

Voter Verified Paper Ballot: De facto Discrimination Against Americans with Disabilities



www.aapd-dc.org

1629 K Street, NW, Suite 503

Washington, DC 20006

202-457-0046

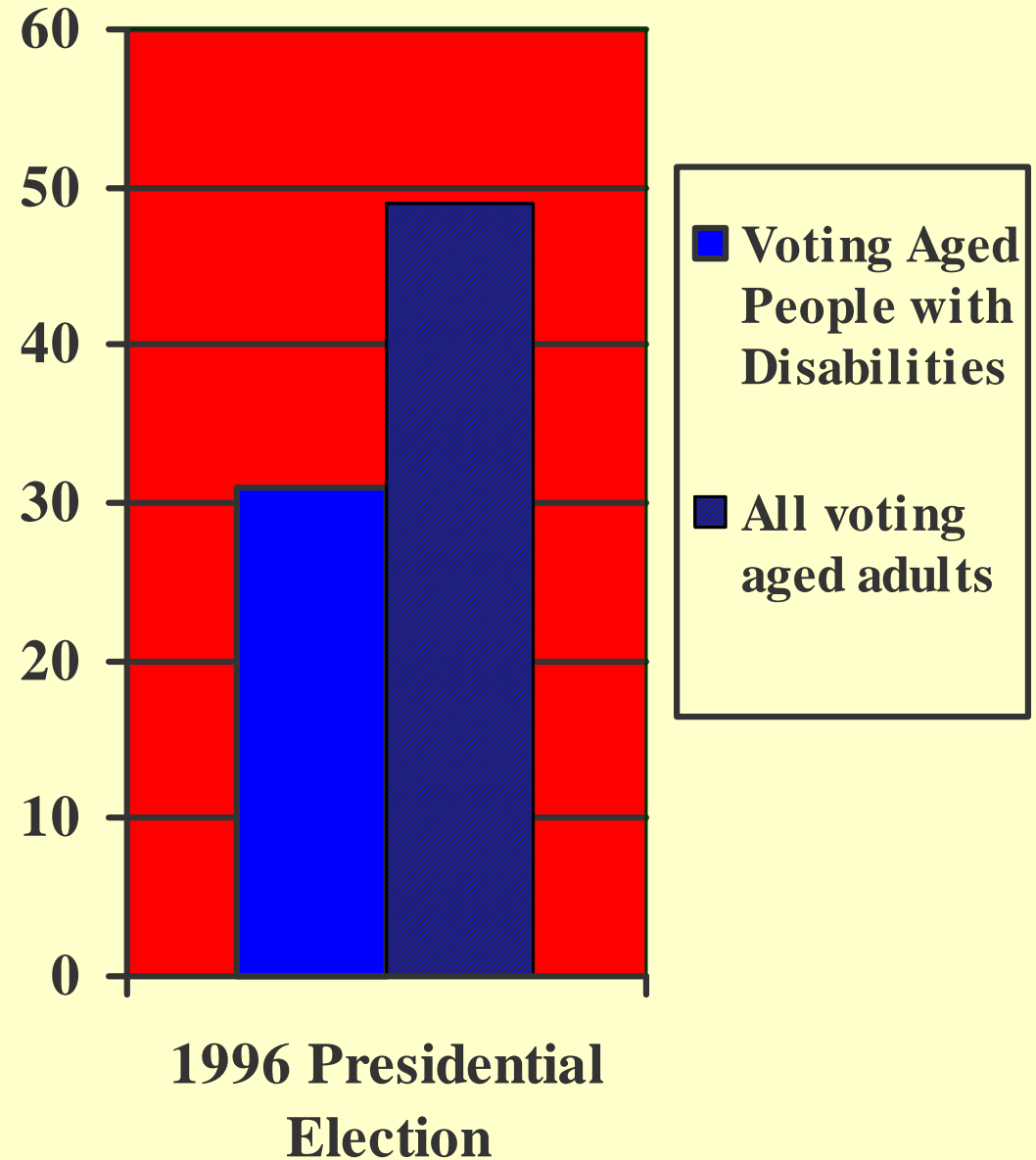
Voter Verified Paper Ballot: A Fake Solution

- How does the voter know the paper ballot he sees accurately reflects what is recorded in the computer?

