

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

199



FROM: Executive Office

SUBMITTAL DATE:
August 4, 2010

SUBJECT: Report on Use of Precinct Ballot Counting Machines

RECOMMENDED MOTION: That the Board receive and file this report on the use of precinct ballot counting machines.

BACKGROUND: On July 13, 2010, the Board of Supervisors requested additional information on the potential of adding Precinct Optical Scanners (POS) to polling locations in Riverside County.

Precinct Optical Scanners

A POS scans a ballot in the precinct using optical mark recognition. The ballot is immediately tallied at the precinct which allows the voter to be notified by the system of voting errors such as an over-voting (marking more than the allowable number of selections in a contest) or under-voting (marking fewer than the allowable number of selections in a contest). This is known as "second chance voting" and is required by the Help America Vote Act (HAVA). Some POSs capture a digital image of the ballot. The digital image can be displayed to show the voter how their ballot is being read.

Continued.

Departmental Concurrence


FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	2010/2011

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

C.E.O. RECOMMENDATION:

APPROVE

BY:


Jay E. Orr

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.: 3.11 7/27/10

District: All

Agenda Number:

3.76

Background continued:

Currently, there are 4 POSs certified for use in California and 1 pending Federal and State certification. See Table 1.

Table 1: Comparison of Precinct Optical Scanners

Product	Unit Cost	Certified for Use in California?	Compatible with Current Election System?	Captures Digital Image of Ballot?	Offers Second Chance Voting?	Prints Precinct Results?
Dominion ImageCast Evolution	\$ 6,500	No	No	Yes	Yes	Yes
ES&S Model 100	\$ 4,995	Yes	No	No	Yes	Yes
Hart eScan	\$ 5,400	Yes	No	Yes	Yes	Yes
Premier Accuvote Models OS and OSX	*	Yes	No	Yes	Yes	Yes
Sequoia Optech Insight	*	Yes	Yes	No	Yes	Yes

*Support for existing inventories only. No new manufacturing.

Required Inventory

Currently, approximately 820,000 county residents are registered to vote. The number of registered voters increases leading up to major elections (in November 2008, voter registration was over 840,000). The numbers of registered voters along with the number of contests and/or jurisdictions placing items on the ballot are determining factors for the number of polling places to be established. Recently passed legislation will allow permanent vote by mail voters to be reduced from state limits on voters assigned to polling places reducing the number of polling places in most elections. Reapportionment and redistricting will also affect precinct consolidations in the future.

It is prudent for planning purposes to use a maximum of 750 polling places which would require at least one POS. Twenty percent or 150 additional POSs would be required for training, replacements, and potentially early voting for a required total inventory of 900 POSs.

Compatibility with Current Voting System

The only POS compatible with the County's Sequoia Voting System is the Sequoia Optech Insight. In June 2010, Dominion Voting Systems acquired Sequoia Voting Systems. As part of the transaction, Dominion acquired Sequoia's inventory and all intellectual property, including software, firmware and hardware, for Sequoia's precinct and central count optical scan and DRE voting solutions. Dominion representatives have disclosed that the company does not plan to manufacture any new Sequoia Insights, but there is an unknown quantity of used units available.

Use of POSs incompatible with the county's voting system may require the purchase of a new election management system; or if the new and existing systems can work together, approval by the Secretary of State to use a blended system.

Voting System Environment

As mentioned above, Dominion Voting System purchased Sequoia Voting Systems in June 2010. Dominion also acquired the primary assets of Premier Election Solutions (formerly Diebold) including all intellectual property, software, firmware and hardware for Premier's current and legacy optical scan, central scan, and touch screen voting systems, and all versions of the GEMS election management system.

The voting system environment clearly remains in flux.

Dominion Voting

Mr. John Poulos, Dominion President & CEO, told county election officials at a meeting in July 2010 that the era of DREs is over. Mr. Poulos did offer to meet with Riverside County representatives to determine how Dominion could help the county reduce its DRE inventory.

The Dominion voting system is not certified for use in California. Federal and State reviews of the system are expected to be completed by December 2010.

While Dominion will continue to service systems recently acquired (i.e., Sequoia and Premier) it is less likely that they will continue to manufacture and sell them. Due to the short timeframe, Dominion is leasing the county two 400C central count optical scanners for November 2010. According to Mr. Poulos, many jurisdictions using Dominion equipment do not own the equipment and the arrangement is cost effective to the jurisdiction.

Summary

The current voting environment remains in flux. The POSs on the market are incompatible with the county's election system. The county has an inventory of at least 2700 DREs that are no longer needed. Further discussions with Dominion Voting are needed to determine the direction the company will be taking with regards to voting equipment. Additionally, Dominion's offer to meet with County representatives to determine how they may help reduce the county's DRE inventory should be explored.