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by Steve Krulick, Village of Ellenville Trustee

Counting the Votes that Count

"In my first demo of changing votes in a fictional election, I was able to change 11,963 votes in a couple of minutes, and in my second, called speed-hacking the vote, I changed over 1.6 million votes in six minutes, while generating three time-stamped "official" reports and audit logs showing no trace of wrongdoing. Computers made this possible" — Chuck Herrin, Computer Security Expert

Suggestion: That Ulster County rejects electronic voting machines in favor of hand-countable paper ballots.

Scope: Ulster County, but applicable elsewhere.

Necessity: Level 1 / High (In trying to "fix" a system that works in NYS, a bad choice could break it beyond repair!)

After the 2000 presidential election, obsession with hanging and pregnant chads led to the over-reactive and ironically-named "Help America Vote Act" (HAVA), ostensibly to prevent a similar nightmare of uncertainty from clouding future races. It hasn't.

According to investigative journalist Greg Palast, 1.9 million so-called "spoiled" votes (mostly from black, brown, and red voters) simply never made it to the final 2000 tally (you probably didn't hear *that* in the mainstream media). Add the many other ways certain voters/votes didn't "count" in 2000: purges, malfunctions, fraud, harassment. Alas, Palast points to strong evidence that the "improved" 2004 election, with 1/3 of the votes electronically cast, was more corrupted and out-of-joint than 2000. Perhaps *three million* potential votes "vanished"; 57,000 voting irregularity complaints were lodged within 48 hours.

So, the cure may have been worse than the disease. States were promised gazillions of federal dollars to scrap election systems that may have worked well enough (like NY's venerable lever machines) for glitzy electronic voting devices from a handful of companies with shady histories and questionable political associations.

The first official use of a lever-type voting machine occurred in Lockport, NY, in 1892. By the 1960s, well over half the nation's votes were being cast on these machines; many of NY's machines are from that era. But, if a sturdy machine is only used one to four times per year, how much wear does it get? Even so, parts are readily available; technically, there's no reason such devices couldn't be used for decades more, supplemented by a few available devices or methods for differently-abled voters.

Except that the NY Legislature has banned lever machines after September 2007. *Maybe*. Depending on how you read the law NY passed after HAVA (HAVA, by the way, does not *require* electronic voting machines! Hand-counted paper, being the recount standard, is already an accepted "system"!), it could be interpreted to allow counties that choose *before* Sept. 1, 2007, to retain lever machines, to be able to continue using them *after* that date. I sent this possible loophole to Ulster Board of Elections Commissioners and the Ulster County Legislature committee charged with making the decision, after they held their dog-and-pony shows to let the public

gawk at some pricey and dicey electronic voting gizmos they were considering strapping us with.

Did I mention that Albany punted a statewide decision, making *each* individual county decide for itself what voting "system" to use? Yep, even though the State has yet to test machines to the point of certification, they have put the burden on the counties to pick a system under duress; NYS was actually sued by the Feds for failure to meet HAVA deadlines. Of course, had we just refused the federal money (or given it back), we wouldn't have to change anything!

Now, I'm the last guy to knock computers and electronic aids; like computer expert Chuck Herrin, quoted at the outset, I'm no Luddite technophobe. But there has already been too much proof that computer-based voting systems are subject to fraud, misuse, hacking, malfunction, error, downtime, and failure ... compounded by very un-transparent internal hardware and software, and no way to verify the validity of the electronic count, which is nothing more than some non-permanent binary code sitting on a plastic chip!

This is true for DRE (direct recording electronic) voting machines, usually touch-screen based, but also paper-reading electronic optical scanners, often touted as a cheaper, "safer" alternative. But, as a recent HBO documentary on "Black Box Voting" showed, they're just as hackable; some election officials cried when they saw how easily their precautions and scrutiny could be undermined by unscrupulous hackers.

I've been feeding the county officials with reports of the ongoing horrors regarding electronic voting systems, and of state after state deciding to scrap their DREs (in spite of much money already spent), or to not proceed with them if they hadn't done so yet.

I think it's had some effect, because a UCL sub-committee (including some I've been posting to) was formed to look at alternatives, such as mail-in paper ballots, which has been remarkably successful in Oregon. How much so? Very high voter turnout (weather is no problem), convenience (no lines or harassment at polls), no fraud (every signature is checked), transparent process (a permanent official record of every vote), 30% less cost than polling-place elections (without all those expensive, soon-to-be obsolete machines). After five years, 80% of Oregon voters said they preferred it to voting booths.

So, even if we use some combination of vote-by-mail and turning in ballots at town halls, the key is real X-marked paper ballots, preferably hand-counted, even if we have to draft citizen-tabulators, as we do jurors. In Canada, a hand-counted-paper-ballot land, they get *all* their election results in a few hours. How long did it take to decide the 2000 presidential race? (And even then, did we really know the true count?)

I agree with Mr. Herrin: "Election officials may protest going to paper and have to be dragged back to it kicking and screaming, but... they work for *us*, and *nothing* is more important than vote integrity! There have been numerous studies showing the superiority of paper ballots, and I want paper ballots, right now!"

So, tell your Legislators: "Paper, not plastic!"

HAVA nice day!

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