

SECRETARY OF STATE SPEECH  
“THE FUTURE OF VOTING IN CALIFORNIA:  
THE PEOPLE, THE EQUIPMENT, THE COSTS”  
AUSTIN G. ERDMAN, REGISTRAR OF VOTERS  
SAN JOAQUIN COUNTY

In discussing the future of voting systems, we must first look into the past and then know where we are today, before we can look to the future. We must be informed by, and learn from, our history of voting systems.

Technological advances in voting include the use of Greek tokens, Italian round black and white balls, mechanical lever machines, paper ballots, punch cards, optical scanners, and direct recording electronic voting machines. Today’s new voting systems are driven by finances and security.

As we look back, we see that each advancement in voting was a refinement of some real or perceived historic issue. In other words, each advancement or enhancement attempted to solve a problem. In some cases, fixing one problem lead to other issues or problems.

Like advancements in voting rights, voting technology has also advanced to address issues or problems. For instance, the initial move from voice voting (calling aloud one’s vote yay or nay) to secret paper ballots addressed the problem of voters being influenced by external pressures such as threats and intimidation. Secret paper ballots gave each citizen the comfort of voting without everyone knowing how they cast their vote.

Pre-printed ballots solved the problem of interpreting handwriting of voters in the mid-1800s, solving the issues of secrecy and one person – one vote. In the late 1890s, lever machines solved the problem of human misconduct during tabulation of the vote. In the 1960s, punch-card voting addressed the tabulation issues associated with manual tally, and enhanced the results and speed at a time when voters and the Press thought computers could speed results on election night.

Problems interpreting voter intent in 2000 when inspecting Vote-A-Matic ballots (dimpled & hanging chads come to mind) gave rise to an increase in optical scanning and touch screen voting. By this time, optical scan usage grew to address problems of an increased number of names on ballots as well as addressing voting confidence levels with those who didn’t feel comfortable with punch cards.

Touch screen voting was promoted to address many problems including challenges of disabled voters, ballot size and ballot printing costs. Touch screen voting systems introduced

unlimited ballot size, reduced costs due to ballot printing, ballots produced in multiple languages which encompassed the 5% ethnic populations speaking different languages. We also were now able to easily address challenges of voters with disabilities such as visual impairments (voters could listen to their ballots and vote unassisted for the first time in history), and severely physically disabled voters, who could use alternative devices designed for use with the touch screen voting machine such as the "sip and puff", which allowed this group of voters to control the touch screen itself.

My point is that every advancement in voting has its roots grounded in solving some perceived problem or issue.

So, in looking toward the future of voting systems, we need to ask ourselves some pointed questions in order to determine what problem we are trying to solve:

What do we perceive as our primary voting-related problems today?

Should we be developing a voting system that utilizes the web, security, encryption, and personal digital assistances (PDAs)?

Do we have the standards in place so that vendors can design such systems?

This previous question is more of a rhetorical one, but of utmost concern. If the vendors could design a system, we do not have the necessary standards of laws, rules and regulations, in place to move forward. I submit that THIS is our next step – our problem to address.

There are no consistent standards between the states and the feds, between the states and the states, or even between the states and the counties. Each county operates differently (in some cases - very differently), while many states and counties today are awash in debt. In fact, our federal, State, and local government revenues are shrinking, while costs to conduct elections continue to rise dramatically.

So is technology our challenge? I would submit, that is not the issue. There is plenty of technology to go around.

A couple of challenges in my office (and I assume others can relate), are rapidly shrinking budgets and loss of vendor support. Inconsistency and changing state and federal regulations cause stress for vendors and, in some cases, are causing vendors to be unable to survive. Vendors are going out of business, which has increased market share for those that have survived. The voting systems industry has moved from one of sales dominated – brought on by proposition 41, to the Help America Vote Act, HAVA – to a post-HAVA service industry as the

monies provided by HAVA for the purchase of new equipment has nearly all been spent to comply with the federal requirements.

As time went on, expanding federal and state requirements post-HAVA, slowed voting technology introduction, which has increased costs to vendors, states, and counties. Eventually, this conundrum has put vendors at risk, on the “ropes” and some out of business. Constant changes to federal and state regulations has lead to an inability of vendors to adapt their products or effectuate fixes to their products in order to comply with the most current regulations. Vendors have been put in the precarious position to not necessarily come up with the “right” fix, but, rather, the “cheapest” fix.

I don’t believe that technology is the issue that we have here today as our primary concern – the problem that beckons us is, can we afford it?! I propose that we cannot without help. Moreover, we do not have consistent Standards as a foundation for more technology. I believe we need to address the real foundation issues with consistent Standards as a first step and then lay embrace to new technology with consistent regulations and election codes.

In terms of elections systems, we have a prime opportunity here during this economic downturn when budgets are shrinking, to focus on cost savings technologies – these technologies may not be highly technical, but they could ease the economic problems we have today!

Perhaps, it’s time to look at Vote-By-Mail because it addresses the real world economic problems we’re all experiencing. The cost of All Mail Voting is significantly less than polling place voting, easier to administrate, no lugging around machines to hundreds of different polling places, with faster results.

In the meantime, perhaps we should be addressing regulations and code consistency between state and federal laws, and county procedures, so that when we come out of this economic doldrums, we have a strong, consistent foundation for the vendors on which to build a new technological future.

I submit that the next technology evolution isn’t very technologically advanced at all, and would allow us the opportunity to build a stronger foundation based on more consistency and common sense in election law for future elections systems.

While this will take time and a commitment – in the end, state and federal regulations will support the entire election systems including the interests of voters, vendors and elections administrators such as myself.

While the states and feds get our house in order, we must address the economic problems faced by the counties and states across the country. We have solutions which can save us large percentages of our administrative costs, but only if we have the political will to change the regulations under which we conduct elections. Implementing Vote-By-Mail provides a reasonable, cost-effective solution to our current economic crisis, while addressing needs of disabled voters without a cost of, in some cases, thousands of dollars per voter.

As technology is becoming more refined and expensive, our financing resources are diminishing, obviously, each going in opposite directions. So let's prepare now for the future by providing a consistent foundation of regulation to govern and administer elections and while this is happening, look toward cost savings measures that are here and now that can be implemented in today's environmental time.

During this time, we must build a strong legislative foundation for the evolving new, technology. Use these years of down economy to get our election codes together so that when we come out of this, we can build and implement new voting systems, instead of dragging 20<sup>th</sup> century laws, rules, and regulation, into the 21<sup>st</sup> century. That's the problem we should be working on now, or for we can currently afford to change the laws that now exist, but we can't afford to ignore the problem in order to properly serve the public.

In conclusion we have different equipment; we interpret things differently and do things differently. We need to find the political will to say, if something works, let's look at it with bipartisan eyes and adopt ideas that makes sense.

We can build a secure and new technology for voting but we can't reach that goal based on antiquated regulations. The future of voting is up to us all. For the future of voting requires a new regulatory foundation to allow for fair, accurate, transparent and comprehensive representation.