

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

540



FROM: Registrar of Voters

SUBMITTAL DATE:
October 15, 2007

SUBJECT: County costs for complying with the Secretary of State's recertification conditions for voting system use in February 2008

RECOMMENDED MOTION: That the Board of Supervisors receive and file this update for the February 2008 estimated costs of complying with the Secretary of State's recertification conditions for voting system.

BACKGROUND: On August 3, 2007, the Secretary of State announced the decertification and immediate recertification, subject to compliance with a number of conditions, Diebold Election Systems, Inc., Hart InterCivic, and Sequoia Voting Systems, the latter used in Riverside County, after a top-to-bottom review of the voting systems by her office. The recertification conditions initially apply to the February 5, 2008 primary election.

Of the 39 conditions issued for the Sequoia Voting System, 27 directly affect the County's conduct of elections; and of those, 24 are direct responsibilities of the County. Attachment A provides a summary of the applicable conditions. The table below delineates the estimated cost for complying with the conditions. The cost of complying with the conditions is not reimbursable from the state. The total estimated cost of \$1,411,500 will presented for your Board's funding consideration in the first quarter budget report.

Barbara Dunmore
Barbara Dunmore, Registrar of Voters

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1,411,500	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 1,411,500	Budget Adjustment:	No
	Annual Net County Cost:	\$ 521,500*	For Fiscal Year:	FY 07/08

SOURCE OF FUNDS: General Fund	*per countywide election	Positions To Be Deleted Per A-30	<input type="checkbox"/>
		Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:
Defer funding consideration to the First Quarter Budget Report.

APPROVE
Jennifer L. Sargent
BY: Jennifer L. Sargent

County Executive Office Signature

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: ALL | Agenda Number:

2.5

Estimated Cost of Complying with Secretary of State
Voting System Conditions for February 2008

Requirement	Estimated Cost
Polling Place Provisions	
<p><u>Paper ballots</u> The recertification conditions move the County back to a paper-based polling place environment with the exception of one direct record electronic (DRE) voting unit per precinct for use by disabled voters and at least 5 persons poll workers are to ensure voluntarily cast their ballots on the units during the Election Day to preserve voter privacy. The estimated cost of paper ballots is for February only.</p>	\$450,000
<p><u>Voting booths</u> Polling places will need to be equipped with voting booths to provide voters privacy in filling out their ballots. Four thousand (4,000) voting booths are needed to place 5 at each of the 800 polling places projected for February. The total cost for the voting booths is \$800,000 based on an average price of \$200 each.</p>	\$800,000
<p><u>Ancillary supplies</u> Ancillary supplies such as secrecy sleeves for voters to place their paper ballots in, pens to mark the ballots, additional tamper evident seals (required), and posted warnings in each voting booth regarding tampering with voting equipment.</p>	\$21,500
Parallel Election Management Systems	
<p>At least three (3) parallel election management systems are required to be separated by an "air gap" to isolate the different phases of an election. One system will be used for election definition, a second for memory card reading, vote tallying, and report generation, and a third for reformatting memory devices. Overlapping elections will require additional systems to perform activities without tainting the other election system.</p>	\$50,000
Voter Education Program	
<p>A voter education program on "second chance" voting is required to comply with the Help America Vote Act (HAVA). HAVA requires the voter be notified of the effect of casting multiple votes for an office (i.e., over votes) and instructions on how to correct the ballot before it is cast.</p>	\$60,000
Storage	
<p>Additional warehouse storage is required to store voting booths and paper ballots for the required retention period. The estimated cost includes only paper ballots for February.</p>	\$30,000
TOTAL ESTIMATE	
\$1,411,500	

**Summary of Sequoia Voting System
Recertification Conditions Applicable to Counties**

(Numbering reflects actual condition number listed in recertification document)

