



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

AGENDA COMMISSIONERS' MEETING TUESDAY, NOVEMBER 24, 2009 AT 1:30 P.M.

1. Meeting of the Board of Canvassers in the City of New York to certify the results of the November 3, 2009 General Election
2. Minutes
 - a) 10/06/09
 - b) 10/06/09 *Finance Committee*
 - c) 11/17/09
 - d) 11/17/09 *Finance Committee*
3. Marcus Cederqvist
 - a) HAVA Update
4. John Ward
 - a) Vacancy Report

For Your Information

- HAVA Weekly Status Report, Week Ending November 19, 2009
- State Board Letter addressed to Mr. Tom Weiss dated November 12, 2009
- City Board Letters addressed to various Commissioners of New York State Counties dated November 17, 2009

News Items of Interest

- *Daily News*: Want change? Vote
- *Newsday*: Long, slow ballot count begins in Nassau
- *Newsday*: Officials stepping up recount effort
- *Newsday*: Paper ballot count continues

- *Newsday*: Military votes get the OK
- *Newsday*: GOP recount lead holds
- *The Chief-Leader*: Senate Elect Panel Chair: New Vote Machines Near
- *Newsday*: Counters growing weary in Nassau
- *Newsday*: Mangano leads Suozzi by 353 votes
- *Governing.com*: Democracy on the Cheap
- Cryptographic voting debuts
- *Gouverneurtimes.com*: VIRUS in the VOTING MACHINES: Tainted Results in NY-23
- *Gouverneurtimes.com*: Voting Machines Used Were Not Certified
- *Gouverneurtimes.com*: FACT CHECK: Gouverneur Times vs. NYS Board of Elections
- *Gouverneurtimes.com*: Statement from the NYS Board of Elections
- *City Room*: For Judges Standing By, a Quiet Election Day



State of New York
STATE BOARD OF ELECTIONS

James A. Walsh
Chair
Douglas A. Kellner
Chair
Gregory P. Peterson
Commissioner
Evelyn J. Aquila
Commissioner

40 STEUBEN STREET
ALBANY, N.Y. 12207
Phone: 518/474-6367 Fax: 518/486-4546
website: www.elections.state.ny.us

Todd D. Valentine
Executive Director
Robert A. Brehm
Executive Director
Kimberly A. Galvin
Special Counsel
Paul M. Collins
Deputy Counsel

November 20, 2009

Honorable Gary L. Sharpe
United States District Court
for the Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway, Room 441
Albany, New York 12207

Re: *United States v. New York State Board of Elections, et al.*
Civil Action No. 06-CV-0263 (GLS)

Dear Judge Sharpe,

We enclose herewith Status Report of the Defendant New York State Board of Elections for the week ending November 19, 2009.

Respectfully submitted,

s/ _____
Kimberly A. Galvin (505011)
Special Counsel

s/ _____
Paul M. Collins (101384)
Deputy Special Counsel

HAVA COMPLIANCE UPDATE
Activities & Progress for the Week of 11/13/09-11/19/09

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Orders.

PLAN A

Overall Compliance Status Summary

Overall, activities and progress toward HAVA compliance are on schedule with the revised timeline.

Contracting with Voting System Vendors

Status of tasks in this category: on schedule

- OSC advised ES&S of what was needed to be added to their regular add requests. ES&S is planning to withdraw one request and submit two new requests.

Testing, Certification, and Selection of Voting Systems & Devices

Status of tasks in this category: on schedule

- Overall progress of testing :
 - NYSTEC has resumed the process of documenting the requirements for an Asset Management System.
 - NYSTEC & SBOE had a meeting to set the schedule for the final steps required so that at the December 15th Board Meeting the Board has all the information it needs to make a vote on certification.
 - SysTest has delivered it final test report and testing documents to SBOE and same are being reviewed by SBOE staff.
 - NYSTEC is working towards finalizing its report on the voting system certification testing based upon the SysTest final reports.

NEW YORK STATE BOARD OF ELECTIONS

- CEMAC has been notified by SBOE of the date of the meeting at which the SysTest testing documents and NYSTEC analysis will be reviewed.

Delivery and Implementation of Voting Systems & Devices

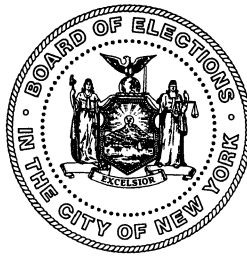
Status of tasks in this category: on schedule

- Dominion is continuing Acceptance Testing on the balance of machines.

HAVA COMPLAINT PROCESS

NYC HAVA Complaint

NYCBOE responded to the SBOE inquiry. SBOE is formulating a strategy to move forward and has advised the Department of Justice of the City Board's response and will continue discussing this matter with the DOJ in weekly status calls.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

JOHN J. WARD
FINANCE OFFICER

DATE: November 24, 2009
TO: Commissioners

FROM: John Ward
Finance Officer.

RE: Vacancies

					Inc.	New.
1	Assistant General Counsel					\$75,000
2	Valerie Marshall	Adm. Asst.	N.Y.	Dem.	\$39,440	\$37,562
3	Robert Helenius	VMT	Bklyn	Rep.	\$27,818	\$26,493
4	Lisa Sattie	Adm. Asst.	S.I.	Dem.	\$39,440	\$37,562
5	Angela Petit	Clerk.	Bklyn	Rep.	\$27,111	\$25,820



State of New York
STATE BOARD OF ELECTIONS

40 STEUBEN STREET
ALBANY, N.Y. 12207-2108
Phone: 518/474-2063
www.elections.state.ny.us

James A. Walsh
Co-Chair

Gregory P. Peterson
Commissioner

William J. McCann, Jr.
Special Deputy Counsel

Comm Mtg
Fy 1

Douglas A. Kellner
Co-Chair

Evelyn J. Aquila
Commissioner

Elizabeth C. Hogan
Enforcement Counsel

November 12, 2009

Tom Weiss
59 Canal Street
Staten island, NY 10304

RE: CMP08-96

Dear Mr. Weiss:

The Board has reviewed your complaint concerning write-in voting in the City of New York.

We appreciate your taking the time to inform us as to your experiences, as well as your dis-satisfaction with the write-in voting process employed by the Board of Elections in the City of New York (NYCBOE).

We were copied on a response sent to you on November 3, 2008, by Steven H. Richman, General Counsel at NYCBOE, addressing your concerns regarding write-in voting in the City of New York. Mr. Richman stated:

“Please be advised that the instructions for casting a write-in vote appears on the instruction card inside the lever voting machine. The ballot marking device provides instructions if you wish to cast a write-in vote. These instructions appear in the poll worker manual that each poll worker receives. The (NYCBOE) has complied with all the requirements of the Election Law with respect to providing instructions on how to cast write in votes. If you examine any certified return of canvass of this Board, you will see that each and every write-in vote i(s) (sic) canvassed and reported.”

The State Board of Elections, and the local boards of elections, take the concerns of voters quite seriously. We are confident that the NYCBOE has given all due consideration to your concerns, and consider the matter closed.

Thank you, again, for informing us of your concerns.

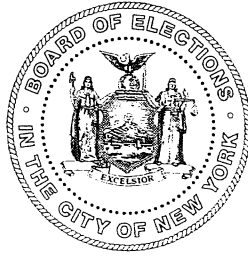
Sincerely,
NEW YORK STATE
BOARD OF ELECTIONS

By: William J. McCann, Jr.
Special Deputy Counsel

CC: Steven H. Richman, General Counsel, NYCBOE ✓

WJM/dh

2009 NOV 16 PM 6:02
RECEIVED
GENERAL COUNSEL
BD. OF ELECTIONS
IN THE CITY OF NEW YORK



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

COMMISSIONERS
FCT
MARCUS CEDERQVIST
EXECUTIVE DIRECTOR
GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Elizabeth W. Cree, Commissioner
Stephen M. DeWitt, Commissioner
Tompkins County Board of Elections
128 East Buffalo Street
Ithaca, New York 14850

Dear Commissioner Cree and Commissioner DeWitt:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

We would particularly like to recognize site managers Neil Snyder and John Wishart for their time and cooperation, as they were particularly helpful during our consultants' poll site observations.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

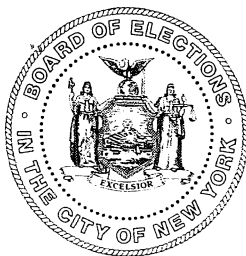
Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

Sincerely,

Marcus Cederqvist
Executive Director

George Gonzalez
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary
Hon. Jose Miguel Araujo, Commissioner
Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPAL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Matthew J. Clyne, Commissioner
John A. Graziano, Commissioner
Albany County Board of Elections
32 North Russell Road
Albany, NY 12206

Dear Commissioner Clyne and Commissioner Graziano:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

In your county, we would particularly like to recognize Debora E. Banks, Ilene Cronin, and William J. Murphy from your office for their generous time and cooperation. Additionally, all the poll workers at Our Lady of Mercy Church were particularly helpful during our consultants' poll site observations.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

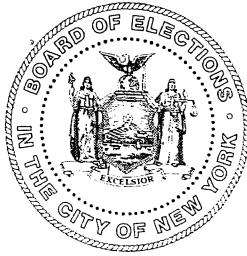
Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

Sincerely,

Marcus Cederqvist
Executive Director

George González
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary
Hon. Jose Miguel Araujo, Commissioner
Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Ralph M. Mohr, Commissioner
Dennis E. Ward, Commissioner
Erie County Board of Elections
134 West Eagle Street
Buffalo, NY 14202

Dear Commissioner Mohr and Commissioner Ward:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

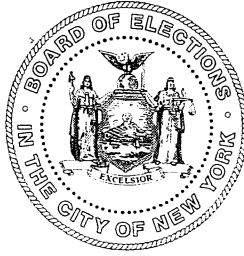
Sincerely,

Marcus Cederqvist
Executive Director

George Gonzalez
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary
Hon. Jose Miguel Araujo, Commissioner

Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Robert J. Bennett, Commissioner
Anthony G. Scannapieco, JR, Commissioner
Putnam County Board of Elections
1 Geneva Road
Brewster, NY 10509

