

First I would like to express my deep appreciation to all our County Council members, Ann McFall and her staff. You have all put in many months of hard work to understand and employ evolving technology which challenges even the most knowledgeable "techies" among us. You have all shown courage, wisdom and great patience and, as your constituents, we are deeply grateful.

Having made my own presentation to the County Council based upon the evidence of others, the Annual Conference of the Florida State Association of Supervisors of Elections at which many different voting machines would be open to the public, seemed like an ideal opportunity to learn more.

With our wives in tow promising to help, Dr. Jerry Axelrod and I drove to Wesley Chapel Florida yesterday, June 7th determined to learn more about touchscreen voting machines and their application for handicapped voters. Jerry's wife, Paton is vision impaired and agreed to be the handicapped voter while my wife Dee ³voted² as a non-handicapped voter.

The exhibit hall contained many different voting machines and related products. The only three being represented as handicapped-friendly models were the Diebold Accuvote TSX system, The ES&S Automark and the AccuPoll AVS1000.

The first machine we evaluated was the Diebold Accuvote TSX assisted by Wes Krivanek who, most generously, gave us several hours of his time, and later Mark Earley. Two machines were used. S/N 202010, contained Georgia software and a disabled voter interface. After several unsuccessful attempts to boot the system, the disabled interface was

moved to the 2nd machine, S/N 201267 which we were told was programmed with Florida Certified Software.

My wife and I then ³voted² on 202010 (sans interface) while Paton, voted on the disabled configured machine, 201267. With the screen blanked off, a synthesized voice led her through the ballot.

My wife had a problem that it took 5-7 screen ³pushes² before any of her actions registered. Wes observed that and postulated that perhaps her nails (which were slightly longer than mine) may be causing the problem. Even with her repeated pushes, her vote took just over 3 minutes. I had no problems and my fat fingers got a response on each touch, completing my ballot in just under 3 minutes.

Paton's vote using the handicapped audio interface to outline the ballot through headphones took 31 minutes, much longer than I had thought it would.. The handicap interface was a ³telephone keypad² style with 12 keys to be selected than pressed.

To select the appropriate key number required sightless touch-counting of the keys to locate the correct one before it could be pressed. (Think of placing a call on a telephone in the dark)

Wes felt 31 minutes to be a reasonable time period for each vote and suggested it might be reduced by not listening to all the ballot choices.

I also asked Wes about the printer option. He did not believe 60 days was a realistic estimate and was very surprised that such an estimate was given to the County. He said the specifications, description, information contained, format, hardware and software

engineering had not yet been completed and could give no date certain when this would occur.

In any event, the printer option would in no way provide a voter-verifiable paper ballot nor any way of doing a meaningful recount should an equipment or memory card fail since no voter-verifiable ballot was generated.

I asked why ³bar code² (which puts another computer level between the ballot and the voter) had been chosen. He said he wasn't aware that it had been (See Contract - Pg. 3 of 46, 1.2)

Another major problem surfaced in further discussions with Mark Earley. I had the previous apparently erroneous impression, that the Diebold TSX would electrically interface with the County's Diebold optical scanning units.

Mark explained that no such interface was now possible nor was it planned. The TSX memory card would have to be separately outputted via modem. This would require massive reprogramming of the County's Central Tabulators which I understand are now programmed for a single output per precinct.

Diebold plans to address this problem with new programs being prepared over the next several months to accommodate an adapter interface. This planned adapter interface is described on Diebold sales literature titled: ³Mixed Optical Scan / TSX Precinct² which I believe applies to our County. The ³solution² creates many more obvious and serious problems.

The Diebold procedure requires poll workers to remove memory cards from the optical scan machines and place them into an Optical Scan Accumulator Adapter which is then inserted into the PCMCIA slot

of the TSX. The newly designed interface programs would then consolidate all the data for transmittal to central collection.

Removal and reinsertion of small cards (roughly credit-card size) carrying huge voting files by relatively untrained temporary poll workers would seem to openly breach any semblance of security procedures.

These cards could be exposed to stray magnetic fields from numerous sources ie: polling machines, air conditioners, fans, blowers, lights, etc. The card could be easily corrupted as were the cards in the Daytona Beach precinct during both previous Presidential elections. In those cases, the ballots were re-fed into the optical scanner which saved the day for that precinct.

