

Remarks at September 18, 2019 Commissioner meeting, by Janis Hobbs-Pellechio, president of SAVE Bucks Votes, a non-partisan nonprofit election integrity organization.

A few years ago, SAVE Bucks Votes was founded by some concerned citizens needing to make sure that Bucks County voters would finally be able to have secure, provably accurate elections. We've had the interest, commitment and time—things we felt you commissioners might not have -- to spend years of researching everything about verifiable voting systems. We've done everything possible to make sure the public, state officials and especially you, the decision-makers for choosing a new voting system, had access to the best information.

We've had all of it ready to share with you for well over a year, yet you've steadfastly refused to meet with us, despite promises starting last December that you would. All year we've been given reasons to postpone that meeting:

- First, wait until after the holidays, then
- you're not deliberating yet but we can send information. We hand-delivered a Voting System Report in February with follow-up emailed information, then
- you're waiting until everything is certified to start studying the systems, then
- wait until after first the June and then the August voting system demonstrations.
- Now we are told you'll meet with us in November, after the election and shortly before you'll announce your decision! There would obviously be no point for a meeting that late, you'll already have come to your decision long before then.

You could have been “doing your due diligence” on these systems all year, even if you didn't announce a decision until November. We have no idea what information you're using in your deliberations – that's why we've been insisting on a private meeting.

A personal meeting would allow us to make sure that:

1. You understand ALL of the relevant information from election system experts that prioritize security and why it must take precedence over vendor information.
2. Questions could be answered in real time. Any misunderstandings about the experts' research and incomplete or misleading vendor information could be clarified quickly.

It seems we need to bring it to you in a public meeting instead, so here it is.

Since two commissioners have made no efforts to engage with us with questions or acknowledge that they've read any of the Voting System Reports or other information we've supplied, we can only assume the worst – that some of you are relying primarily on vendor marketing in your deliberations.

WE CHOSE TO FOLLOW THE ADVICE AND CONCLUSIONS FROM CYBERSECURITY AND ELECTION EXPERTS.

We've scrutinized the newest paper voting systems since the beginning of 2018. It was obvious an evaluation process had to be followed to make sure any new system would first meet the top priorities of security, accuracy, verifiability, accessibility and resiliency.

Cybersecurity experts call these the GOLD STANDARDS. Once those are met, the next criteria of cost, ease of use, etc. can be considered. This winnows the selections down to the best system.

Commissioner Loughery even agreed in his response to a question for the League of Women Voters' Primary Guide about candidates' positions on voting systems. Part of his reply, from which I quote:

"Prior to the end of 2019, the county will purchase and secure new voting machines and related equipment that will meet the Commonwealth of Pennsylvania's mandate to provide a paper record that meet[s] the highest standards of security, auditability and accessibility."

The experts' unanimous conclusion is that a voter-hand-marked paper ballot system with one ballot-marking device available for disabled voters is the GOLD STANDARD for elections. As luck would have it, the hand-marked systems win on the other criteria for cost and ease of use, too.

Every bit of vendor-provided information has to be evaluated through the lens of whether it's true and accurate before seeing if their systems meet the GOLD standards. Of course, we've thoroughly researched vendor claims, too. Unfortunately, many of them have NOT passed the test.

First, it's important to understand the basics about voting systems, so here they are:

Two types of systems have been used in the recent past -- the unverifiable electronic systems like we have now and the voter-verifiable hand-marked paper ballot systems that we fought for 13 years ago.

Unexpectedly, a third type of system appeared last year, thanks to voting system vendors seeing an opportunity for larger profits. Instead of marking a paper ballot with a pen, like more than 80% of the country has been doing, most vendors were pushing for ALL voters to use touchscreen ballot-marking devices (called BMDs). These had been recently invented so disabled voters unable to hand mark their ballots could vote independently.

Both types of the paper systems use the same equipment (scanners and ballot-marking devices) but in different ways. Expert research proves that these new "BMDs-for-all" configurations introduce unnecessary security vulnerabilities into our elections when used by everyone. One

big problem is that most BMD ballots use non-human-readable barcodes to allegedly record the votes that are read and tallied by the scanner.

