

**Subject:** RE: Response to Top-to-Bottom Draft Criteria

**Sent:** Tuesday, March 27, 2007 11:23 AM

**To:** Voting Systems

**Subject:** Response to Top-to-Bottom Draft Criteria

The following suggestions are submitted in regards to the Draft Criteria being developed by the Secretary of State's Office relative to the top-to-bottom review of voting systems currently certified for use in California elections.

1. Unless they are being developed under separate cover, the lack of measurement standards/tools as an integral part of these criteria will leave the criteria open to interpretation by the manufactures and other parties involved in the evaluation process.
2. Recommend inclusion of a requirement that the DRE's, vote tabulating devices and ballot tally computers be tested multiple times through-out Election day while polls are open and during the ballot tallying period after polls are closed. This testing should take similar form, function and purpose as the old Logic and Accuracy testing did.
3. The second paragraph under Section II.1 appears to be misplaced. This requirement is applicable to more than just the voters with disabilities. Suggest moving it to a paragraph titled I.1.d Paper Audit Trail.
4. The reference in paragraph I.2.b to "the risk assessment" is the first and only reference to such as assessment and it is not possible to directly infer from the context in which it is used what was meant.
5. In Section II.2 under Disability Access Testing, there are multiple references to "audio output": It is going to be nearly physically impossible to keep this audio from being overheard by the use of curtains or shields. It would necessarily require a voting booth being set up in a separate room from the others and this would likely be cause for some outspoken Disability advocate to cry foul. Suggest rethinking this and possibly inclusion of the use of headphones, earbuds, etc. This audio output requirement is further aggravated by the requirement in Section II.2.f that requires a non-visual method for voter verification. A disabled voter is definitely not going to want: "You have voted for candidate XYZ for President in the Republican primary race" announced to everyone.

Thanks for giving the public an opportunity to provide input on these criteria. It reflects an openness that has not always been present at the State level. It also allows those of us who have considerable years of experience in the Election process at the County level to make a meaningful contribution. My own experience includes actually coding the ballot counting program in Assembler back in the early 80's up through the negotiation for Kern County of a contract with Diebold for a touch screen system in 2002, and nearly everything in-between.