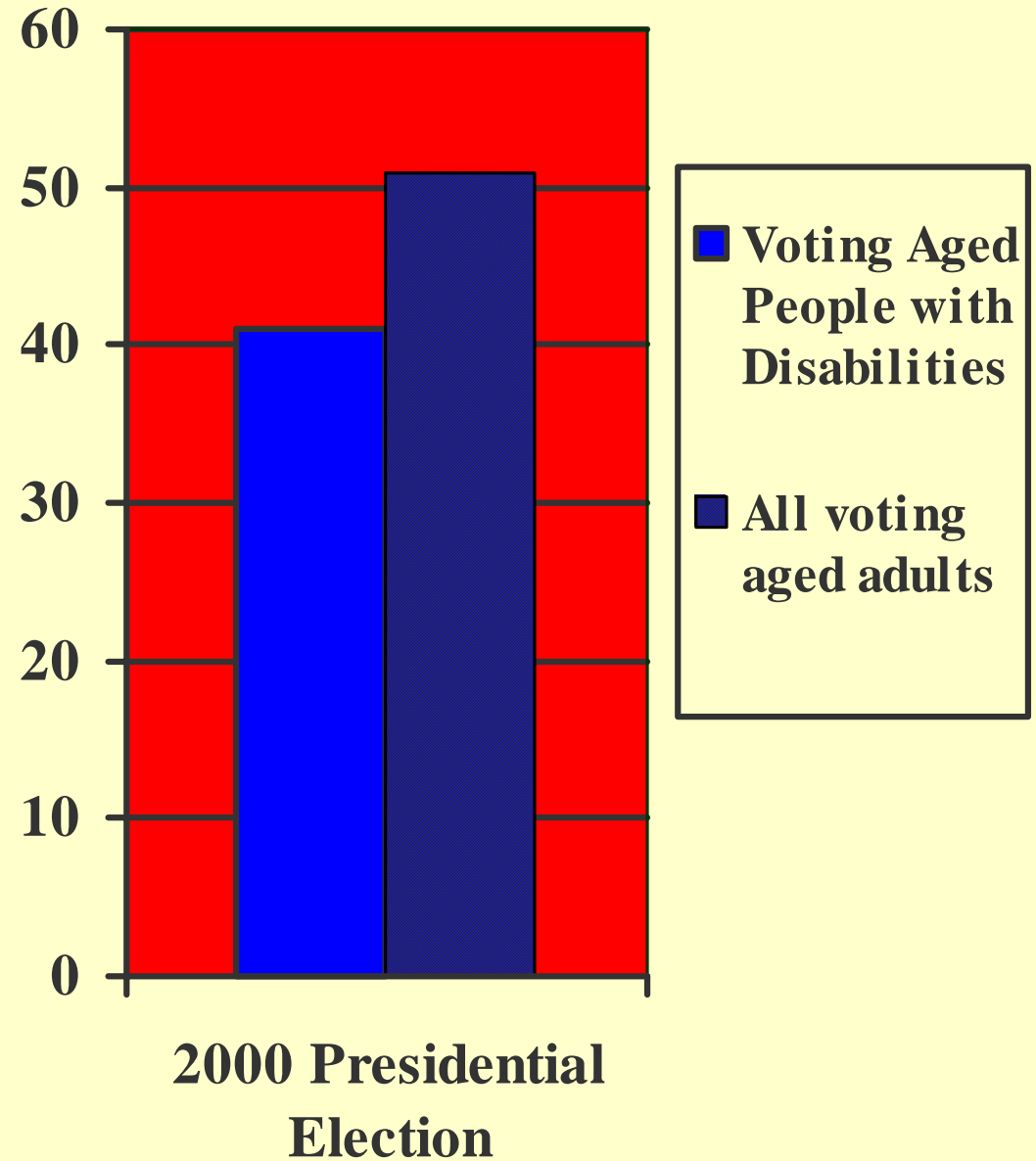
Some Important Facts:

- There are 56 million Americans with disabilities.
- 47 million Americans with disabilities are of voting age.
- 23 million voting aged Americans have a severe disability.