Dear Commissioner Bennett and Commissioner Scannapieco:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

In your county, we would particularly like to recognize all the poll workers at Cold Spring United Methodist Church for their time and cooperation, as they were particularly helpful during our consultants' poll site observations.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

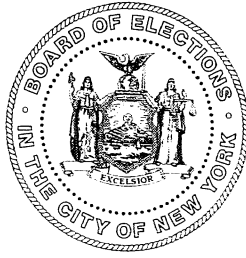
Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

Sincerely,

Marcus Cederqvist
Executive Director

George Gonzalez
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary
Hon. Jose Miguel Araujo, Commissioner
Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPAL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Susan A. Bahren, Commissioner
David C. Green, Commissioner
Orange County Board of Elections
25 Court Lane
PO Box 30
Goshen, NY 10924

Dear Commissioner Bahren and Commissioner Green:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

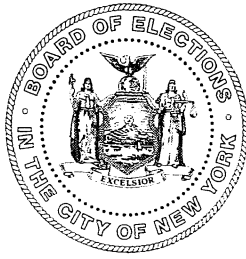
Sincerely,

Marcus Cederqvist
Executive Director

George Gonzalez
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary

Hon. Jose Miguel Araujo, Commissioner
Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Scott P. Kiedrowski, Commissioner
Nancy L. Smith, Commissioner
Niagara County Board of Elections
111 Main Street, Suite 100
Lockport, NY 14094

Dear Commissioner Kiedrowski and Commissioner Smith:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

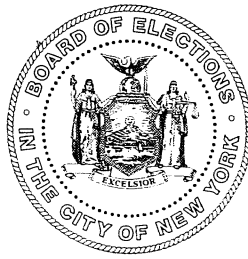
Sincerely,

Marcus Cederqvist
Executive Director

George Gonzalez
Deputy Executive Director

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary
Hon. Jose Miguel Araujo, Commissioner

Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPAL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

November 17, 2009

Thomas H. Brown, Commissioner
Robert C. Howe, Commissioner
Cortland County Board of Elections
County Office building
60 Central Avenue, Room 102
Cortland, NY 13045-2746

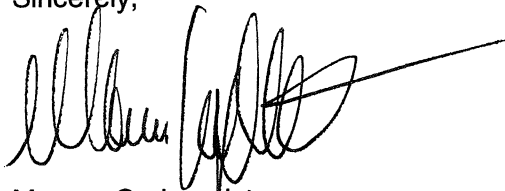
Dear Commissioner Brown and Commissioner Howe:

As you are aware, the Board of Elections in the City of New York (BOE in NYC) requested that you permit staff from our consulting firm to visit and observe the voting process in your county for the General Election on November 3, 2009. This opportunity to observe and gather information concerning your pilot program has provided us with insights and lessons learned that will assist us as we prepare for the New York City 2010 implementation of the new voting system.

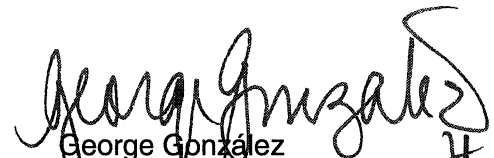
Our sincere thanks and gratitude for your and your staff's time and effort in granting our request. It is particularly gratifying when Boards of Elections from different counties can work together for the common good of the voters.

Please feel free to contact us at (212) 487-5403 if you have any questions or if we can be of any assistance.

Sincerely,



Marcus Cederqvist
Executive Director



George Gonzalez
Deputy Executive Director #

cc: Hon. Frederic M. Umane, President
Hon. Julie Dent, Secretary

Hon. Jose Miguel Araujo, Commissioner
Hon. Juan Carlos "J.C." Polanco, Commissioner
Hon. James J. Sampel, Commissioner
Hon. Nancy Mottola-Schacher, Commissioner
Hon. Naomi C. Silie, Commissioner
Hon. J.P. Sipp, Commissioner
Hon. Gregory C. Soumas, Commissioner
Hon. Judith D. Stupp, Commissioner
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Lucille Grimaldi, EVS Manager
Steve Monahan, Gartner, Inc.
Michael Kinara, Gartner, Inc.

BROOKLYN NEWS

EDITORIAL

Want change? Vote

Though there was a good deal of anger about the state of the city's politics in the recently concluded election cycle, it didn't generate much real local action.

Only a few of the winners in the 15 contested City Council races in Brooklyn drew votes from as much as 10% of the district's population. Some got much less. In some contests, the total vote didn't reach the 10% level.

That's pretty disgraceful, even though Council elections are typically decided in the Democratic primary with opposition on Election Day largely pro-forma. But the general election has become only a formality because the voters have let it happen, and Election 2009 doesn't show any evidence that will change any time soon.

The fracas over term limits ended up generating more heat than light. It cost some candidates their seats, but come Jan. 1, the usual suspects will predominate in the Council.

It is said that people get the government they deserve. The voters of Brooklyn deserve the best, but they will never get it by staying home on Election Day. If you don't like the way your city and borough are run, the voting booth is one place you can do something about it. Remember that next year.

Chairman & Publisher **Mortimer B. Zuckerman**
Chief Executive Officer **Marc Z. Kramer**
Deputy Publisher & Editor-in-Chief **Martin Dunn**
Boroughs Editor **James Harney**
Deputy Boroughs Editor **Robert Massi**
Boroughs News Editor **Ginnie Teo**
Boroughs Sports Editor **Bruce Diamond**
Brooklyn Bureau Chief **JoAnne Wasserman**

County
KY 1

Counting by J

Long, slow ballot count begins in Nassau

BY WILLIAM MURPHY
william.murphy@newsday.com

About 75 people crowded into a room smaller than the average LIRR car yesterday to begin the laborious process of counting more than 8,000 paper ballots that may decide who is Nassau County executive and county comptroller next year.

When the final machine count was completed last week, two-term incumbent Democrat Thomas Suozzi was 459 votes behind Republican challenger Edward Mangano in the race for county executive, and two-term incumbent Democrat Howard Weitzman was 948 votes behind Republican challenger George Maragos in the race for comptroller.

When the board finished yesterday's count shortly after 7 p.m., Suozzi was behind by 554 votes, and Weitzman trailed by 1,019, according to a Board of Elections printout. Workers counted 536 of the more than 8,000 ballots yesterday and were scheduled to resume this morning.

The count began about 10:10 a.m., and two attorneys — one for Democrats, one for Republicans — sat across from two Board of Elections



Lawyers and observers work on paper ballots at the Nassau Board of Elections yesterday.

workers at each of six rectangular tables at the board offices in Mineola.

At table No. 1 at 2:30 p.m., an attorney flicked an absentee ballot over several times and

said he had some questions about the voter's signature.

A Board of Elections supervisor went to a computer and got a printout of the application originally submitted by the voter.

After comparing the computer-generated signature with the signature on the absentee ballot, the attorney said he objected and the ballot was placed in a wire basket at the end of the

table. It and other challenged ballots will go to State Supreme Court Justice Edward McCarty for a decision on whether the votes are valid.

At table No. 4 earlier in the day, one attorney looking at a copy of the front and back of the ballot along with the application said, "I'm not objecting."

His counterpart said, "You're not objecting, I'm not objecting, so let's open it."

Then a Board of Elections worker across the table opened the ballot, put the envelope face down in one pile and the ballot in another pile to be counted later in the day.

Earlier yesterday, Board of Elections workers showed McCarty the inner workings at the rear of one of the voting machines used on Election Day. McCarty has jurisdiction over any dispute arising from either the 247,000 votes recorded on the machines or the 8,000 paper ballots.

A county legislative seat and control of the Long Beach City Council also will be decided as part of the count of 7,165 absentee ballots that were mailed in, as well as 927 affidavit ballots that voters filled out at polling places on Nov. 3 because their names were not in the sign-in books or other problems arose.

PHOTO BY HOWARD SCHNAPP

Counting
F42

NEWSDAY, WEDNESDAY, NOVEMBER 18, 2009

NASSAU COUNTY

Officials stepping up recount effort

BY WILLIAM MURPHY

william.murphy@newsday.com

The Nassau County Board of Elections stepped up its efforts yesterday to finish counting the 8,000 paper ballots that will decide the race for county executive, county comptroller and a handful of other races.

The board had started the count on Monday morning with five teams at five tables, added one team and table Monday afternoon and added two more teams and tables at mid-morning yesterday.

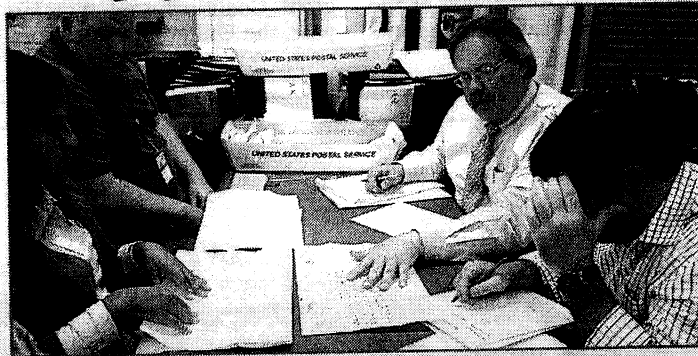
"We had to step it up," William Biamonte, Democratic election commissioner, said yesterday after workers counted only 536 absentee votes on Monday.

The counting began shortly after 9:30 a.m. yesterday and there was a brief flurry of activity at about 11:15 a.m. when the team at Table No. 4 reported an irregularity.

They had agreed to open a ballot that looked proper, but found an extra sheet of paper enclosed. The Democratic boxes on the ballot were checked for every race, but the extraneous piece of paper was a note, in a different handwriting, saying the voter had meant to vote straight Republican.

John Ryan, counsel to the Republican elections commissioner, and Thomas Garry, counsel to the Democratic elections commissioner, came to the table and agreed the ballot and the note should be put aside for consideration by Justice Edward McCarthy, the state Supreme Court judge who is overseeing the election results.

Steven Schlesinger, the attorney



Nassau Elections Board workers and others focused on recount.

ney representing Democratic candidates, and Peter Bee, the candidate representing Republican candidates, agreed.

