

No excuse for ignoring the law

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The Registrar of Voters' refusal to comply with the law is exactly why more than 50 volunteers will be watching at the polls on June 6.



State election law says, "The precinct board shall ... post conspicuously on the outside of the polling place a copy of the result of the votes cast at the polling place." It doesn't go on to say, "... unless you don't want to or if it is inconvenient." Declaring laws inapplicable seems to abound today at all levels of government.

Save R Vote's mission is to ensure elections comply with election law, are fair, accurate, auditable and transparent. The refusal to post results at the polls strikes at the very heart of three key principles: compliance with the law, auditability and transparency.

When election integrity groups are denied the ability to compare results at the polls to results reported later after being handled by several individuals and then processed by the "central tabulator," we are left to trust that nothing changed.

Ronald Reagan said, "Trust — but verify." The registrar says they have conducted more than 35 elections with no problems, yet the very information that could identify a problem (precinct posting) has been denied to the public for more than six years now.

As in "The Wizard of Oz," we are told, "Pay no attention to that man behind the curtain."

The registrar's past waivers of the posting requirement were issued because its e-voting machines did not have printers. Now required by law, the county purchased 4,700 VeriVote printers and the machine manual states: "If the (machine) is equipped with a VeriVote printer the results will print on the paper behind the clear plastic

cover. Poll workers shall write down the vote totals for each candidate on each machine and post a copy of the totals from each machine at the polling place."

Even the manufacturer instructs compliance with the law.

The registrar lists four excuses for not complying with the precinct posting law.

1. Safety of children at school sites used as precincts and safety of homeowners offering their homes as precincts.

2. Privacy of the vote.

3. Added workload (posting would take longer).

4. Postings could blow away or be changed.

Our response to each excuse:

1. Children are not likely to be at school at 8 or 9 p.m. If need be, limit postings to two hours, mitigating any concerns over strangers coming late at night and frightening homeowners. Poll watchers want to call it a night, too, and likely will record the results as soon as posted and leave.

2. The registrar posed a hypothetical example of one machine recording only one vote, whereby someone would then know how that person voted. Precincts have 1,000 registered voters assigned and five machines per polling place. Poll workers can make sure every machine gets used at least four or five times, negating the privacy concern.

3. It always takes a bit longer to do something right. Speed is not the goal of voting systems; accuracy and auditability is. Never trade accuracy for speed in voting.

4. If a half-dozen postings blew away out of nearly 600 precincts, you would still have 594 postings, a vast improvement over zero.

How much farther will the registrar go to construct imaginary scenarios to avoid complying with the law? A 2004 Field Poll found 35 percent did not trust electronic voting machines as accurate and tamper-proof. And the registrar refuses to comply with the law that helps verify accuracy. Who's got what to hide, and why?

Show us the vote!

Tom Courbat is the project director for Save R Vote (Safe and Verifiable Elections Require Voter Observation of Touchscreen Equipment).