

REPORT ON ES&S INKAVOTE PLUS PRECINCT BALLOT COUNTER
AND the ADA UNIT,

Los Angeles County, Nov, 2006 General Election

Judy Alter

I focus on the ES&S InkaVote Plus Precinct Ballots Counters and the audio device for visually impaired and limited-English voters. About 90 citizen observers in Los Angeles County last Nov. visited almost 300 poll sites selected to include a wide variety of voting populations. Each observer had a list of 13 possible precincts to visit during the day and only reported on observed problems. In all the reports, one third of concerned these ES&S machines, (99 out of 282). I studied 81 of these. Almost half (38, 48%) concern mechanical or software problems with these scanners and audio devices. (Only one observer stated that the machines worked all day.)

Mechanical problems occurred in about two thirds of the scanners at these 38 poll sites: they did not work at all—did not turn on, or jammed becoming inoperative. (One poll worker managed to clear the jam but the machine remained inoperative for 7-8 hours that day). Two 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, two worked and two did not. At poll sites with multiple precincts, if one of the scanners 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 one site poll workers could not replace the error-message paper roll 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. Several scanners rejected ballots with no over-vote on them. At one poll site a poll worker set aside 50-60 ballots for that reason and did not put them into the ballots box. At two poll sites, poll workers chose to override the error messages when this continued to happen. Two scanners did not print out a zero tape (and one

poll worker did not want that information made public;) three scanners at first rejected a ballot but accepted it the second time; five rejected a ballot but did not print an error message. (This list of scanner problems probably represents the problems on the reports I have not yet read.)

Problems with 7 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. (She voted again with assistance on a regular ballot and left frustrated at the loss of time and the malfunctioning machine.) Five voters wanting 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 poll sites) 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 not officially 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 reconsider the use of these scanners based on this information and a complete report I will submit.

Finally, I am presenting these 316 petitions for hand counted paper ballots signed by almost 1900 citizens requesting that the legislature stop allowing the use of secret vote counting on computerized and privatized machines. Please return to publicly counted paper ballots, counted at the precincts and tabulated on adding machines without any 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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I focus on the ES&S InkaVote Plus Precinct Ballots Counters and the audio device(for visually impaired and limited-English voters). About 90 observers in Los Angeles County last Nov. visited almost 300 poll sites. They only reported on observed problems. One third of the 282 reports concerned these ES&S machines. About half of the 81 reports I studied reveal some of their mechanical or software problems.

Scanner mechanical problems occurred in about two thirds of the 38 poll sites:

1. They did not work at all—did not turn on, or jammed becoming inoperative.
2. Two scanners worked intermittently after being fixed.
3. two replacements worked, two did not.
4. when poll workers could not replace the paper roll for error messages, they stopped using the scanner.

Because of these problems: 1. if one of the scanners did not work, poll workers 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. three scanners at first rejected then accepted the same ballot; 4. five rejected ballots but printed no error message. Because of these problems, poll workers chose to override the error messages.

Problems with 7 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 reconsider the use of these scanners based on this information and a complete report I will submit.

Finally, I am presenting these 316 petitions with almost 1900 citizens requesting hand counted paper ballots. We demand the legislature stop allowing the use of secret vote counting on computerized and privatized machines. Please return to publicly counted paper ballots, counted at the precincts and tabulated on adding machines without any software. The mathematical process of adding numbers is not proprietary. Without ballots counted in public we do not have democratic elections.