"I've never seen that before," Ryan said.

At about 3:15 p.m., workers at table 5 encountered a more typical problem with an open ballot — scribbled markings and some sort of yellow stain or markings. Lawyers advised them to put it in the pile to be considered by the judge.

Throughout the morning, election workers on one side of the table at board headquarters in Mineola and lawyers for the political parties on the other dug into batches of manila absentee ballots that had been placed on seven gray tables minutes earlier.

The ballots had remained under seal in the counting room overnight, and a uniformed Nassau County police officer sat outside the room throughout the night.

Board officials finished counting ballots from the 12th Assembly District in early afternoon and moved along to the 20th Assembly District.

The 20th district includes Long Beach, where three Republicans and three Democrats are locked in a tight race for three at-large seats on the five-member city council.

As counting began in that district, several Democratic and Republican attorneys from that district switched seats with the attorneys who had been reviewing the ballots from the 12th Assembly District.

In the Nassau County executive race, incumbent Democrat Thomas Suozzi lagged behind Republican challenger Edward Mangano by 553 votes, 119,095 to 119,630. Conservative challenger Steve Hansen has 9,563 votes.

In the county comptroller race, incumbent Democrat Howard Weitzman has 115,538, while Republican challenger George Maragos has 116,473. Maragos leads by 935.

In the 14th County Legislative District, Republican challenger Joseph Belesi has 7,305 votes, while Democratic incumbent David Mejias has 7,141. Belesi leads by 164 votes.

At election headquarters

Scenes from the Nassau recount

At table No. 3 at 4:45 p.m. Workers debated whether the voter lived at 162 or 160 Chester Street in Long Beach. "He was 160. He's registered at 162 now," one board worker told the attorneys. The attorneys took a few more moments to look at the envelope and said almost simultaneously, "No objection." And the ballot was opened and put on the pile to be counted.

At table No. 2 at about 4:30 p.m. As officials argued over an address, a board attorney said from behind the table, "She might be a New York City resident." Without any comment the attorneys passed the envelope along to a worker who put in on a pile of challenged ballots to be considered by the judge.

At table No. 5 at about 2:30 p.m. As they argued over a signature the woman at the next table began to cough and raised her arm to shield her co-workers from the cough. "Swine flu," another worker said. The swine flu joke was a running joke in the poorly ventilated room that was heavily stocked with bottled water, cough drops and candy-striped mints for the workers.

Com Mt
P41

Paper ballot count continues

■ **County executive Suozzi** still trails GOP challenger

■ **Tallying may go through** Thanksgiving weekend

BY WILLIAM MURPHY
william.murphy@newsday.com

Teams of Board of Elections employees and political party workers settled into a routine yesterday as they went through their third day counting paper ballots in Nassau County's closely contested election races.

Some lawyers who showed up in suits for the first two days were in jeans yesterday, and the buzz among the teams was whether they would have to work on the weekend after Thanksgiving. That's still up in the air, officials said.

The laborious work seemed to begin by itself yesterday, unlike Tuesday, when the teams waited patiently until the chief clerk of the board, Lauren Corcoran-Doolin, announced cheerfully: "Everybody! We're ready to launch!"

Yesterday, it took less than an hour for the first quirky problem to surface — this one drawing a flock of lawyers and party activists to Table 4, where the workers had opened an absentee ballot and found that someone claiming power of attorney had filled it out for the voter.

Lawyers for both Republican and Democratic candidates agreed that it should be



PHOTO BY HOWARD SCHNAPP

Nassau County Board of Elections workers and lawyers continue to count paper ballots for, among others, county executive race.

There are more than 8,000 paper ballots — 7,165 absentee and 927 affidavit — to be processed after some 245,000 people voted on machines on Election Day.

Justice Edward McCarty, who is supervising the election results, was scheduled to meet with lawyers tomorrow in state Supreme Court in Mineola to discuss their progress.

At the close of counting on Wednesday, incumbent County Executive Thomas Suozzi, a Democrat, was trailing Republican challenger Edward Mangano by 533 votes.

The incumbent Democratic comptroller, Howard Weitzman, was trailing Republican challenger George Maragos by 976 votes as of Wednesday, and County Legis. David Mejias (D-Farmingdale) was trailing Republican challenger Joseph Belesi by 164 votes.

All the certified ballots were counted in the race for three at-large seats on five-member Long Beach City Council, but it was still too close to call with an estimated 150 contested paper ballots awaiting a ruling from the judge.

Military votes get the OK

The people tabulating absentee ballots in Nassau County are making sure that members of the armed services are going to have their votes counted.

One of the manila envelopes mailed in by a service member raised some questions from the counting team at Table No. 4 shortly before 10 a.m. yesterday, the third day of counting.

"We're not challenging military ballots, are we?" one political party observer asked.

Peter Bee, the attorney heading the Republican Party's legal team, leaned over the table, looked at the envelope and said, "No challenges to military ballots."

Board of Elections officials said it was unlikely anyone would challenge a military ballot, although it was permissible to do so.

"No one wants to deny a soldier the right to vote," Steven Schlesinger, counsel to Democratic Elections William Biaronte, said outside the counting room in Mineola.

"I would say the same thing," John Ryan, attorney for Republican Elections John DeGrace, said.

— WILLIAM MURPHY

Com 104
R1

NEWSDAY, FRIDAY, NOVEMBER 20, 2009

GOP recount lead holds

- Nassau incumbent Suozzi, two others still trailing
- Process will go past Nov. 27 deadline, officials say

BY WILLIAM MURPHY
william.murphy@newsday.com

The counting of paper ballots in the Nassau County elections ground through its fourth day yesterday with Republican challengers continuing to hold a lead over Democratic incumbents in the races for county executive and county comptroller.

Board of Elections officials said the counting teams would work today and tomorrow, then

A Board of Elections update last night showed Nassau County Executive Thomas Suozzi still trailing, with 119,838 votes to 120,233 for Republican challenger Edward Mangano. Conservative Steve Hansen had 9,601.

The board did not release any new numbers last night in the race for comptroller. Comptroller Howard Weitzman, a Democrat, had 116,057 on Wednesday, while his Republican challenger, George Maragos, had 117,003 votes.

There was no counting yesterday that affected the 14th

District of the Nassau County Legislature, where Democratic incumbent David Mejias trailed Republican challenger Joseph Belesi by 164 votes.

Yesterday, shortly before noon, counters paused to review an unusual situation.

A woman had sent in absentee ballots for her two sons — one a Republican, one a Democrat — who were away at college. She signed her name as a witness, but where her sons' voter signatures should have been there was an X in one and a straight line in the other.

Both envelopes remained sealed and were put aside for the judge to consider.

Sewage plant may have cost Toback election A22

Calls Concerns Exaggerated

Senate Elect Panel Chair: New Vote Machines Near

Can MS
Pg 1

By ARI PAUL

Even while defending the state's lever-machine voting booths, State Senate Elections Committee Chairman Joseph P. Addabbo said that citizens should expect to use new electronic machines in the 2010 elections, as the state moves to come into compliance with the Federal Help America Vote Act (HAVA).

Senator Addabbo has held public hearings regarding the new machines throughout the state, most recently in lower Manhattan Nov. 12 to hear from residents about the proposed changes. Many groups that believe that the electronic machines are not reliable have turned out to defend the state's current stock.

'Always Skepticism About Change'

"They say they work, they say we're not in a position financially to afford the new machines," Mr. Addabbo said. "There's always skepticism around the new machines. Many will argue that these high-tech machines can be hacked into and electrical problems would alter the outcome of the race."

While the Senator insisted that the current machines do not pose any problems in terms of accuracy in the final vote counts, some have raised the issue that the machines are difficult to use for people with disabilities, and that polling locations usually only have one machine for people with special needs.

"Members within the Board of Elections to our poll workers find that they're very simple; should they break down they are able to be repaired," he said. "We are working toward advancing the accessibility issue."



JOSEPH P. ADDABBO: Ironing out the kinks.

HAVA was signed in 2002 by then-President Bush in response to the controversy surrounding punch-card voting machines in the 2000 presidential election in Florida. The law requires each state to submit a plan to computerize the voting system.

Mr. Addabbo is also sponsoring legislation that would do away with the run-off election requirement for City Comptroller, Public Advocate and Mayor, saying that this year's run-off produced the same winners as in the first primary two weeks prior. The run-off cost the city \$15 million, he noted.

Senator Addabbo said the state will choose its new voting machines next month, and that "it does seem inevitable that the next generation of machines will be there next year."

THE CHIEF-LEADER, FRIDAY, NOVEMBER 20, 2009

Comments
RyZ

NEWSDAY, SATURDAY, NOVEMBER 21, 2009
A 1A

Counters growing weary in Nassau

- **Mangano leads Suozzi for county executive**
- **Judge to review about 400 votes after objection**

BY WILLIAM MURPHY
william.murphy@newsday.com

Already weary from a week of counting, workers at the Nassau County Board of Elections plowed Friday through new batches of the 8,000 paper ballots cast in the election for county offices.

"This is looking too much like 'Groundhog Day,'" said one attorney as counting began about 9:30 a.m., referring to the 1993 movie in which the character played by Bill Murray finds himself reliving the same day over and over.

The counting teams have gone through about one-half of the paper ballots and recorded the votes off all but about 400, officials said. Those have been set aside for review by a judge after either a Democratic or Republican Party representative raised an objection.

The most recent Board of



PHOTO BY HOWARD SCHNAPP

Nassau County Board of Elections workers, lawyers and observers count paper ballots Friday that will decide the race for county executive. Counting will be suspended during the Thanksgiving holiday.

Elections update had Democratic Nassau County Executive Thomas Suozzi trailing Republican challenger Edward Mangano by 276 votes; incumbent Comptroller Howard Weitzman, a Demo-

crat, was 614 votes behind Republican challenger George Maragos.

There was no counting Friday in the 14th District of the Nassau County Legislature, where Democratic incumbent

David Mejias trailed Republican challenger Joseph Belesi by 164 votes.

