

REPORT ON ES&S INKAVOTE PLUS PRECINCT BALLOT COUNTER

AND the ADA UNIT,

Los Angeles County, Nov, 2006 General Election

Judy Alter

This report about the ES&S InkaVote Plus Precinct Ballot Counters and the audio device for visually impaired and limited-English voters comes from poll watchers and specially trained poll workers for about 248 poll sites, and 230 EIRS reports in the Los Angeles County Nov. 2006 election. 30% of about 360 reports concerned these ES&S scanners, and 10 cover the audio devices. Eight reports stated that the machines worked all day.

The machines did not work at all in 50 of the 101 reports: did not turn on, or jammed becoming inoperative, although one poll worker finally un-jammed one and used it. Others described mechanical problems. Twelve scanners worked intermittently after being fixed. (One poll worker tightened a loose cable and got the scanner to turn on.) When election officials brought replacement scanners, four worked and two did not. At the 4 poll sites with multiple precincts, if one of the scanners was missing or did not work, poll workers let all voters from other precincts scan their ballots into the working one (and sorted the ballots into their respective precincts at the end of the day.) At four sites poll workers could not replace the paper roll for error-messages and stopped using the scanner. At two sites (observers saw that) poll workers stacked completed ballots on the floor next to the inoperative scanners instead of placing the ballots into the slot of the large black ballot box underneath the Inkavote Plus scanners.

Almost 40% of these scanners also had software problems. In one the internal clock was off one hour *and stopped working a hour early.* Twelve scanners rejected ballots with no over-vote on them but accepted them the second time. At one poll site a poll worker set aside 50-60 ballots for that reason and did not put them into the ballot box. At four poll sites, poll workers chose to override the error messages when this rejection/acceptance by the machine continued to happen. Three scanners did not print out a zero tape (and one poll worker did not want that information made public); five rejected a ballot but did not print an error message.

Problems with 10 ADA audio assist devices ranged from poll workers not able to set them up (to work,) to replacement devices set up by county officials that would not work after 5 tests. One visually impaired voter spent a half hour voting on one, but at the end the machine did not print out that voter's ballot. (The voter voted again with assistance on a regular ballot and left frustrated at the loss of time and the malfunctioning machine.) Five voters who wanted to use this ADA machine for language assistance, voted with the help of their children on regular ballots instead of taking 30 minutes.

Registrar Conny McCormack told the poll workers (who staff the 5,024 precincts) that these InkaVote Plus scanners were not tabulating votes. My team of 21 snap tally witnesses found that, at the end of the day, the poll inspectors printed out a tally tape for the LA Times and Edison exit poll reporters instead of hand counting the selected results for the snap tallies as we witnessed them doing in June. (These snap tally witnesses verified that the software in these scanners tabulates the ballots as they are scanned in, even if, during the Nov. 2006 they were officially not tabulating.) Finally, in each scanner is a modem that observers cannot know if it is on or not. Current Election Code bans wireless capacity in DREs but not scanners. We strongly recommend that you not ^{continue to} use these scanners based on this information.

Finally, I am presenting 30 more petitions ^{beyond the 360 I submitted in July} for hand counted paper ballots signed by 180 more citizens at my 8 talks since July 30 requesting that the legislature stop allowing the use of secret vote counting on computerized machines controlled by private companies. Please return to publicly counted paper ballots, counted at the precincts and tabulated on adding machines with no software. The mathematical process of adding numbers is not proprietary. Without ballots counted in public we do not have democratic elections.

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shorter version

This report on the ES&S InkaVote Plus Precinct Ballot~~s~~ Counters and the audio device (for visually impaired and limited-English voters) completes my July 30 report based on information from over 80 observers in Los Angeles County last Nov. who reported on observed problems from the 248 poll sites they visited. 30% of the 360 reports concerned the mechanical or software problems of the ES&S machines.

Mechanical problems occurred in half of the 101 scanner reports: 1. They did not work at all—did not turn on, or jammed becoming inoperative. 2. Twelve scanners worked intermittently after being fixed. 3. four replacements worked, two did not. 4. at 4 sites, when poll workers could not replace the paper roll for error messages, they stopped using the scanners. Because of these problems: 1. if one of the scanners did not work, poll workers, at 4 other sites, let all voters use the working one; 2. poll workers stacked completed ballots on the floor next to the inoperative scanners instead of putting them in the ballot box.

Almost 40% of these scanners also had software problems. 1. they did not print out a zero tape; 2. they rejected ballots with no over-vote on them. 3. twelve scanners first rejected then accepted the same ballot; 4. five rejected ballots but printed no error message. Because of these problems, poll workers at 4 more sites chose to override the error messages.

Problems with 10 ADA audio assist devices include: poll workers not able to set them up; 2. replacement devices did not work after 5 tests. One visually impaired voter spent a half hour voting on one, but the machine did not print out that voter's ballot. Five voters wanting language assistance, voted with the help of their children on regular ballots instead of taking 30 minutes.

Registrar Conny McCormack told the poll workers that these InkaVote Plus scanners were not tabulating votes. 21 snap tally witnesses saw the poll workers print

out a tally tape for the LA Times and Edison exit poll reporters instead of hand counting the ballots as they did in June.

Finally, each scanner contains a modem. Observers cannot know if it is on or not. Current Election Code bans wireless capacity in DREs but not scanners. We strongly recommend that you not use these scanners based on this information.

Finally, I am presenting these 30 more petitions with 180 more citizens *to the 360 I submitted in July* requesting hand counted paper ballots. We demand the legislature stop allowing the use of secret vote counting on computerized machines owned by private companies. Please return to publicly counted paper ballots, counted at the precincts and tabulated on adding machines with no software. Adding vote totals is not proprietary. Without ballots counted in public we do not have democratic elections.