young/Jeff Peterson <small>Wisconsin Greens</small>	<input type="radio"/> Dick Kaiser <small>Wisconsin Greens</small>
<input type="radio"/> Ed Thompson/Marty Reynolds <small>Libertarian</small>	<input type="radio"/> Write In
<input type="radio"/> Alan D. Eisenberg <small>Reform Party</small>	Legislative and State
<input type="radio"/> Ty A. Bollerud <small>Reform Party</small>	State Senator District #1 Vote for One
<input type="radio"/> Mike Mangan <small>Guerrilla Attack on State Spending</small>	<input type="radio"/> Susan Hilsabeck <small>Democratic</small>
<input type="radio"/> Aneb Jah Rasta Sensas-Utcha Nefer-I <small>(The Rasta Movement)</small>	<input type="radio"/> Alan J. Lasee <small>Republican</small>
<input type="radio"/> Write In	<input type="radio"/> Write In
Attorney General Vote for One	Representative to the Assembly District #1 Vote for One
<input type="radio"/> Peggy A. Lautenschlager <small>Democratic</small>	<input type="radio"/> Tom Hermann <small>Democratic</small>
<input type="radio"/> Vince Biskupic <small>Republican</small>	<input type="radio"/> Gary D. Bies <small>Republican</small>
<input type="radio"/> Write In	<input type="radio"/> Write In
Secretary of State Vote for One	District Attorney Vote for One
<input type="radio"/> Douglas La Follette <small>Democratic</small>	<input type="radio"/> Troy C. Dalebroux <small>Democratic</small>
<input type="radio"/> Robert Gerald Lorge <small>Republican</small>	<input type="radio"/> Write In
<input type="radio"/> Edward J. Framl <small>Constitution Party</small>	
<input type="radio"/> Write In	
State Treasurer Vote for One	
<input type="radio"/> Dawn Marie Sass <small>Democratic</small>	
<input type="radio"/> Jack C. Voight <small>Republican</small>	
<input type="radio"/> Paul Aschenbrenner <small>Wisconsin Greens</small>	
<input type="radio"/> Write In	

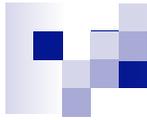
To continue voting please turn ballot over