Board of Elections officials said the counting teams would work Saturday, then Monday through Wednesday next week

and take a four-day Thanksgiving weekend before resuming the count on Nov. 30.

Meanwhile, a Friday court session to update the judge overseeing the election was postponed until Monday.

Justice Edward McCarty of State Supreme Court in Mineola said earlier that any action he might take in the case would probably be reviewed by the Appellate Division and the state Court of Appeals.

The counting teams have gone through ballots from five of the 10 assembly districts that are fully in the county.

Counting has been completed for the 12th (Massapequa), 20th (Long Beach), 17th (Garden City), 18th (Village of Hempstead) and the 19th (Bellmore) assembly districts.

Counting started on the 16th (Great Neck) on Friday, and will be followed by the 15th (Levittown), and three others for which counting order has not been sorted out. Those are the 13th (Glen Cove), the 14th (Lynbrook) and the 21st (Franklin Square). There is also a sliver of the 10th, most of which is in Huntington Station in Suffolk County.

Conn MA
KML

NEWSDAY, SUNDAY, NOVEMBER 22, 2009

Mangano leads Suozzi by 353 votes

BY ROBERT E. KESSLER
robert.kessler@newsday.com

Republican County Executive candidate Edward Mangano stretched his lead over incumbent Democrat Thomas Suozzi yesterday to 353 votes, as election officials continued for the sixth day to count paper ballots in the close election contest.

"With each ballot opened, I become more confident," Mangano said, as he watched an army of election officials and lawyers from both parties carefully scrutinize several hundred paper ballots at the County Board of Elections in Mineola.

But Stephen Schliesinger, a lawyer for the Democrats present at the Board of Elections headquarters, said that at



Mangano



Suozzi

best we are only in the fourth inning of a nine-inning game."

At the end of the day's count, Mangano had 121,072 votes to Suozzi's 120,719 votes, according to election officials.

Officials said they were more than half way through the counting of about 8,000 paper ballots and expected the process to start again tomorrow. They are counting 500 to 800 ballots a day, officials said.

At the end of the morning counting session, Suozzi had whittled Mangano's lead to 222 votes as officials completed tallying some paper ballots from the Democratic-leaning Great Neck and Roslyn areas. At that point, Suozzi had picked up 54 votes.

But Mangano surged back in the afternoon, as officials counted the ballots from a large portion of the more Republican Oyster Bay area.

In all, Mangano picked up a total of 77 votes for the day, to increase his lead from the 276 he had started the day with to the new 353-vote lead.

The remaining paper ballots to be counted come from the more Democratic areas in and around Glen Cove and the more Republican areas of West-

Square and Valley Stream, and parts of Oyster Bay, according to tens of thousands of votes already registered on machines, election officials said.

Additionally, there are about 500 ballots, which were challenged by either Republican or Democratic officials as invalid, that could figure in a close contest.

A judge will decide which of those 500 are valid and should be counted, and for whom, according to election officials.

In another closely contested race, Republican candidate for county comptroller, George Maragos, picked up 153 votes to increase his lead over Democratic incumbent Howard Weitzman to 675 votes. Maragos now has 17,877 votes to Weitzman's 17,202, officials said.

CONNECTING AMERICA'S LEADERS

GOVERNING

GOVERNING (<http://www.governing.com>)

Community
FYI

[Home](#) > Democracy on the Cheap

Democracy on the Cheap

By John O'Leary | November 04, 2009

For low-cost elections, the future is now.

What if they held an election and nobody came?

That pretty much happened in New York City in September. According to the *New York Times*, "fewer than 8 percent of the city's roughly three million enrolled Democrats voted in an election that cost the city \$15 million and the four candidates millions more." In some polling districts, zero ballots were cast.

Democracy isn't cheap. Holding an election can be costly, and it can seem a waste of money if almost no one comes. But that is often the case in primary elections, which many people are unaware are even taking place.

With money short, Minneapolis is taking a different route. In this month's elections, voters there are choosing a mayor, city council and other municipal officials without a primary first, using a voting system called ranked choice voting or instant runoff voting.

In races in which there are more than two candidates, voters will mark their ballots in order of preference. If no candidate gets a majority, the votes of the lowest scoring candidate will be distributed to the candidate marked second on those ballots, with the process repeated until a majority is obtained.

How will voters in Minneapolis handle the new complexity? After all, this is a country that saw confusion over a "butterfly ballot" in the 2000 Presidential Election.

If the San Francisco experience is any guide, probably pretty well. In 2002, voters there passed a charter amendment making the switch to ranked choice voting. The first time it was employed was in 2004. After the vote, the Pacific Research Institute, a nonpartisan think tank, issued a [report on the San Francisco experience](#) based on exit polling. The report found that more than 86 percent of voters felt they understood the RCV approach fairly well or perfectly well, and preferred RCV to traditional runoffs by 61 percent to 13 percent.

Changing the rules on how votes are counted in an election can change the outcomes,

maybe in a good way. Advocates point out that ranked choice voting can reduce the "spoiler" effect.

Consider the 2002 Democratic gubernatorial primary in Illinois. Initially, the race was between Rod Blagojevich and Paul Vallas, at that time the popular superintendent of Chicago's public schools. When Roland Burris jumped into the race, the dynamics changed. Burris, an African-American, ran strong in Chicago neighborhoods expected to vote for Vallas. In the primary, the final tally was Blagojevich 37 percent, Vallas 34 percent, and Burris 29 percent — which meant Blagojevich was declared the winner. But if ranked choice voting had been in place, it is likely that most of the Burris voters would have had Vallas as their second choice, meaning Illinois might never have had a Governor Blagojevich — or a Senator Burris.

Unfortunately, switching to RCV can be costly and comes with some initial confusion. Pierce County, Washington, moved to RCV in 2006, and there is some dispute regarding how much RCV is saving. Higher voter education costs, new equipment and other factors have put cost savings in question, and the approach may be repealed.

If greater efficiency is the goal, why bother with traditional paper-based, in-person voting anyway? Does it really make any sense to have an election result depend on people looking for "hanging chads?" Why not simply use completely digital voting techniques instead?

Hawaii is way ahead on this front. In May, the city and county of Honolulu used all-digital polling via Internet and telephone to elect members to 33 neighborhood boards across the island of Oahu. According to Everyone Counts, the San Diego firm that provided the technology, this is the first all-digital election held in the United States, as voters had no access to a paper channel.

The technology was cost-effective, as election costs dropped from \$220,000 to roughly \$100,000. But what about turnout?

These neighborhood boards are all-volunteer positions with little formal authority, mostly providing policy input to other government entities. Turnout has historically been low, with many races uncontested. This year, turnout was even lower than usual as return rates dipped below 10 percent. But it was an important step in the learning curve for digital voting, and election officials expect that future all-digital elections will see turnouts return to normal.

"It seems intuitive that digital voting will expand in the future," says Bryan Mick, a spokesman for the Honolulu Neighborhood Commission Office, which oversees the election of the neighborhood boards. "People transmit millions of dollars over the Internet every day. They'll get used to voting online as well." Observers believe that this will be a particularly effective tool for military and overseas voters in the future.

The right to vote is the essence of democratic government. It may be time to reconsider upgrading how we vote.

Comm MIT
FY1

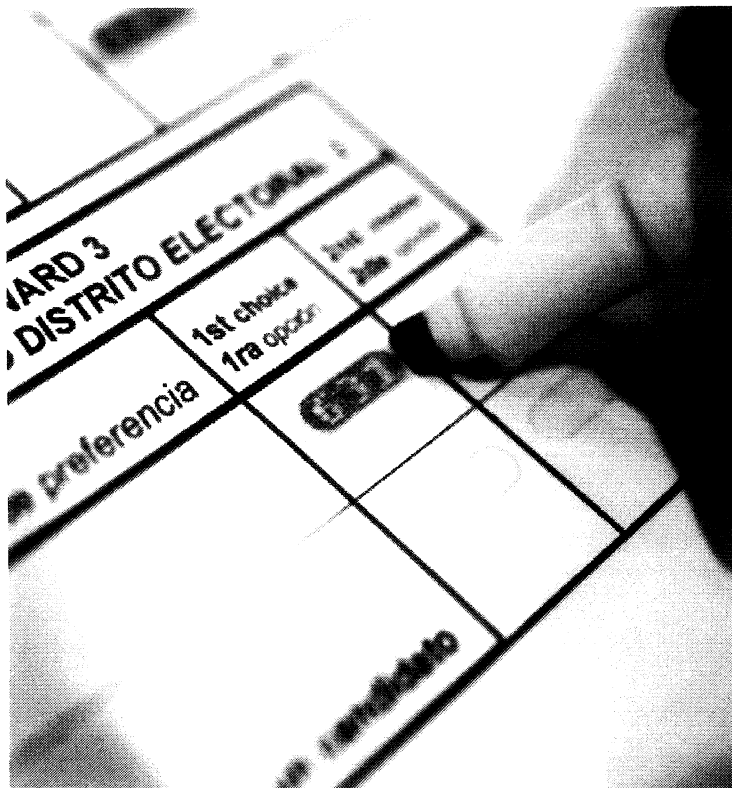
Cryptographic voting debuts

A new system for ensuring accurate election tallies, which MIT researchers helped to develop, passed its first real-world test last Tuesday.

Larry Hardesty, MIT News Office
November 13, 2009

Last week, in Takoma Park, Md., a new cryptographic voting system that could ensure accurate vote counts was used for the first time in a real election. MIT's Ron Rivest, the Viterbi Professor of Electrical Engineering and Computer Science, helped develop the system and says he's quite pleased with how the technology worked. Takoma Park's city clerk, Jessie Carpenter, agrees that the trial "went very well."

To minimize the disruption of existing voting procedures, the system, called Scantegrity II, was designed to work with ordinary optical-scan voting technology. Optical-scan voting — which has become the dominant technology in the United States since the 2000 presidential election — usually requires the voter to fill in bubbles printed on a ballot next to candidates' names. With Scantegrity II, the voter instead uses a special pen to expose a code printed inside the bubble in invisible ink. Thereafter, the ballot is fed into an ordinary optical reader, which simply determines which bubbles have been darkened.