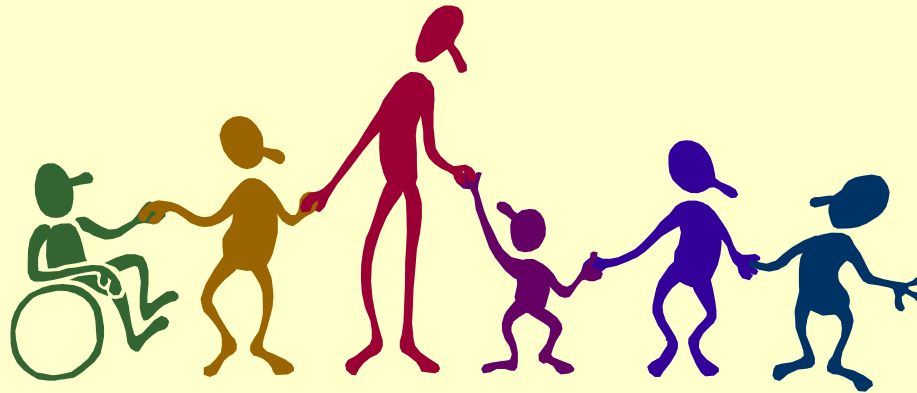
In 1996, 31% of adults with disabilities voted in the presidential election, while 49% of all adults voted.



In 2000, 41% of Americans with disabilities voted compared to 51% of all adults.



If Americans with disabilities voted at the same rate as the rest of the population, there would have been four million more votes cast in the 2000 presidential election.



HAVA's Main Sponsors

Sen. Chris
Dodd



Sen. Mitch
McConnell



Rep. Steny
Hoyer



Rep.
Bob Ney



HAVA Requires 1 Accessible
Touchscreen in Each Polling Place
by 2006

(Help America Vote Act)

Touchscreens Provide a Secret Ballot

Americans with disabilities who have never cast a secret ballot:

- 10 Million blind/low vision
- 5 Million learning disabled (a low estimate)
- 1.4 Million with hand/arm limitations

Other American Citizens Who Have Never Cast a Secret Ballot

- 37 Million illiterate
- Language minorities who are citizens (non native English speakers)

Touchscreen Capabilities

- Voters can hear the ballot using headphones & cast their vote in complete privacy.
- Voters who are paralyzed, using adaptive tools, can cast their vote in complete privacy.

Voter Verified Paper Ballot Devices

- Exist only in prototype.
- Are not certified, and therefore are illegal.
- Standards for certification do **not** exist.
- The Election Administration Commission, which creates the standards for certification, does not yet exist.

VVPB are Illegal

- CA Attorney General to Kevin Shelley: VVPB “likely violates the access requirements” of
 - Help America Vote Act of 2002, P.L. 107-252)
 - California Election Code Sections 19225-19227
 - 2002 FEC Voting System Standards Vol. 1, Section 2.2.7.2
 - Americans with Disabilities Act

Creating Voting System Standards

- Twice, the United States created voting system standards.
- The first time, it took 11 years.
- The second time, it took 10 years.
- It is optimistic to expect the time to be cut in half.
- 5 years from concept to use of the voter verified paper ballot in the polling place would make accessible machines available in 2009, violating federal law.

Uncounted American Votes

- 2000 Presidential Election, it was 2 million votes.

Georgia's Touchscreen Experience

- 2000 election using punchcards, 3.5% uncounted votes (even higher than Florida's 2.9% uncounted votes).
- 2002 election using touchscreens, **.08%** uncounted ballots, an all-time low.

California Recall Election

October 7, 2003

- In Los Angeles County:
Punch card, 9% uncounted votes
Touchscreen, less than 1% uncounted votes

Election Fraud

- Computers have been used for counting votes since 1964. There is no documented case of an election being changed with computer tabulation.
- There are scores of documented cases of election fraud using paper ballots.

Problems with Paper Ballots

- Paper gets lost.
- Paper gets damaged.
- Paper is heavy, hard to store & expensive.
- Large numbers of paper ballots can not be accurately counted (assuming you could get a system certified in a reasonable amount of time).

Voter Verified Paper Ballot: The Wrong Problem.

Most election fraud occurs because the voter registration rolls are:

- Inaccurate
 1. Doesn't contain the names of all eligible voters.
 2. Contains names of voters who have moved out of the district.

Election Fraud: The Real Problem

- HAVA requires new voter registration statewide databases.
- The public debate should be focused on
 1. The security of the database.
 2. The building of the database.
 3. The management of the database.

Increase Touchscreen Security with Administrative Procedures

- Parallel monitoring.
- Technical oversight board.
- Transparency in every stage of testing.
- Modifications to existing systems, both hardware & software, must be recertified.
- Establish a chain of custody for all source codes.
- Administrative procedures can be installed without delaying disability access.

How does the voter know
the paper ballot he sees
accurately reflects what is
recorded in the computer?