Usability Testing

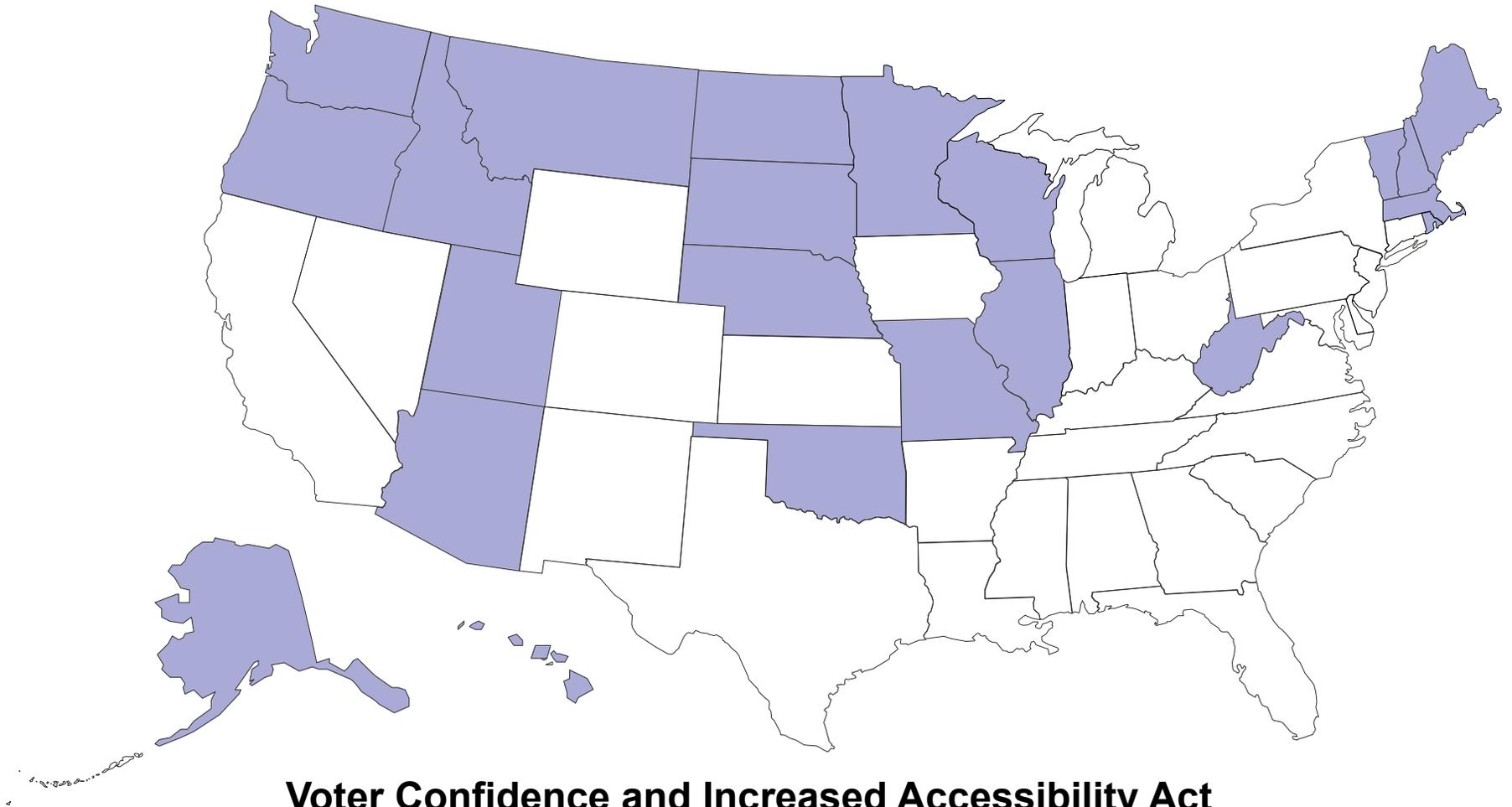


Electronic Voting Machine Security



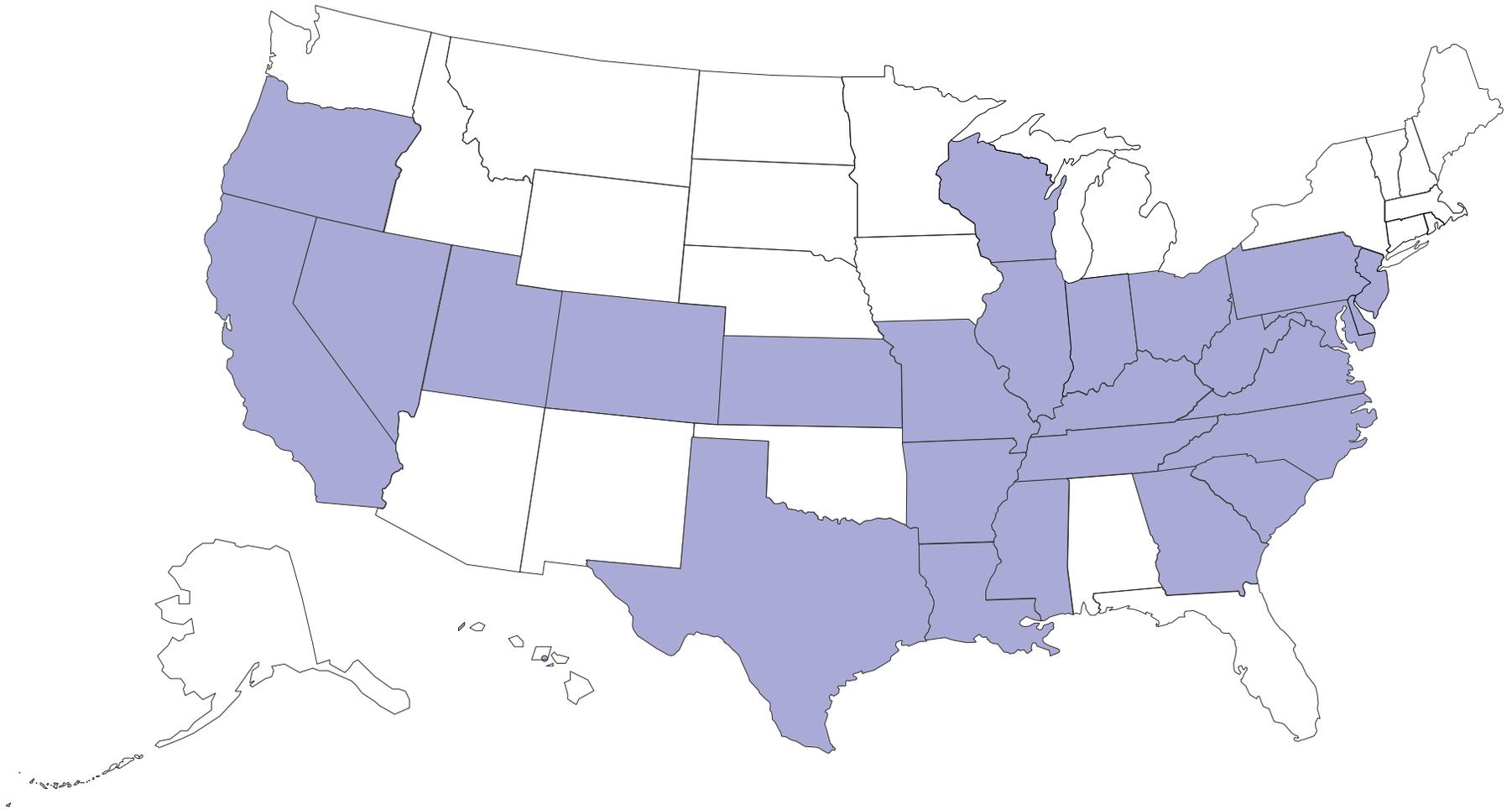


VVPR



Voter Confidence and Increased Accessibility Act

States that use DREs in at Least One County



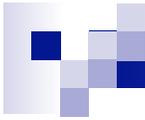


EAC Clearinghouse Function

“The [Election Assistance] Commission shall serve as a **national clearinghouse** and resource for the compilation of information and review of procedures with respect to the administration of Federal elections by—

carrying out the duties [...] relating to the adoption of **voluntary voting system guidelines**, including the maintenance of a clearinghouse of information on the **experiences of State and local governments in implementing the guidelines and in operating voting systems in general....”**

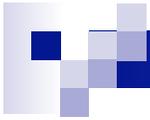
Help America Vote Act of 2002; 42 U.S.C. 15322 (1)-(2)

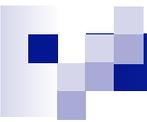




Reporting Voting System Problems

- Who must report?
- Who can report?
- What is reported?
 - “Malfunction”
 - “Vulnerability”
- What is made public? When?





Expansion of Early and Absentee Voting

	2000	2004	2008
Early in person	3.70%	8.50%	18.00%
By mail	10.20%	12.20%	19.00%
Total	13.90%	20.70%	37.00%

Source:

U.S. Census Bureau

U.S. Census Bureau

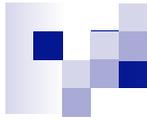
2008 Survey of the
Performance of
American Elections
(Alvarez, et. al.)



