

**S.B. 441– Oppose – Law is inadequate**

**Government Administration and Elections Committee  
Testimony – March 17, 2014**

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**Chairs and members of the Committee, my name is Luther Weeks, Executive Director of CTVotersCount, a Certified Moderator, and a Computer Scientist.**

**I support the concept of electronic check-in. I do not support S.B.441 as it does not impose any requirements or standards with regard to the capabilities, reliability, and integrity of electronic check-in systems nor associated for associated manual processes.**

**S.B. 441 also has several serious technical flaws:**

- **It seems, in lines 5-7, to replace the positions of two opposing Assistant Registrars and add that work to the Official Checker. If this were to become law, it would put the work of three or more individuals in each polling place onto one individual. It would also seem eliminate the last position required to be staffed by individuals of opposing interests in each polling place.**
- **In several places, it would mandate only a single checker, in each shift, in each district. This would be contrary to current practice, often necessary staffing of multiple check-in lines, and flies in the face of the recommendations of the recent Presidential Commission on Election Administration. <http://tinyurl.com/PrCmEA> We should be working toward enough checkers, based on expected turn-out, to limit waiting lines to less than 30 minutes.**
- **While it sets retention standards for paper check-in data, in lines 137-140, it sets no such standards for the retention of electronic check-in records. This would be a huge step backwards in public access to information.**
- **Also, in lines 137-140, it requires paper records be input to the CVRS, but not a similar upload of electronic check-in records. This would be a huge step backwards in public access to information. Currently paper records can be viewed a no charge, from the Town Clerk. Similar provisions should be made for electronic check-in records.**
- **The law should mandate printing of paper check-in lists, for use in cases of emergencies, such as power outages, hardware/software failure, or incorrect check-in system setup.**

**The importance of certification of check-in equipment:**

**Unlike last year, this year I can demonstrate support for certification of check-in equipment: The Legislature and The Secretary of State of Indiana has initiated a project for the testing and certification of e-pollbooks. A copy of an overview presentation of their efforts is attached, summarizing a 102 page test protocol document: *Indiana Electronic Poll Book (ePollBook) Certification Test Protocol for the Voting Ssystem Technical Oversight Program (VSTOM)*. <http://tinyurl.com/ePolBkIN>**

**The Indiana certification project:**

- 22 criteria for certification of check-in systems.
- Review of vendors specifications claiming to meet the criteria.
- And; independent testing of vendor products, paid by the vendors.

**Most systems government's use are certified in some way:**

- When states, counties, or municipalities purchase voting machines, they are certified by the state and/or the Federal government. States often also require or accept Federal certification.
- When Connecticut chose electronic voting systems in 2005-2007, Secretary of the State, Susan Bysiewicz chose federally certified voting systems for evaluation, held public demonstrations of those systems around the state, surveyed the opinions of voters using those systems, followed by focus groups of Registrars, Persons with Disabilities, and Technologists. The result was an effective, uniform system in use everywhere in the State. Our current election system is not perfect, but a far cry from the chaos that would exist if each town were responsible for evaluating and purchasing their own individual systems from vendors.
- Last year this Committee was concerned, appropriately, that the SOTS take care that online registration be tested, secure, and accurate.
- When towns purchase a vehicle, it meets certain standards that indicate it is roadworthy and the model has been tested.

However, for pollbooks there are no such standards established, no recognized testing authority.

Selecting and using electronic check-in poses many of the same challenges associated with purchasing voting systems, along with some differences which make it less challenging and others which make it more necessary that state certification or approval be required.

Currently there are no Federal standards or certification of electronic check-in systems. Without such standards the evaluation of such systems falls entirely on the state, or as proposed in this bill, to each individual town's registrars, few of whom are capable of or funded for evaluating, testing, and developing implementation plans.

**As I understand it, this law would allow anything "electronic" a registrar chooses, to be used as a check-in system,** such as a word processor, spreadsheet, or a system written by a registrar, their brother-in-law, or niece etc. Any electronic check-in system should be approved and certified by the Secretary of the State.

Check-in systems should serve voters and officials:

- Many of the benefits of electronic pollbooks come from the ability to download voter lists and upload check-in results automatically to a Centralized Voter Registration System (CVRS). Any system purchased should be approved by the Secretary of the State as compatible with and safe to connect to our CVRS. The Secretary should also negotiate with check-in systems vendors and CVRS vendors to keep their systems compatible in the future.
- Long run benefits would be obtained by systems that can be networked within a polling place, connecting with the state CVRS such that Election Day Registration and cross-checking of voters can be immediate. This function would almost be a prerequisite for regional or multiple early voting centers in the same municipality.

- Such systems should be tested for ergonomics and performance with a variety of individuals doing the checking, including younger, older, and typical pollworkers. The number of registered and expected voters which can be accommodated by each check-in line should be evaluated so that officials can plan to effectively serve voters.
- According to researchers at the recent *NIST Future of Voting Conference*, there is a lack of information on the efficiency of electronic pollbooks vs. paper pollbooks, especially with older poll workers. <http://tinyurl.com/nistdzy1> (1:26-1:28 into part 1)

**There are no standards/requirements for check-in systems in this law. Standards should include:**

- Assurance that such systems do not lose information on checked-in voters in cases of power, computer, or software failures
- Assurance that such systems create a permanent record of checked-in voters and other activities that can be made available to the public, as they can today with paper check-in books.
- Assurance that such systems record all instances where a voter was checked-in and a pollworker later unchecked that voter.
- A way to record that apparently the wrong voter name was checked, when later the correct voter attempts to vote and is allowed to vote.
- How will the system account for absentee voters from the town clerk? Systems must record when a voter withdraws their absentee ballot before 10:00am and votes in person,
- The ability to assure that the same voter is not checked-in in multiple check-in lines.
- The ability to rapidly expand to additional check-in lines to reduce long lines.

There should also be standard procedures for the loading, testing and use of electronic pollbooks. Especially emergency procedures for power, hardware, or software failure that allow voting to continue and a complete, unified check-in record created.

An example of a recent purchase of 70 check-in stations at \$894 each:  
<http://www.kcrg.com/news/local/174874331.html>

Considering the lower quantities in most Connecticut municipalities and the need for extra equipment required to be available for opening extra lines, costs for just the hardware may well exceed \$1,000 per planned check-in line.