As Matt Blaze, a computer science and law professor at Georgetown University puts it: “It basically turns the system into one that has all of the well-known problems that paperless voting machines have. You have to trust the software that’s being used to cast the vote. This bad ballot-marking technology is a really unfortunate development, and it’s one that I’m hopeful will not proliferate.”

Blaze said he was “puzzled” as to why companies even made ballot-marking devices that relied on barcodes. “The consensus of experts has been pretty clear and pretty unanimous here,” he said. “The best voting technology that’s available is hand-marked paper ballots, augmented, where needed, with human-readable ballot-marking technology.”

Bottom line: These systems fail every GOLD STANDARD criteria.

As a bonus, they’re also more expensive than hand-marked systems, can generate long lines, are not accessible for everyone, and can be more complicated to use, among other things. Studies have shown that voters either don’t or are unable to verify their ballot summaries (these are not ballots) before casting in a scanner. We explain this in great detail on our website and in your new updated Voting System Reports that I will give you today.

Vendors have a completely different objective than experts: to profit from the sale of their voting machines. They are master marketers, capable of dazzling officials, pollworkers and the public with features that have nothing to do with or may even compromise the top security priorities we need. They aren’t going to tell you that experts and election integrity groups have had their BMDs-for-all systems under scrutiny and found serious security and verifiability concerns.

And – surprise! -- we also found that some vendors make claims that are exaggerations or even outright lies that can be very convincing to those not better informed about this issue. We have debunked those claims. Unfortunately, far too many people are still misled and terrible decisions are being made.

YOU CAN’T RELY ON VENDOR INFORMATION AS YOUR PRIMARY OR ONLY SOURCE. EXPERT ADVICE MUST TAKE PRECEDENCE OVER WHAT YOU ARE HEARING FROM VENDORS.

Some election officials are justifying their decisions to pick BMD systems by using vendor talking points, in direct opposition to expert conclusions. Two reasons that might be happening:

1. Those officials never made an effort or took the time to research anything beyond the information they got from vendors, or
2. They DID have access to expert research and chose to ignore it.

Either way, any such officials' decisions should be considered highly irresponsible and not looking after the best interests of the citizens they work for.

One of the worst talking points, especially since all of the security GOLD STANDARDS are completely thrown out the window, as well as other considerations like cost, is this:

“These machines are similar to what we’ve been using, so that’s why we’re choosing them.”

The ES&S ExpressVote XL in particular has been marketed specifically to target jurisdictions that use machines like our Danahers. As a hybrid BMD that combines the touchscreen with scanner functions, it’s also considered by experts to be the worst machine available for meeting any of the criteria for security, verifiability, accessibility and resiliency. We have a very large list of its defects as a voting device and many ethical concerns about ES&S as a company on our website and in your new Voting System Report.

The XL’s problems are so severe, it prompted 200 citizens to petition the Dept. of State to re-examine and possibly decertify it for 10 serious security and PA Election Code violations. This XL situation will most likely be fraught with legal entanglements and controversy well into 2020.

More quotes from Commissioner Loughery’s position states,

“Based on public input and discussion, as well as the assessment of my fellow Commissioner colleagues and the Board of Elections, we will make a choice between equipment that either uses paper ballots or prints a paper record so voters can verify their vote.”

For public input, you’re considering opinions by the people who visit vendor demonstrations, even though most are pollworkers being swayed by vendor marketing placing emphasis on alleged ease-of-use. You asked them to fill out surveys that give no weight to any GOLD STANDARD security priorities, which most vendor demo attendees would be hard-pressed to evaluate effectively. A closed loop of vendor talking points can’t be used to validate a possible bad decision.

There’s no acceptable reason for Bucks County citizens to end up with the most expensive, least secure and accessible voting system just because other places are making that foolish mistake. Bucks County commissioners can and must choose wisely – a voter-hand-marked system.

As the Policy Director for Pitt Cyber, headquarters of the Pennsylvania Blue Ribbon Commission on Election Security, said, “It’s the rare case where a public servant or elected official gets to make a decision for a product that is both cheaper and better. And that is the choice counties here are facing.”

Visit www.SAVEBucksVotes.org for more information.