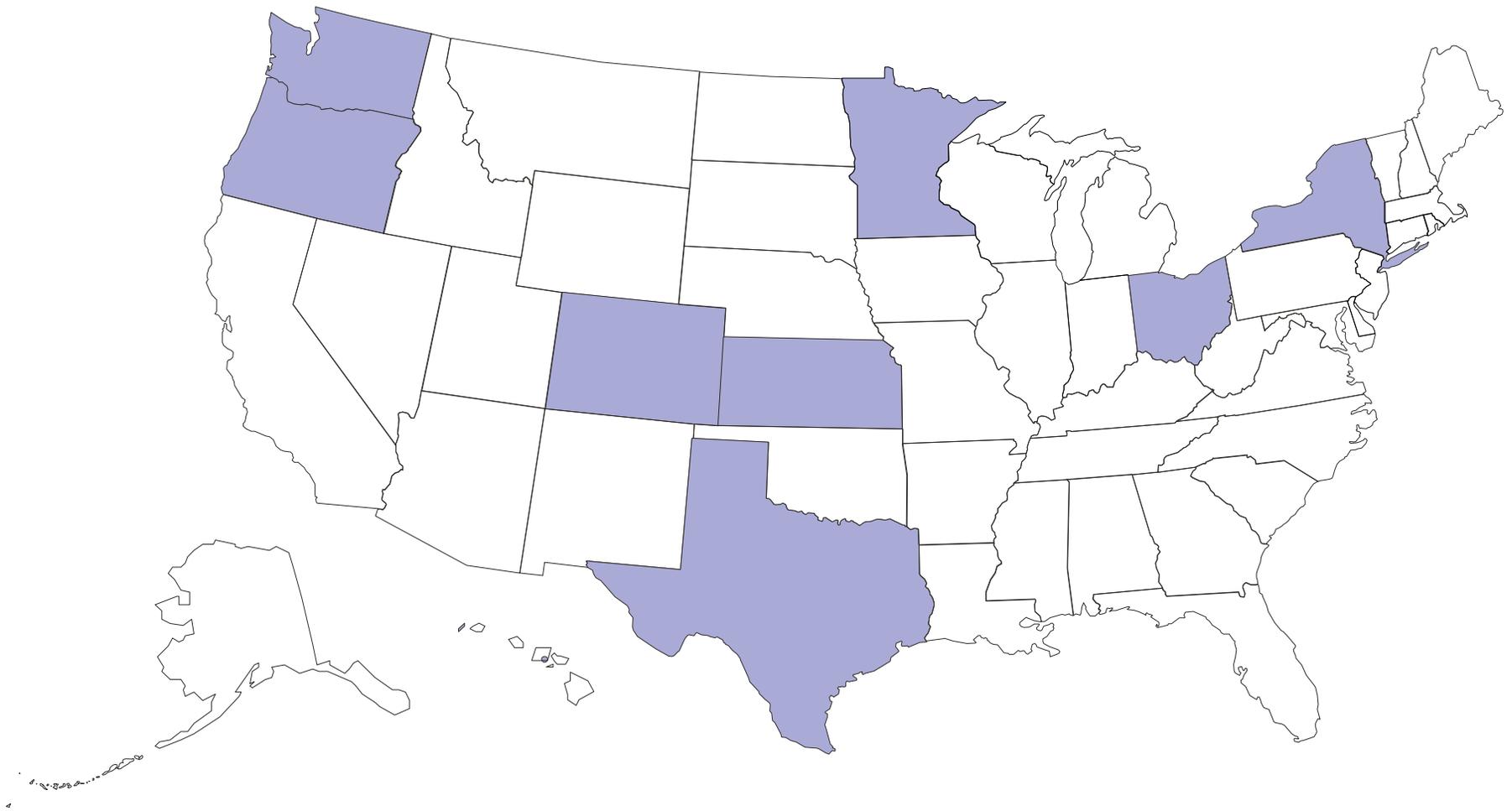
Number of Invalid Absentee Votes

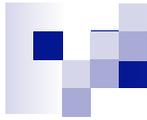
	Percent of absentee ballots rejected (absentee ballots as a percentage of total cast)	Rejected absentees as a percentage of all ballots
Washington	1.9% (of 87.8%)	1.6%
California	4.1% (of 35.3%)	1.4%
Indiana	14.5% (of 10.4%)	1.5%
Colorado	2.2% (of 39.6%)	0.9%
North Carolina	9.1% (of 1.6%)	0.1%