In last week's municipal election in Takoma Park, Maryland, voters voted by exposing three-digit numerical codes printed on their ballots in invisible ink. By later verifying the codes online, they could help minimize the possibility of election fraud.
Photo - Photo: Alex Rivest

Any voter who'd later like to confirm her vote can simply jot down the code that's in the exposed bubble, along with the ballot's serial number, and take that information home. (In the Takoma Park election, voters could record their codes on cards stacked in the voting booths, which were printed with the names of the contested offices — mayor and city councilor.) The voter can then look up that serial number on the election commission's website and confirm that it's correlated with the code inside the bubble she marked. Although on the website, the code is never associated with the candidate's name, Scantegrity ensures that if just 2 percent of voters confirm their codes, it's statistically almost impossible for vote tampering to go undetected.

The key to the system is that before the election, the election commission prepares a set of tables that, taken together, link the ballot codes and the candidates' names; but that link can't be deduced from any one table by itself. Then the commission publicly releases a set of digital signatures that cryptographically describe all the entries in the tables without actually revealing them. That way, the tables can't be tampered with after the ballots are cast, but neither do they reveal any information that ballot stuffers could use before the election.

After the election, the election commission releases some of the information contained in the tables — including the codes exposed on all the recorded ballots — along with encryption keys that verify its authenticity. The partially revealed tables conceal enough information to preserve voter anonymity: There's no way to figure out which ballot went for which candidate. But they reveal enough information that anyone interested in performing an audit can ferret out fraud.

SIDEBAR: Detailed explanation of how the system works

Going into the Takoma Park trial, the crucial question was whether 2 percent of voters would bother to write down their codes and check them online. According to Poorvi Vora, a member of the Scantegrity team at George Washington University, 1,722 votes were cast and 66 people checked their codes — almost 4 percent.

Cryptographic voting debuts

Carpenter says that she would have liked that number to be higher. But “that’s not the fault of the Scantegrity system,” she says. “We needed to have done more education of the voters.”

Another question was whether the decoder pens would hold up over the course of the day. “The smudging issue was one we were slightly concerned about,” Rivest says. “You know, if you take a highlighter and you run it over newspaper, it will collect the black ink.” Poll workers, he says, were instructed to check the decoder pens occasionally to make sure they were in good working order. But “the ink seemed to be lasting fine,” Rivest says, and “smudging wasn’t much of an issue.”

Carpenter adds that a very small number of voters refused to use the decoder pens, instead pulling out their own ink pens and filling in the bubbles. But since the Scantegrity system requires no modification to the optical scanners, that kind of improvised procedural change didn’t affect the final tally.

“I was a little bit afraid that we’d have a lot of invalid ballots,” Carpenter says. “But we didn’t. We had some, but I don’t think it was high compared to any other ballot-marking system.” Rivest confirms that, according to the Scantegrity team’s research, the fraction of invalid ballots was consistent with that seen in conventional optical-scan voting.

“I don’t think the system slowed us down at all,” Carpenter adds. Slightly after 5 p.m., she says, a large wave of voters hit the polls, and the wait got up to about 15 minutes, she says. But Carpenter believes that the sudden surge was the result of a story on a local National Public Radio affiliate describing the Scantegrity trial. “I think we got a little publicity boost that made people come out who might otherwise not have come out,” she says. “We just had tremendous lines once that story hit, and I can’t believe it was coincidence.”

When Takoma Park decided to use the Scantegrity system, “we certainly took notice of that,” says Matthew Masterson of the U.S. Election Assistance Commission, which oversees voting technologies and procedures in the United States. “The National Institute of Standards and Technology, who’s our partner in developing the standards, just held a conference on end-to-end cryptographic systems [like Scantegrity II], and we’ve started the process of looking at systems like that and how to test them.” Masterson adds that “anytime a jurisdiction takes a look at new technology like that —the cryptographic end-to-end system in this case — that’s a great conversation for voters and election officials to be having. And in that sense, it’s very positive for democracy.”

County
NY 7



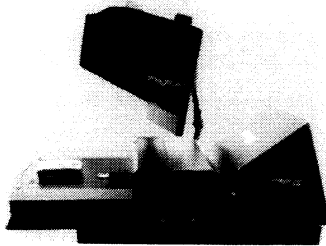
Monday November 23, 2009 11:38am EST. We have 1085 guests online .

Sections

- Home
- North Country News
- Opinions
- Forum Beta
- Entertainment
- Classifieds
- Obituaries
- Search

VIRUS in the VOTING MACHINES: Tainted Results in NY-23

Northern NY News
Written by Nathan Barker



GOUVERNEUR, NY - The computerized voting machines used by many voters in the 23rd district had a computer virus - tainting the results, not just from those machines known to have been infected, but casting doubt on the accuracy of counts retrieved from any of the machines.

Cathleen Rogers, the Democratic Elections Commissioner in Hamilton County stated that they discovered a problem with their voting machines the week prior to the election and that the "virus" was fixed by a Technical Support representative from Dominion, the manufacturer. The Dominion/Sequoia Voting Systems representative "reprogrammed" their machines in time for them to use in the Nov. 3rd Special Election. None of the machines (from the same manufacturer) used in the other counties within the 23rd district were looked at nor were they recertified after the "reprogramming" that occurred in Hamilton County.

Republican Commissioner Judith Peck refused to speculate on whether the code that governs the counts could have been tampered with. She indicated that "as far as I know, the machine in question was not functioning properly and was repaired" by the technician.

Commissioners in other counties have stated that they were not made aware of the virus issue in Hamilton County. In Jefferson County, inspectors from four districts claim that "human error" resulted in their "mistakenly" entering 0 votes for Hoffman in several districts, resulting in Owens leading Jefferson County on election night though the recanvass of the computer counts now show that Hoffman is leading. Jefferson County has not conducted a manual paper ballot recount.

In St. Lawrence County, machines in Louisville, Waddington, Claire, and Rossie "broke" early in the voting process on

RE/MAX
Empire Realty



608 Pearl St.
Watertown NY 13601

315-755-2095

See all of the listings at www.remax.com
"Nobody Sells More Real Estate Than RE/MAX"

Newvine's
Auto Parts

(315) 287-4098

Open 7 Days A Week!

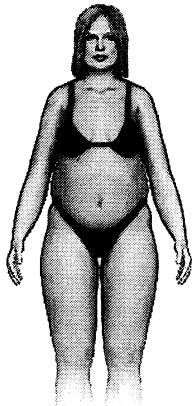
Get Good Stuff
203 W. Main Street Gouverneur, NY

The Gouverneur Times is Hiring!

WANTED:
Freelance Writers
Reporters
Photographers
More!



Charity Dinner & Silent Auction
Proceeds to Benefit Lewis County Hospice



1 Tip of a flat belly:

Cut down 3 lbs of your belly every week by using this 1 weird old tip.



election day. Republican Commissioner Deborah Pahler said that the machines kept "freezing up... like Windows does all the time," and that they experienced several paper jams as well. The voted ballots that could not be scanned were placed in an Emergency Lock Box and re-scanned later at the St. Lawrence County Board of Elections. Election officials in St. Lawrence County were given no advance knowledge of a potential virus in the system.

At least one County official thus far has raised concern that it's possible that ALL of the machines used in the NY-23 election had the 'virus' but only a few malfunctioned as a result. The counts from any district that used the ImageCast machines are suspect due to "the virus" discovered in Hamilton County, last-minute "reprogramming" by Dominion workers, and security flaws in the systems themselves. A manual paper-ballot recount of the vote could resolve computer vote accuracy questions.

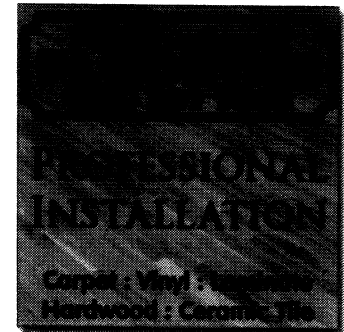
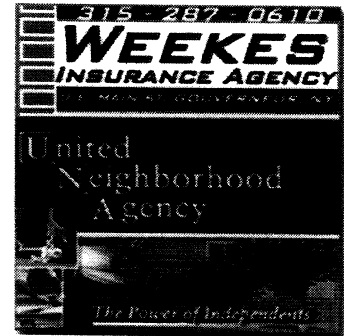
Frank Hoar, an attorney for the Democratic Party, initially ordered the impound of malfunctioning machines but released the order on Nov. 5th so that Bill Owens could be sworn in to Congress in time to vote on the House Health bill on November 7th. Pahler said that once the impound order was released they opened the locked ballot box and had the ballots scanned. Pahler also stated that after they were able to get data from the malfunctioning machines, they did a hand-count of the ballots as well to ensure that the counts matched. Even though not required to, both commissioners in St. Lawrence County agreed that the manual count was necessary due to the malfunctions

The machines themselves are languishing at the St. Lawrence County Board of Elections until after the election results have been certified to the state on November 28th, 2009. Pahler indicated that they have not yet been able to examine the machines to determine why they malfunctioned. A qualified technician would be able to verify the presence of a virus in the computers, but, other than the infected machines, no security precautions were taken to ensure chain of custody on the remaining computerized voting machines utilized in the 23rd district.

Doug Hoffman, the Conservative candidate in this election says that he was forced to concede after having been given erroneous election results on Nov. 3rd, in particular from Oswego County. Oswego County's election night results were off by over 1,000 votes. Hoffman claims that the "chaos" on which Oswego County chairs blame the errors and "inspectors who read numbers incorrectly when phoning in results... sounds like a tactic right from the ACORN playbook."

Some County Election officials are stating that the errors, referred to by Hoffman, are standard election-night chaos and not the result of conspiracy or tampering. Whether the erroneous results are computer error, or tampering, significant doubt now exists with regard to the accuracy of the vote counts from November 3rd.