- 1) **Limit on DREs** No more than one (1) Edge DRE voting unit per precinct on Election Day; and to preserve privacy ensure that at least five (5) voters voluntarily cast ballots on the DRE over the course of Election Day.
- 2) **Early Voting (EV)** Requires securing voting equipment against tampering and return it to the Registrar of Voters' (ROV) secure storage facility each day; EV centers may only be staffed by election employees; one employee must be solely responsible for monitoring equipment; maintain chain of custody for each piece of equipment; and perform 100% manual count of all votes cast on the voting units.
- 3) **Reinstallation of all hardware and firmware prior to February primary** The ROV must obtain software directly from the federal testing laboratory or the Secretary of State and reinstall all software and firmware (including reformatting all disk drives and reinstalling the operating systems) on all servers, workstations, voting devices and hardware components of the voting system.
- 4) **Parallel election management systems** The ROV must establish at least three (3) parallel election management systems separated by an "air gap." (More are required when election cycles overlap.)
- 5) **"Hardening" platform configurations** Includes, but is not limited to, BIOS configuration, disabling non-essential services and ports, or physically blocking them, audit logging configuration, assignment of "least privileges" to users, and password strengthening.
- 7) **Reaffirmation of firmware and/or hardware integrity after repair or modification** The integrity of the hardware and/or software must be verified after any repair or modification or reinstalled using firmware and/or software supplied directly from the federal testing laboratory or Secretary of State before the equipment can be put back in service.
- 8) **Prohibition of installing software applications not identified by the vendor or approved by the Secretary of State.**
- 10) **Development of uniform requirements and use procedures** Within 45 days (Sept. 17, 2007) the vendor and jurisdiction users must develop and submit to the Secretary of State for approval uniform requirements and use procedures for operating and maintaining the physical and logical security of the system.

- 11) **Network connections prohibited** Wireless or modem transmission is prohibited at any time. The voting system may not be connected to the Internet, directly or indirectly, at any time.
- 12) **Development of uniform requirements and use procedures** Within 45 days (Sept. 17, 2007) the vendor and jurisdiction users must develop and submit to the Secretary of State for approval uniform requirements and use procedures for programming, pre- and post-election testing, transporting and operating voting equipment to prevent or detect unauthorized access.
- 13) **Tamper-evident seals** Tamper-evident seals must be serialized and the vendor must specify in each instance the type of seal and the exact placement of the seal.
- 14) **Public inspection of seals** Public members must be allowed to observe and inspect, without physical contact, externally visible seals without interfering with the conduct of the election or privacy of any voter.
- 15) **Posting of voting unit results** Poll workers are required to print two (2) copies of the accumulated results and post one outside the polling place. The second copy is returned to the ROV.
- 16) **No recordation of voting order** No poll worker or other person may record the time or order in which voters vote at polling places.
- 17) **Poll workers not permitted access to the VeriVote voted paper roll.**
- 18) **Development of uniform requirements and use procedures** Within 60 days (Oct. 2, 2007) the vendor and jurisdiction users must develop and submit to the Secretary of State for approval uniform requirements and use procedures to validate vote results and detect unauthorized manipulation of vote results.
- 20) **Additional post-election manual count auditing requirements** The Secretary of State has established additional post-election manual count auditing requirements that escalate based on the margins of be victory. Smaller margins require larger auditing samples.
- 21) **100% manual count audit of all ballots cast on a DRE in use on Election Day.**
- 22) **Polling place log to record problems/issues with voting equipment** The Secretary of State will specify the log format for poll workers to record all problems/issues with voting equipment on Election Day.

- 23) **Poll worker training** Specifies what must be included in poll worker training.
- 24) **Privacy sleeves required for paper ballots at polls.**
- 25) **Posted warning in voting booth** A warning must be posted in the each voting booth that states tampering with voting equipment or altering vote results constitutes a felony, punishable by imprisonment.
- 26) **Actions in response to chain-of-custody or tamper-evident seal compromises** Requires equipment to be removed from service, a 100% manual audit, imaging of all software and firmware and vote results cartridge to be retained for the full election retention period, and reinstallation of software and firmware from version supplied by the federal testing laboratory or Secretary of State.
- 27) **Fatal error from which the voting unit cannot recover "gracefully"** Any unit that requires rebooting to restore to operation is subject to the same requirements of condition 26.
- 28) **Requirements and procedures become binding on all users** When finalized by the Secretary of State all uniform requirements and use procedures become binding upon all users.
- 29) **No substitution or modification of the system** Secretary of State must determine that it does not impair the accuracy and efficiency of the voting system.
- 30) **Secretary may modify use procedures at any time** With reasonable notice the Secretary of State may modify the voting system use procedures at any time and impose additional requirements with respect to the system.