Removed from the safety of their locked chambers, they could be easily mislaid, misplaced, dropped, stolen or even substituted with other preloaded cards which would then nullify the entire precincts election return.

Since the TSX produces no ballots, once the output of both memory cards are combined, within the TSX program, the entire precinct could be rendered useless by a corrupted or defective or damaged or substituted memory card.

In short, it leaves the County with no effective Plan B at the precinct level when any single component of the thousands comprising Plan A County-wide fails - as they have done to some extent in every previous election.

Paton Axelrod also tested the ES&S Automark system for handicapped voters, S/N ENG 023) as our

seriously sight-impaired voter. With the screen darkened (as was the Diebold) and going through a similar audio interface, Paton listened to the complete ballot and voted on all the choices. The voting took only 9 minutes, less than one third the 31 minutes the Diebold required. The through-put of 6 sight-impaired voters per hour on the AutoMark vs only 2 per hour on the Diebold seems extremely advantageous.

The sight-impaired AutoMark interface consisted of a large round central button surrounded by four large triangular arrow shaped buttons at the 12:00, 3:00, 6:00 and 9:00 positions. The points of the triangles pointed Up, Right, Down and Left respectively in a manner similar to many TV remote controls.

Paton reported she found the AutoMark Control interface easier to use and more intuitive than the Diebold as it had larger and fewer buttons and did not require searching the keypad for specific numbers.

The AutoMark is also an optical scan unit. In contrast with the Diebold unit, It produces a voter-verifiable ballot identical to the present ballot now in use. After voter verification of the ballot, it is placed in the existing optical scanner for tabulation. In the event of any failed component, this ballot could be re-scanned by the county's existing optical scanners thus providing the County with a reasonable plan B to rescue a precincts election results.

Note: Mark Earley of Diebold could find no reason why the AutoMark generated ballots would not scan just as accurately as the ballots now being used by the County.

Another big advantage for the County in the AutoMark is its optical scan system is very similar to the County's existing optical scan units and require little additional training. The Diebold TSX with its obscure virtual voting system is completely different requiring additional complex procedures for testing, trouble-shooting, verification, repair, data transmittal and card handling be taught to large numbers of temporary poll workers - and repeated at considerable expense for each election.

We also looked at the Accupoll handicap units which produced a less desirable standard letter size ballot summary - but I felt this machine, still under development, was too immature for consideration at this point. None of the other machines I could see were displaying handicap accessible interfaces.

The Diebold Machine uses a windows CE operating program while the AutoMark can use either a windows 2000 or windows XP operating system. Windows systems are attacked thousands of times daily by hackers employing viruses, worms, spyware, etc. Both systems have been easily hacked and remain subject to malicious or inadvertent programming errors.

Our impressions were neither scientific nor carefully planned. None of us have the slightest scintilla of financial interest in the outcome. Although registered Democrats and members of the Democratic Executive Committee, this report represents no one but ourselves.

The truth is that voting machine issues are and must be Non-partisan. The rhetoric on both sides should be cooled down. What is required is more light and less heat. We are all Americans and share the same

values. I believe a voter verifiable paper ballot is essential to restore faith in our voting system and provide a ³Plan B² to rescue elections when the systems we rely on fail - as they have done in the past and will surely continue to do so in the future.

Most repectfully,

Spencer Lane

Addendum:

After reading the above report, Paton Axelrod, our sight-impaired handicapped voter, has requested I add an additional observation which she found troubling.

In the audio review of her ballot after it was cast on the Diebold TSX Touchscreen unit with Florida approved software, the synthesized voice says, "Your choice has been selected" without specifying just what that choice was. without audible verification in her headset she had no way of knowing if the votes she cast were recorded correctly.

This appears to be a violation of Florida Statutes, Title IX, Chapter 101 , Section 101.56062 titled "Standards for accessible voting systems" subsection (1) paragraph 5. which reads:

5. "The voter must be able to review the candidate selections that he or she has made."

We again appreciate your consideration of our report and hope it has been useful in your deliberations.

Spencer Lane