Hoffman is raising funds for a possible legal challenge to the results and requesting that the Boards of Election hand-count every vote. On Tuesday, he "unconceded" the race. In light of the current concerns



More Headline News

- Schumer: Dems ready to go-it-alone on health care
- Rocket with commercial satellite launches in Fla.
- Program to help truckers attracts drug smugglers
- Study: kids watching hours of TV at home daycare
- Gaps for consumers in Democrat health care bills
- 21 Filipinos killed on way to file election papers
- NFL to have teams work with neurologists
- India's PM arrives for state visit to US
- Carter scores 24 as Magic beat Raptors 104-96

over the accuracy of the machine-counted votes, Hoffman may now have a legitimate reason to contest the election results.

Of further note, the models of ImageCast machines used in the districts have a slot through which the paper ballot is deposited into a secure holding tank underneath the machine after the ballot is scanned by the machine. The problem is that the slot is readily accessible to the voter (or poll worker) to stuff manually. 10 voted ballots could be deposited in the slot for every one voter... and if the electronic count was compromised, the "paper backup" would be useless.

The ImageCast machines have one more significant and scary flaw: USB ports. USB ports allow various devices to be attached to a computer in order to input information, connect a device, add wireless network capability and so on. Wireless network devices and USB storage devices can (and are) made small enough to fit into a regular wristwatch or bracelet.

Through either type of device, software hacks or remote control of the voting machine could be implemented or a virus introduced. Since standard count audits are only done on 3% of the machines unless there is a malfunction, a functional hack or software change could adjust election counts with the County or State Boards of Election none the wiser.

The paper ballots have not been counted by the County Boards of Elections except in the 4 districts where the known computer malfunctions occurred. The remaining districts performed a mandatory 3% spot check of the computer results but have not manually counted the remainder of the paper ballots and do not intend to.

The paper ballots themselves are another issue of concern to many voters. Unlike the traditional pull-lever voting machine that tallies its votes mechanically, the ballots used by the scanning system exist as a voted ballot after the fact. New York State law currently has no provision for those ballots to remain in public view to assure voters that they have not been tampered with.

Privacy concerns exist in many districts as well. State guidelines say that the voter is supposed to be issued a privacy sleeve to cover the ballot so that no one may see the voted ballot and thus how a voter voted. The state also suggests a large booth that allows the voter to fill out the ballot in privacy but many voters complained that the district they voted in offered no privacy sleeve and that the area they were supposed to complete the ballot in was not private.

Erik Dunk, a Jefferson County resident, voted in Henderson, NY. He said that the process was very nervewracking and that his voted ballot was not only in plain view after he completed it but that the workers took the ballot from him and fed it into the ImageCast machine themselves - removing what little privacy remained in the voting process and casting even more doubt on the security of the process.

Despite continued assurances from the manufacturer that the system is unhackable, reliable, easy to use, private, and secure; a stream of lawsuits, allegations of voter fraud, and machine failures against Sequoia from other congressional districts continue to contradict their statements.

The manufacturer of the machines, Dominion/Sequoia Voting Systems is the same company that Dan Rather accused of causing over 50,000 votes to go uncounted in the 2000 Presidential Election in Florida due to intentional oversight. Rather's report claimed that Sequoia was well aware of the issues but proceeded into the election utilizing an inferior product and told election workers and technicians to "ignore the problems.

New York election officials are in a corner. While there is significant evidence of malfunction with the new voting machines that were in use

in the 23rd District and the accuracy of the recorded votes, the State had no choice but to use them. A Federal Court order demanded that New York have the machines in place and use them or be found in violation of the Help America Vote Act of 2002 which requires that all polling locations have handicapped-accessible voting machines with a variety of options available so that anyone may use the machine to vote.

Last Updated on Thursday, 19 November 2009 14:16

Will Your Vote Count?
Get the latest state-by-state news about voting issues & concerns.
[Make MSN® Your Homepage](#)

Monday November 23, 2009 11:37am EST. We have 1086 guests online .

Sections

- [Home](#)
- [North Country News](#)
- [Opinions](#)
- [Forum Beta](#)
- [Entertainment](#)
- [Classifieds](#)
- [Obituaries](#)
- [Search](#)

Voting Machines Used Were Not Certified

[Northern NY News](#)

Written by Nathan Barker

GOUVERNEUR, NY - The Dominion ImageCast voting machines used in this year's Nov. 3rd election, both in the 23rd Congressional Special Election and in the local elections around the state have not been certified for use by the State Board of Elections.

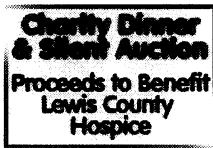
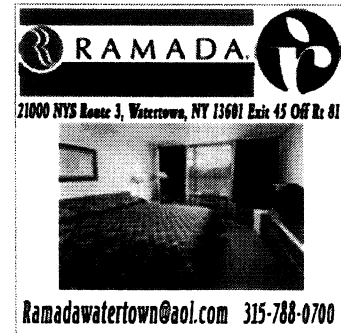
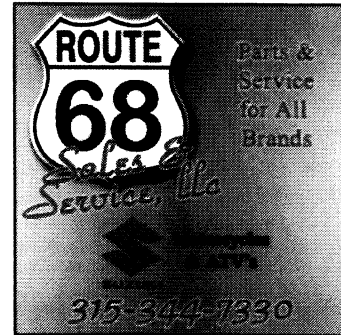
Reports of bugs in the programming code, known security flaws, outright failures, and concerns over the potential for tampering have not prevented the State from calling the pilot program "very successful."

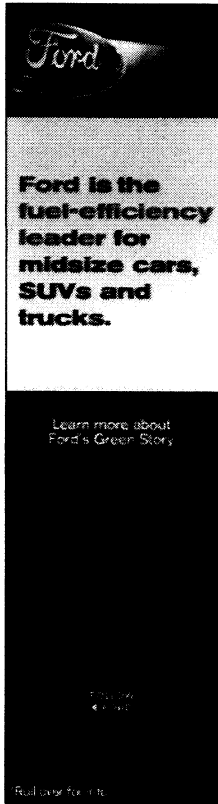
In her report on the pilot program to the State Board of Commissioners, Anne E. Svizzero confirmed problems in Jefferson, Lewis, Seneca, and Schuyler counties but failed to mention the failures and freeze-ups that caused the Democratic Party to order several of the St. Lawrence County machines impounded on election night. The State Board also has not commented on allegations of a virus in the machines in Hamilton County or why other counties were not made aware of the potential for a computer virus to infect the machines.

The Board of Commissioners is still awaiting a report from the manufacturer on the failures.

Ms. Svizzero confirmed that, just prior to the election, the source code that records the votes was altered in machines in at least 10 counties and that the new code has not been certified by the state.

A spokesman for Dominion maintains that the "virus" reports from Hamilton County were really a source code "bug" instead, one that required reprogramming of the source code in the days prior to the election. Dominion indicates that their technicians "created a workaround" for some bad code that was causing the machines to freeze-up in certain types of elections.





Ford

Ford is the fuel-efficiency leader for midsize cars, SUVs and trucks.

Learn more about Ford's Green Story

Real.com for itc

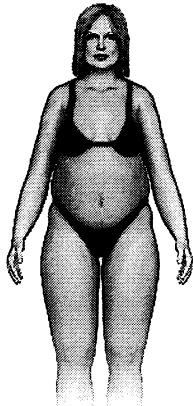
Certification of the source code is necessary step to prevent issues like the State of Hawaii encountered during one of their first uses of the machines. In the 2007 Hawaii election, computer source code errors allowed voters to cast hundreds of votes for non-existent candidates.

Faulty source code or deliberately altered code could cause the machines to count votes wrong.. either entering a vote for the wrong candidate, switching the vote counts, or failing to recognize votes for a certain candidate. Extensive independent testing is required before the State can certify that the code used to count the ballots is accurate and unbreakable. The machines used in the 23rd Congressional Election have not undergone this testing.

Computerized voting machines were not used in the City of New York this election as the Board of Elections there refused to use machines that had not been certified by the State.

More than 20 counties in the State have passed resolutions banning the computerized vote-scanning machines.

Last Updated on Friday, 20 November 2009 14:35



1 Tip of a flat belly:

Cut down 3 lbs of your belly every week by using this 1 weird old tip.

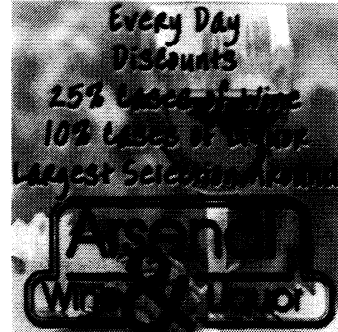



RE/MAX
Empire Realty

608 Pearl St.
Watertown NY 13601

315-755-2095

See all of the listings at www.remax.com
"Nobody Sells More Real Estate Than RE/MAX"



Every Day Discounts

25% Cash-off-line

100 Cash-off-line

Largest Selection of...

More Headline News

Schumer: Dems ready to go-it-alone on health care

Rocket with commercial satellite launches in Fla.

Program to help truckers attracts drug smugglers

Study: kids watching hours of TV at home daycare

Gaps for consumers in Democrat health care bills

21 Filipinos killed on way to file election papers

NFL to have teams work with neurologists

India's PM arrives for state visit to US

Carter scores 24 as Magic beat Raptors 104-96



Monday November 23, 2009 11:36am EST. We have 1084 guests online .

Sections

- Home
- North Country News
- Opinions
- Forum Beta
- Entertainment
- Classifieds
- Obituaries
- Search

FACT CHECK: Gouverneur Times vs. NYS Board of Elections

Northern NY News

Written by Nathan Barker

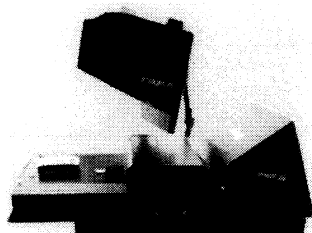
GOUVERNEUR, NY -

Editor's Note: This FACT CHECK is a companion article to "Ghost in the Machine"

"Virus" or "Source Code Bug"?



Charity Dinner & Silent Auction
Proceeds to Benefit Lewis County Hospice



John Conklin, Communications Director for the New York State Board of Elections issued a statement Friday evening alleging that the article published by The Gouverneur Times last Thursday was factually incorrect.