Source: Election Assistance Commission, 2006

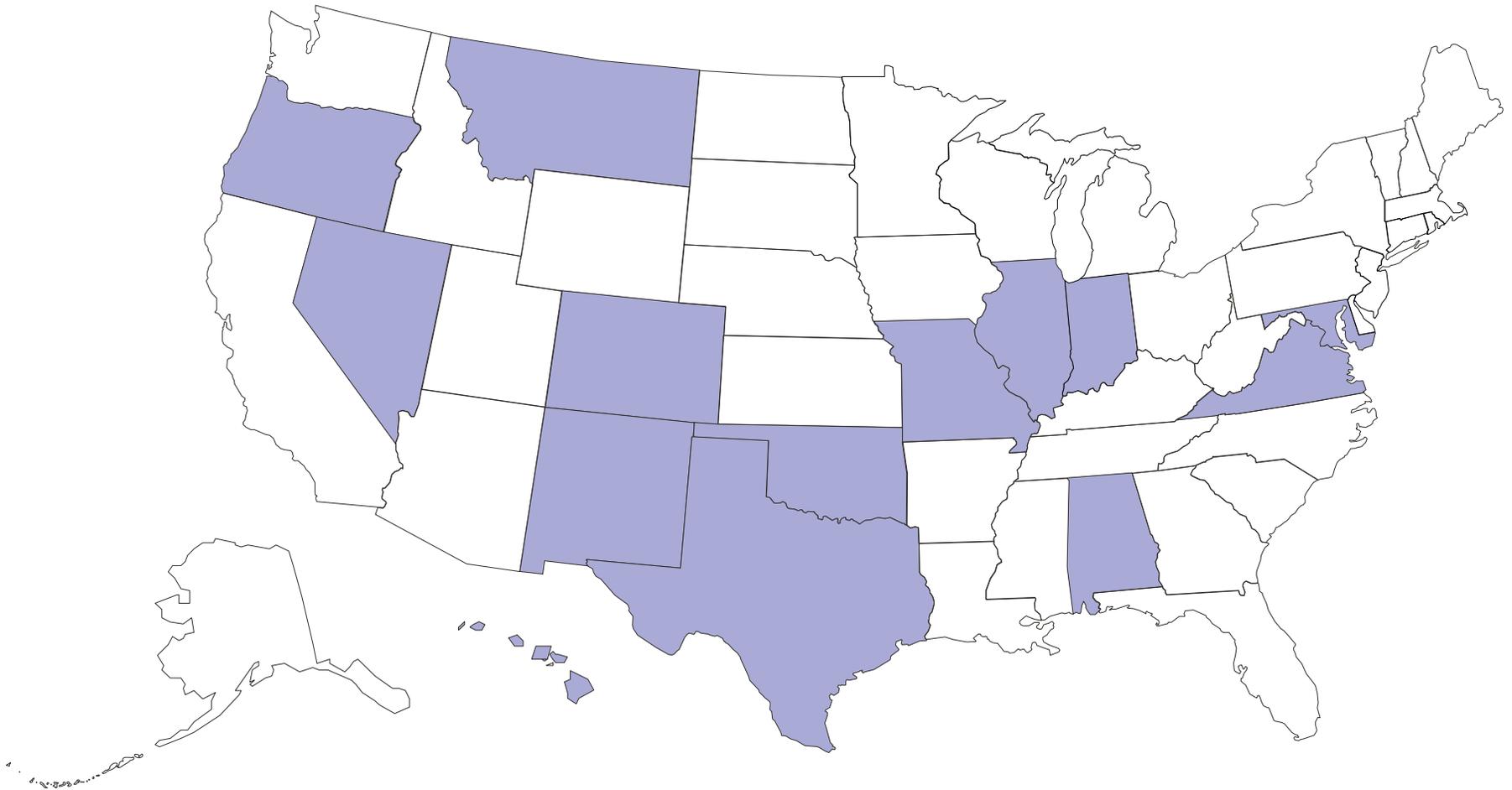


Usability



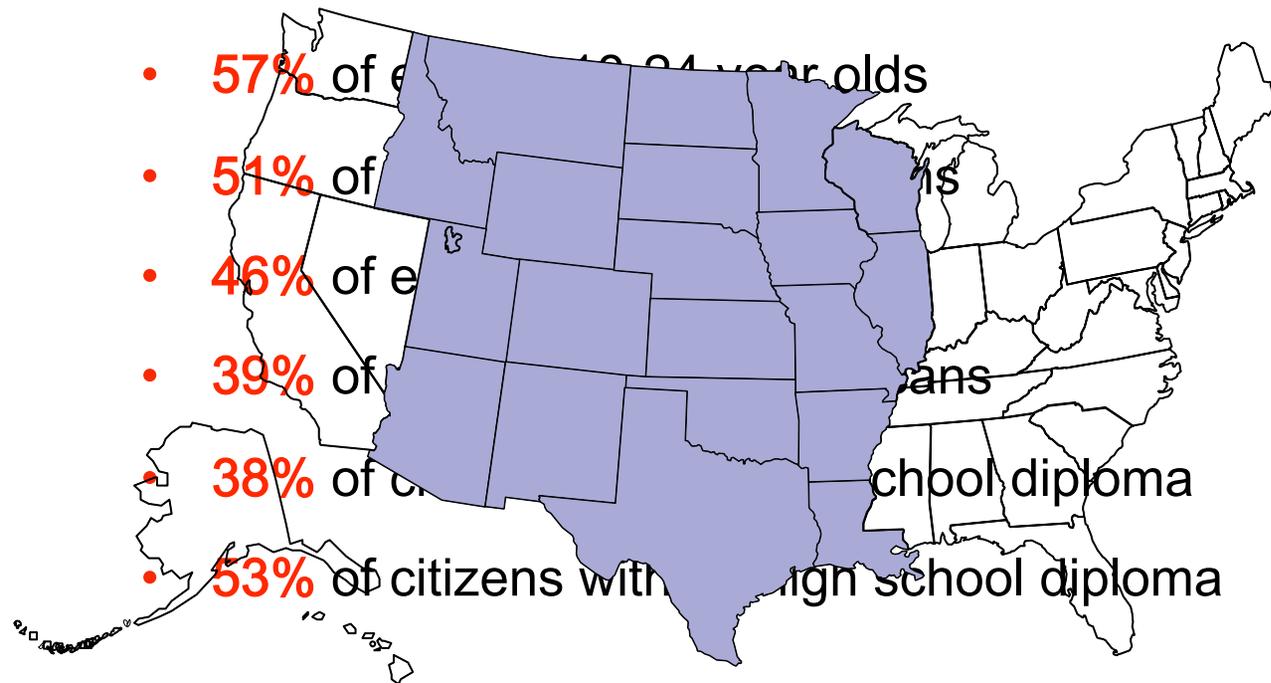


