

VOTER-HAND-MARKED BALLOT SYSTEMS—Questions and Answers

Will it be a big adjustment changing from our current system to a voter-hand-marked system? While there's always a learning curve for both pollworkers and voters when dealing with a change, we firmly believe a hand-marked system, while different than what we have now, is ultimately much simpler and more intuitive to implement and use. About 80% of the nation currently votes on this type of system, and – most importantly – it's the best, most secure system possible, according to all cybersecurity and election experts.

The entire process is simple: The voter signs in and is given a ballot by a pollworker. After hand-marking the ballot in a privacy booth, the voter carries his ballot in a privacy sleeve over to the scanner and casts it into a locked box. The scanner makes a digital copy and all ballots are retained for post-election audits and/or recounts prior to certification of the election.

On the other hand, requiring all voters to mark ballots using a touchscreen BMD will introduce more technology that may prove a barrier for some voters and would not be accessible for everyone. Unlike hand-marking a ballot, this also requires extra steps for a voter to verify his own vote in small print from a paper summary of his choices; it is not like the ballot image from the touchscreen. Another huge problem is that most BMDs use non-human-readable barcodes that are read by the scanner!

Studies have shown that many voters are either unable to or simply do not verify a machine-marked paper ballot summary before casting it into scanner. A hand-marked ballot voting system only requires a voter to intuitively fill in bubbles on a paper ballot with a pen (like an SAT test) and thus easily verifying his own vote at the same time. We are confident that the change in voting procedure to a hand-marked system will be much less frustrating—and certainly more secure and accurate -- than sticking with “familiar.”

Will the scanners be able to correctly interpret voter intent on hand marked ballots? Today's newer digital scanners are light years beyond what was capable even a decade ago and are highly accurate in determining voter intent. Auditing software and ability to see images of total ballots can easily resolve problems: <https://www.youtube.com/watch?v=R3tIkdNG-No>. Not an issue.

What about when a voter's ballot is returned when trying to cast at the scanner? Won't that cause backups and a long line? Scanners returning a ballot to a voter is a good feature because it alerts her that she undervoted (left races blank or did not vote for all available candidates or positions). She either returns ballot to scanner right away to indicate that she intended to vote that way (scanner will now accept the ballot), or she goes back to a privacy booth to correct if she truly missed voting in a race and then rescans when ready.

An overvoted (voted for too many in a race) ballot is a spoiled ballot, and the scanner will reject it. In this case the voter leaves the scanner with ballot to give to poll worker, who will issue her a new ballot to fill out and recast when ready. Visits at the scanner take mere seconds.

This is not true if any problems arise on the BMD touchscreen machines. All the corrections must take place at the BMD, having more complicated spoiled ballot procedures and this is where lines will form. The ExpressVotes (in tabulating mode) and ExpressVotes XL touchscreens from ES&S are hybrids (BMD and scanner in one) and pose additional challenges which can be found here.

We offer more complete explanations about more problems in this situation and other related information in our replies to Commissioner Ellis-Marseglia here.

Can we fit enough privacy booths in my small precinct? Multi-booth units or putting 4 voting booths back to back leave a small footprint. No need for more than 4 or 5 booths or shields in small precincts. The ability to upsize the number of privacy booths is an easy and inexpensive way to accommodate more voters in any precincts and avoid lines during busier elections.

What about possible missed races due to long and/or double sided ballots? Practicing good ballot design should be the number one goal in any election. Missing races can happen just as easily on a bad ballot marking device touchscreen layout. Voters can miss paging among multiple screens while hand-marked ballots have the full ballot in view. The scanner will alert voter if he misses any races so he has a chance to fix.

Will poll workers have to police voters to ensure no one leaves with a ballot? This should not be a problem any different than catching a “fleeing voter” (someone who does not hit “Vote Cast” on a touchscreen machine). There is nothing to be gained for a voter to leave with his paper ballot; it is impossible to cast it in any other precinct and it could not be proof of how he voted because it would not be tallied. All votes cast on a paper ballot are retained in the locked scanner.

Won't there be lots of paper waste in low turnout elections due to state mandated printing of 110% of precinct voters? A common misconception is that the Pennsylvania Election Code requires pre-printing ballots for 110% of registered voters. Section 1007 says that the county “shall provide for” 50 ballots for 45 registered voters. It is intended to make sure that ballots do not run out. When it was written in 1937, extra paper ballots needed to be pre-printed because printing was a time and labor intensive process which required manual typesetting. Photocopiers, computer desktop publishing, and personal printers were invented decades later.

In the modern era, counties have easier ways to “provide for” enough ballots. Many counties, such as Lancaster and Montgomery did, purchase a ballot-on-demand printer (around \$5,000). This video shows the Lebanon County Election Director saying that the PA Dept. of State gave them approval to use a ballot-on-demand printer (at 8:42):

<https://www.youtube.com/watch?v=PRlyGGuepgk&feature=youtu.be&t=522>.

In addition, any polling place equipped with a ballot-marking-device (BMD) from Clear Ballot or Hart Intercivic can print additional unmarked ballots using blank paper. Counties using any other vendors could not.

A better guideline for pre-printing paper ballots is to calculate an average of the previous three comparable elections plus 10%. This is a recommendation in the 2018 PA Senate-commissioned JSGC Report on Voting Technology and the basis of proposed PA Senate Bill 418.

A better guideline for pre-printing paper ballots is to calculate an average of the previous three comparable elections plus 10%. This is a recommendation in the 2018 PA Senate commissioned JSGC Report on Voting Technology and the basis of proposed PA Senate Bill 418.

Calculations made for Northampton County suggested that the actual pre-printed paper ballots required would be about 1/3 of the former requirements, or potentially much less using the type of BMDs or BOD printers as described 2 paragraphs above.

Will the paper ballots be heavy to transport back to the county office after the election?

Using Clear Ballot as an example: Clear Ballot provides two ballot bags with each scanner, and each bag can accommodate 1,000 ballots. A full bag will weigh about 30 lbs (24-38lbs depending on the paper stock used), but using projected voter turnout and two bags per polling place they are unlikely to be full. Many precincts in lower turnout elections won't even have enough ballots to fill half of one bag. Clear Ballot also has a prototype for a ballot bag with wheels and a telescoping handle.

The vendor ES&S's claim that the ExpressVote XL is the only voting machine that does not require handling the ballots at the precinct is not correct. The Clear Ballot ClearCast optical scanner uses a ballot bag attached to the scanner that can be removed, then closed up and secured with the ballots inside without any handling of the ballots. The entire locked bag is taken to the election board office.

Please feel free to ask any other questions you may have, we'll be happy to answer or find out the answer if we don't know right away. Email us at SAVE.BucksVotes@mail.com.