The Gouverneur Times quoted Hamilton County Elections Commissioner Cathleen Rogers who stated that "there was a virus" in the Dominion ImageCast voting machines used by the county. She further stated that a technician from Dominion "fixed" the machine just days prior to the election.

RE/MAX
Empire Realty



608 Pearl St.
Watertown NY 13601

315-755-2095


See all of the listings at www.remax.com
"Nobody Sells More Real Estate Than RE/MAX"



Fun Unlimited
POLARIS

Online Survey for small business

**IT ADDS UP RESULTS.
AND FREES UP YOUR TIME.**



FREE 60-DAY TRIAL! START YOURS TODAY!

Conklin claims that "There was no virus in the voting machines on Election Day in the 23rd District or anywhere else," and says that Ms. Rogers "mischaracterized the issue in question."

FACT CHECK: The Gouverneur Times did not make any allegations

regarding the possibility of a virus. The article quoted a county employee who made the allegations. Whether or not there was a virus has not been determined. Since a technician from the manufacturer applied software changes to the machine at that time, determination of the presence or absence of a virus at the time the statement was made would have to be determined by a computer forensic specialist. The state has failed to provide any information as to whether this was done or not.

Is the Dominion ImageCast Immune from Viruses?

The Watertown Daily Times claims to have "debunked" the possibility of a virus with the statement that "the Dominion ImageCast scanners in question run the Linux operating system, which is nearly immune to viruses due to its inherent ability to lock out programs that lack explicit permission to run, unlike the highly vulnerable Windows operating system."

FACT CHECK: Computers running the Linux operating system are every bit as vulnerable to a virus as a Windows computer. Windows and Mac OS have used a nearly identical permissions architecture to Linux for almost 10 years now.

Did the State Board of Elections Apply "Corrective Action" to Software Problems on ImageScan Machines In Compliance With NY State Law?

John Conklin stated "The State Board has already acknowledged there was a software problem identified during our mandatory pre-election testing regimen prior to Election Day... and the corrective action was applied successfully in those areas.

FACT CHECK: The corrective action applied was, according to the manufacturer, "the insertion of a line of code," into the source code of the machines. Pursuant to State Election Law 7-202.2, "When any change is made in the operation or material of any feature or component of any machine or system which has been approved pursuant to the provisions of this section, such machine or system must be submitted for such re-examination and reapproval pursuant to the provisions of subdivision one of this section"

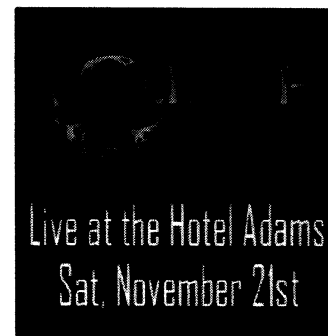
Subdivision one of that section states that "The state board of elections shall cause the machine or system to be examined and a report of the examination to be made and filed in the office of the state board. Such examination shall include a determination as to whether the machine or system meets the requirements of section 7-202 of this title and a thorough review and testing of any electronic or computerized features of the machine or system.... Any form of voting machine or system not so approved, cannot be used at any election."

These machines were not re-examined by an independent lab as required under state election law and therefore, under the same section of law, could not be used during the election... but they were.

Is the USB Port on the ImageCast Scanner Sealed So as to Prohibit External Transmission or Reception of Data?

In a somewhat garbled statement, John Conklin made with regard to the vulnerability of the USB ports on the machines, he said that "there is a single USB port on the ImageCast scanner. Pursuant to state Election Law 7-202(t) the port does not permit any "functionality potentially capable of externally transmitting or receiving data via the internet, via radio waves or via other wireless means." The port is sealed, is not accessible and has no capability for any exchange of information.

FACT CHECK: This is an incorrect and misleading statement. The actual State Election Law 7-202(t) states that the *machine* "not include any device or functionality potentially capable of externally transmitting or receiving data via the internet or via radio waves or via



More Headline News

- Schumer: Dems ready to go-it-alone on health care
- Rocket with commercial satellite launches in Fla.
- Program to help truckers attracts drug smugglers
- Study: kids watching hours of TV at home daycare
- Gaps for consumers in Democrat health care bills
- 21 Filipinos killed on way to file election papers
- NFL to have teams work with neurologists
- India's PM arrives for state visit to US
- Carter scores 24 as Magic beat Raptors 104-96

**Like
Palin?**

**Vote Here
Now!**

www.Newsmax.com
Ads by Google

other wireless means." This means that the machine itself is not allowed to have internal wireless capability. The **very crucial** distinction here is that, contrary to John Conklin's statement, this clause does not in any way govern the capabilities of *an external device attached to* the USB port to send or receive data, wirelessly or not.

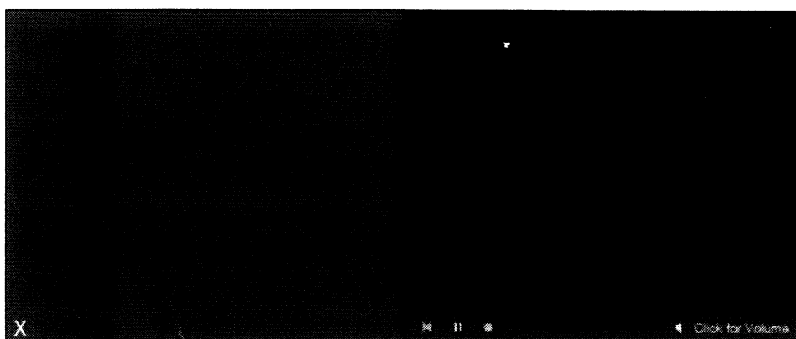
Was John Conklin correct in stating that "The [ImageCast] scanners do not operate like personal computers."

FACT CHECK: This is only partially true and again, very misleading. It would be more accurate to say that they function nearly identically to a web server. It is a component system using standard computer industry architecture, code, parts, and operating system. Since personal computers manufactured in the last 5-10 years function nearly identically in most respects to a server, this is very misleading.

The primary security feature behind the use of the ImageCast systems is that they retain the original paper ballot that was marked by the voter. Sufficient chain of custody would thus ensure that in the event of a question as to the accuracy of the computer-tabulated results, the ballots exist in a form that allows them to be hand-counted.

The ImageCast systems used were untested and uncertified and contrary to election law, the source code was altered days prior to the election. The State has confirmed that the paper ballots have been secured and chain of custody is intact but that they have only counted them in the few districts where the ImageCast systems malfunctioned *during* the election. The paper ballots have not been counted in those districts where the source code *was* modified.

Can the ImageCast Ballot Box Be Stuffed Manually with more than 1 ballot per voter by unscrupulous individuals?



FACT CHECK: When they arrived in New York State, the ImageCast machines had one more fatal flaw. The ballot boxes could be stuffed manually by unscrupulous individuals. Attorney Andi Novack of the Election Transparency Coalition of New York recorded a video last year showing how someone could easily insert extra ballots into the ballot box {insert video code here}.

The New York State Board of Elections indicates in their statement that the machines in use on Election Day had been retrofitted to block access to the opening used in the video. The Gouverneur Times had attempted to contact the NYS BOE for 4 days prior to the publication of the article for clarification of this issue, among other. John Conklin refused to return our phone calls requesting clarification of these issues.

Is John Conklin's statement that "the new optical scan voting systems guarantee we have ballots as marked by voters ensuring that every vote is counted" factually correct?

FACT CHECK: Dominion/Sequoia and the NYS Board of Elections Beta tested uncertified hardware and software during an actual election. They are using the election counts generated by these machines and not counting the paper ballots to ensure the accuracy of the process.

Conklin stated that "the new optical scan voting systems guarantee we have ballots as marked by voters ensuring that every vote is counted." This would be true if the counties were actually counting those paper ballots. Given that the machines are uncertified, were malfunctioning, had last-minute code changes, and that allegations of tampering were made by one of the candidates, one would think they'd find that to be a necessary step to ensure the accuracy of the election.

Last Updated on Monday, 23 November 2009 08:18



Most Popular Today

- Ghost in the Machine
- FACT CHECK: Gouverneur Times vs. NYS Board of Elections
- Historic health care bill clears Senate hurdle
- Ogdensburg man arrested for marijuana possession
- Better not cough: Santas lobby for swine flu shots
- Indonesian ferry sinks; 29 dead, some 240 rescued

RE/MAX
Empire Realty



608 Pearl St.
Watertown NY 13601

315-755-2095

See all of the listings at www.remax.com
"Nobody Sells More Real Estate Than RE/MAX"

Newvine's
Auto Parts


(315) 287-4098

Open 7 Days A Week!

Get Good Stuff

203 W. Main Street Gouverneur, NY

A Doggie Doo
Pet Care & Salon
www.adoggiedoo.com



[Submit News](#) [Contact Us](#) [Home](#) [Advertise With Us](#) [Subscribe to Our News Feed](#) [Privacy Policy](#)

002775426 visitors have come to this site since Jan 1, 2009.

© 2009 The Gouverneur Times. All Rights Reserved.
new server ■

F.Y.I.



Monday November 23, 2009 11:35am EST. We have 1083 guests online .

Sections

- Home

- North Country News

- Opinions

- Forum Beta

- Entertainment

- Classifieds

- Obituaries

- Search

Statement from the NYS Board of Elections

Northern NY News

Written by Nathan Barker

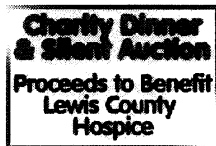
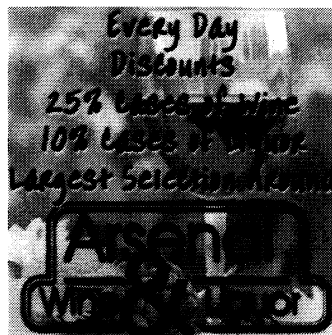
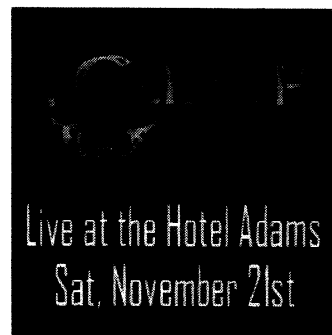
ALBANY, NY (11/20/2009)(readMedia) - The New York State Board of Elections Director of Public Information has issued the following statement on behalf of the Board in reaction to an article from a newspaper in the state's North Country:

An article in the Gouverneur Times as to the, as of yet uncertified results in the 23rd Congressional District contains numerous false assertions and allegations.