Proposals for Internet Voting



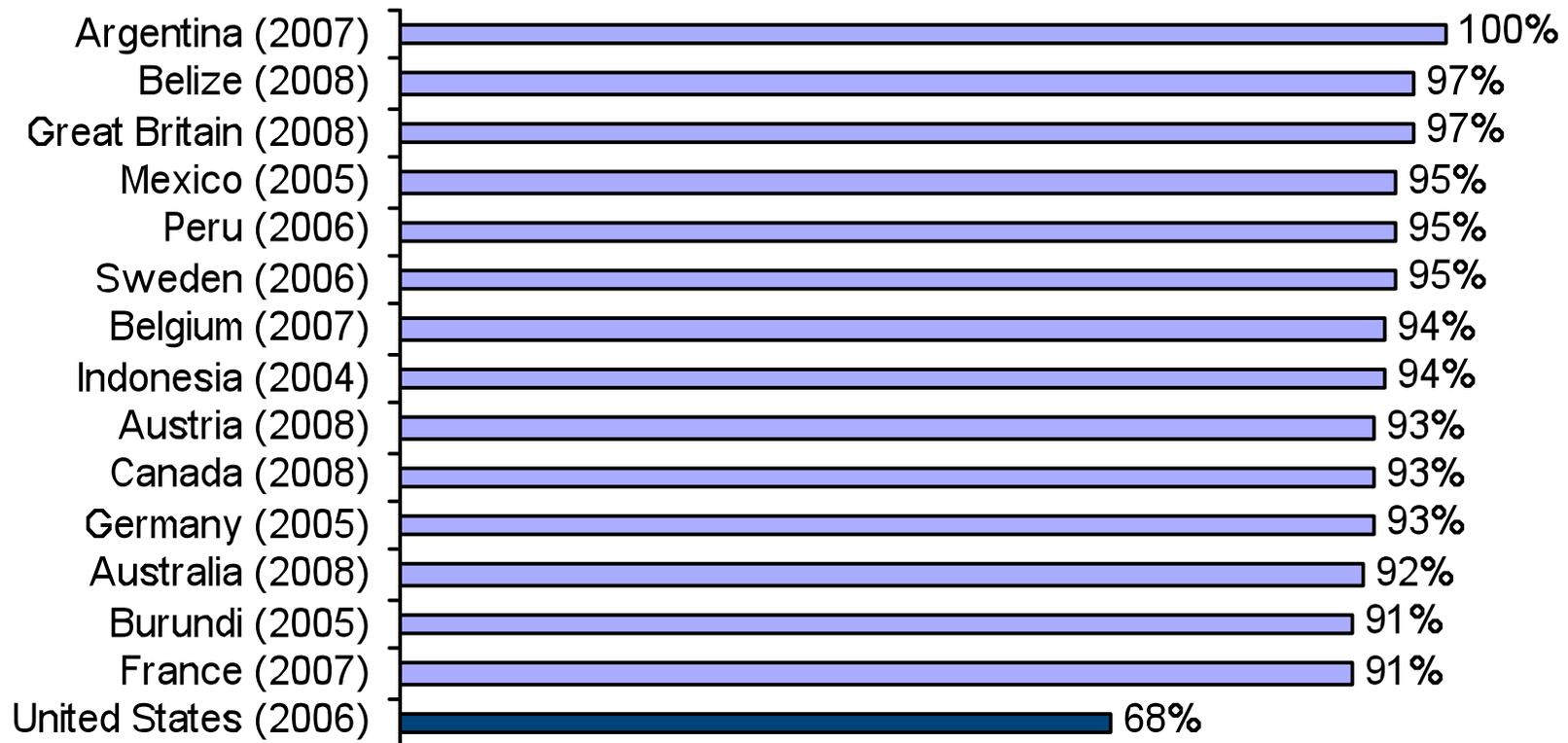
The current registration system does not adequately serve the public