There was no virus in the voting machines on Election Day in the 23rd District or anywhere else. The article is full of inaccurate information and unfortunately quoted a single word from a commissioner who mischaracterized the issue in question.

The State Board has already acknowledged there was a software problem identified during our mandatory pre-election testing regimen prior to Election Day. The problem centered on races which were composed of multi-candidate formats which allow voters to vote for more than one candidate in a given race. For example, in judicial races the voter is often allowed to vote for 3 out of 5 candidates or 2 out of 4, etc., or in a town where there are "at large" districts. The source code did not allow for enough memory in these contests and caused the scanners to freeze during operation. The Counties experiencing the problem were notified prior to Election Day and the voting systems were corrected and re-tested and the corrective action was applied successfully in those areas.

However, the human review of the software problem did not adequately identify every machine that had the problem and, as a result, there were some scanners which did freeze on Election Day. When these scanners froze, the local boards implemented procedures according to state law and Board of Elections regulations. These procedures do not allow for



REP:AY

Online Survey
from Constant Contact.

LET YOUR MEMBERS

Ads by Google

Software for 3D Scanners
Create accurate 3D models from 3D scan data with Geomagic Studio
www.geomagic.com

OCR Document Scanning
Get competitive quotes for local OCR document scanning service
RecordNations.com/Scanning

HP Portable Scanner
HP Official Store - Save Big on HP Scanners. Shop Now!
www.shopping.hp.com

TSA Tape
Tamper Evident Tape VOID Message when opened
www.tapeline.com

Expense Receipt Imaging
InterplX T&E and P-Card Management Fax, Scan, Audit; Hi Tech/Low Cost
www.interplx.com

new changes on Election Day, so inoperative scanners were taken out of operation and emergency ballots were cast and counted in those areas according to existing procedures.

This problem was discussed in numerous press reports around the state and was openly discussed at the November 10th State Board of Elections meeting by the Commissioners and the Director of Election Operations.

With regard to the use of USB ports, there is a single USB port on the ImageCast scanner. Pursuant to state Election Law 7-202(t) the port does not permit any "functionality potentially capable of externally transmitting or receiving data via the internet, via radio waves or via other wireless means." The port is sealed, is not accessible and has no capability for any exchange of information. The scanners do not operate like personal computers. Any device, such as a flash drive, placed in the port will not be recognized.

In addition, from the time the pre-election testing is completed until Election Day morning the machines are in the care, custody and control of the local board of elections. The machines as a group are under lock and key. Individually, the critical areas of the machine are covered in tamper-evident seals which are numbered and logged. Any broken seal will be investigated and the machine re-tested prior to any further use. Any broken seal discovered on Election Day will cause the scanner to be taken out of service immediately. The inspectors then follow long-established procedures to go to emergency ballots, until an alternate scanner can be deployed.

Lastly, any reference to a slot that is accessible to voters and poll workers for stuffing the ballot box is inaccurate information. A gap between the scanning device and the ballot box was discovered during functional testing of the ballot marking devices more than a year ago. Every machine in use on Election Day was retrofitted to completely block access to that gap. Prior to completion of the retrofit last year the gap was blocked by a tamper-evident numbered security seal. As stated earlier, any broken seal would cause the removal of a scanner from use immediately.

In addition, from the time they are created up to and including final storage, all election materials paper and machines are secured and tracked in a chain of custody by the local board of elections. All ballots voted, unvoted and spoiled must be accounted for throughout the election process.

Despite the numerous misstatements of fact in the above mentioned article, the results in the 23rd Congressional District, and all other contests in counties which utilized optical scan voting machines, will have been canvassed and audited pursuant to state Election Law, and will be certified in due course. In the end, the new optical scan voting systems guarantee we have ballots as marked by voters ensuring that every vote is counted.

Editor's Note: Our original article is here. Our followup article published 3 hours before John Conklin released this statement is here. a FACT CHECK on these points is here. The Gouverneur Times attempted to contact John Conklin for 4 days prior to the publication of the first article. The NYS BOE refused to return our phone calls requesting comment or clarification of any information.

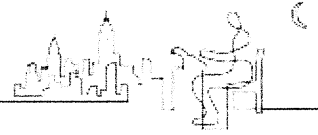
Last Updated on Monday, 23 November 2009 06:16



Most Popular Today

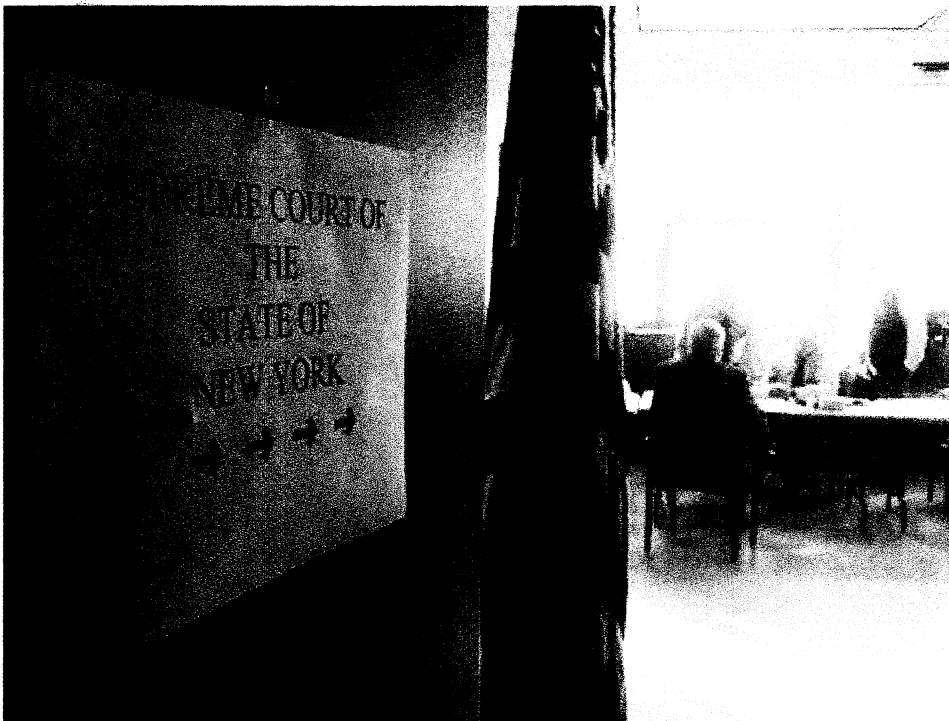
More Headline News

- Schumer: Dems ready to go-it-alone on health care
- Rocket with commercial satellite launches in Fla.
- Program to help truckers attracts drug smugglers
- Study: kids watching hours of TV at home daycare
- Gaps for consumers in Democrat health care bills
- 21 Filipinos killed on way to file election papers
- NFL to have teams work with neurologists
- India's PM arrives for state visit to US
- Carter scores 24 as Magic beat Raptors 104-96



The New York Times, November 3, 2009, 5:00 p.m.

For Judges Standing By, a Quiet Election
Day By Corey Kilgannon



Photograph by Corey Kilgannon/*The New York Times*. At the Manhattan training office of the Board of Elections on Varick Street, judges on Tuesday heard very few cases brought by voters unable to vote at their polling place.

Elections '09
NYC



There were plenty of people in the Manhattan training office of the New York City Board of Elections. There was lots of chatting and reading of newspapers and eating of chips and playing of Scrabble. But there were hardly any voters, which the temporary outpost is set up for.

Roughly two dozen people were working here in various capacities, including two police officers, one court officer, two State Supreme Court justices and court stenographers. Most of the remaining people worked for the Board of Elections. Each borough in the city has such a setup, for voters who are told at the polling place that they may not vote. If they insist they have been unfairly denied — usually because of some mix-up in their address, or simply being left off the voting rolls — they come here and ask a judge to review their status so they may vote.

A small paper flier on the door declared the room temporarily a Supreme Court of the State of New York. And a document affixed next to it was Administrative Court Order 98, an official order by Deputy Chief Administrative Judge Fern A. Fisher, for the New York City courts, declaring that the room was set up this day “to hear and determine all cases arising under the Election Law relating to eligibility for voting.”

By 4 p.m., only two people had come. The first had an address mix-up, and the second had come to get an emergency ballot for an ill woman who was unable to get to the polling place and who had missed the deadline for a regular absentee ballot. “She’s deathly ill with what we believe is a very bad flu, and she’s on her back as we speak,” said Edward M. Brady, an organizer for the Independence Party. Mr. Brady held in his hand an absentee ballot application, which listed several categories for applicants, including voters in prison, who must affirm that they “expect in good faith to remain” prisoners on Election Day.

Mr. Brady said was seeking an absentee ballot for one Pamela Jenkins, a member of the Independence Party. He was sworn in by a State Supreme Court special referee who heard his case and then made a recommendation to the two judges sitting next to him: Justice Doris Ling-Cohan and Acting Justice Matthew Cooper, both State Supreme Court justices who hear civil cases. They promptly signed an order to give the man a ballot for the woman, and he rushed out. Then it was back to passing the time.

Justice Cooper said the judges volunteer to work on Election Day, which is a court holiday. Sometimes it is exciting, he said. Last year during the presidential election, for example, “maybe a couple hundred people” showed up seeking a court order to solve their voting problems. Most people were able to vote, he said. Then there was the man last year, a California resident who was in New York City for a few hours on a stopover while flying and wanted to vote in New York. He was unsuccessful.

Before leaving, Mr. Brady said he thought Ms. Jenkins would vote for Mayor Michael R. Bloomberg, who has the Independence Party line. “If this woman wants to vote, I’m going to do my damndest to make sure her vote counts,” he said.

-- 30 --