25-32% eligible Americans not registered (50-65 million)



Our registration system is an outlier

Voter Registration as a Percentage of Voting-Age Population





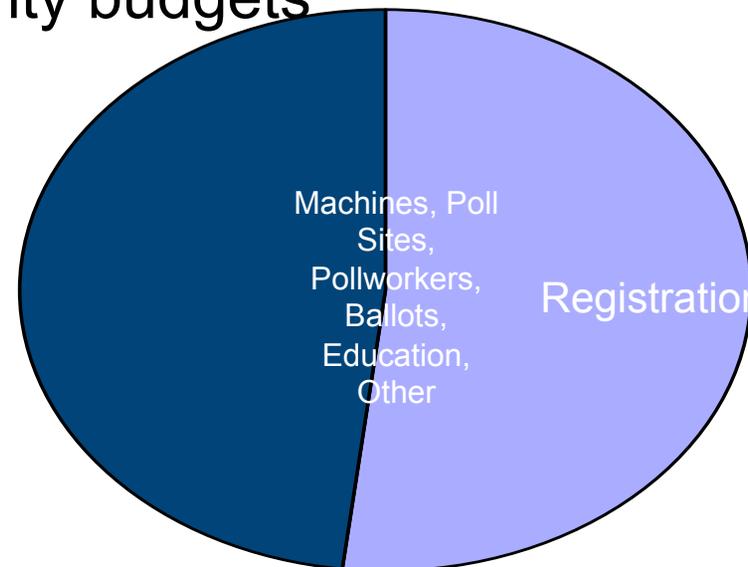
The current registration system does not adequately serve the public

Registration is the single greatest barrier to voting

- #1 problem reported to voter protection hotlines
- #1 reason provisional ballots not counted
- Reduces turnout
- Harder to mobilize new voters
- Biggest cause of pre-election litigation

The current registration system costs too much

- Enormous impact on county budgets
- Wastes resources
 - Data entry
 - Duplicates
 - Purges
 - Movers

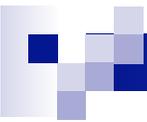


The current registration system hurts election administration

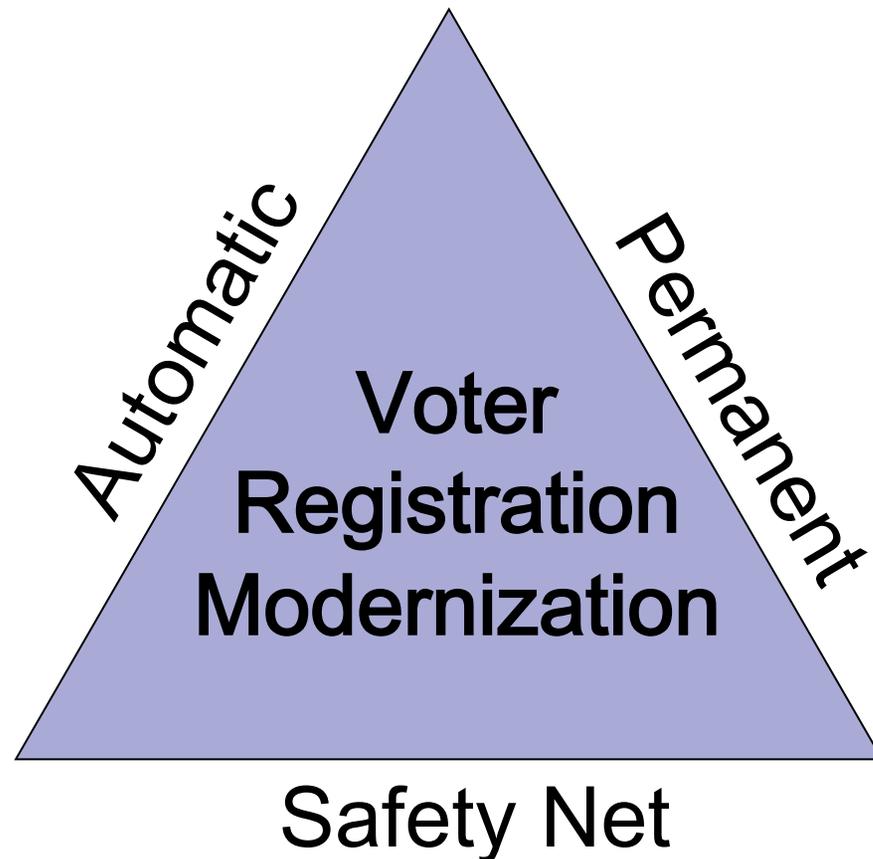
The result:

- Eligible citizens left off the rolls
- Inadequate allocation of resources
- Long lines
- Provisional ballots
- Lost votes
- Lack of public confidence



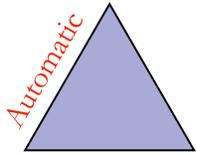
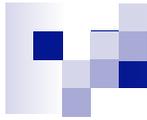


We have to modernize our system



Other key elements:

- Security, privacy, and purge protections
- Adequate federal funding for transition



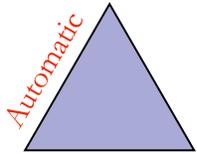
Automatic Registration

Start with today's voter rolls, and build

Existing state voter rolls

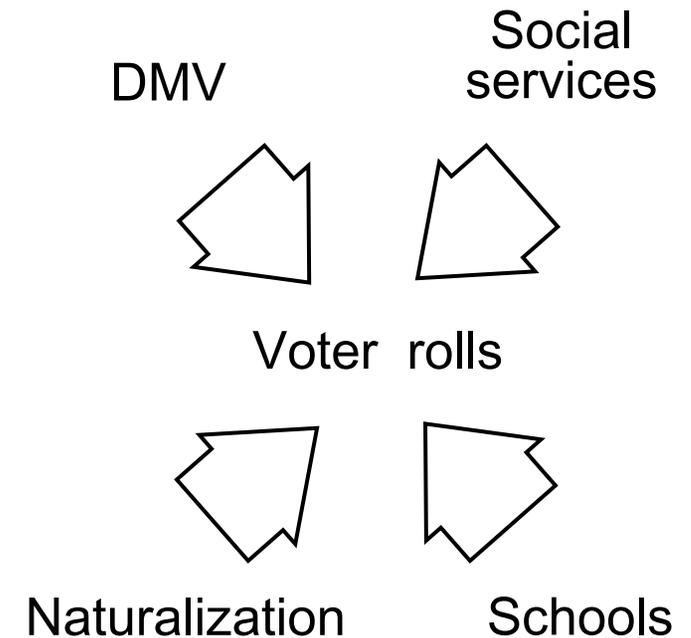


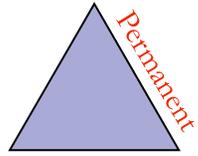
Eligible citizens to add



Automatic Registration

- Leverage existing government lists.
- Target newly eligible voters
- Supplemental outreach to fill gaps

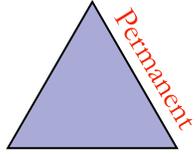




Permanent, Portable Registration

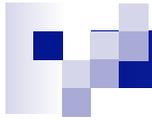
Registration follows you when you move

- Automatic address updates
- Notice and opportunity to correct
- Can always vote at the polling place where you live



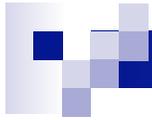
Permanent registration is already in use today

- 8 states with permanent registration
- 8 more states with EDR
- Several states use automatic address updates
- All states have permanent registration at local level



Security

- Access
- Audit Logs
- Archives
- Audits



Safeguards

- Notification to Voters
- Time Restrictions for Removal
- Matching Criteria
- Fail Safes

