

Date: July 5, 2008

To: Members, Wisconsin Government Accountability Board

From: Paul Malischke

Subject: Review of Clerk's Election Administration Manual Scheduled for Your July Meeting

Significant improvement needs to be made to procedures in the section titled "Pre-Election Electronic Voting Equipment Testing", pages 73 to 75.

These tests are the only way we have to ensure that the automatic tabulation of votes is correct votes and that the proper candidate is declared the winner. (Other verification methods, such as manual recounts of optical scan ballots, and manual audits that are reported before certification, are not done in Wisconsin).

Due to the importance of this testing, at the November 28th 2007 meeting of the State Elections Board, this motion was passed:

"MOTION: DIRECT STAFF TO BEGIN TO DEVELOP ADMINISTRATIVE RULES FOR PRE-ELECTION TESTING AND PRE-RECOUNT TESTING OF VOTING EQUIPMENT."

What efforts have been made to implement this, and what is the plan for upcoming action?

In Wisconsin, we have had two recent problems with programming the voting machines: Milwaukee in September 2006, and Medford in November 2004. The problem in Medford was not discovered until four months after the election. Proper pre-election testing would have caught these problems.

These essentials of thorough testing are missing from the manual:

1. Include a specific statement that each machine must be fully tested for every ballot style it is expected to receive on Election Day.
2. The test deck must have distinct tallies for different candidates, write-ins, and parties.
3. Specify that the overvote test for each contest be done with one overvote per ballot.
4. Page 74 states "Examples of sample test decks are available on the agency website." However, there are no samples on the agency website.
5. The test must include inspection for accuracy of each machine-generated voter-verifiable printed record from Direct Reading Electronic voting equipment.
6. Include checking that the ballot counter increments with each ballot.

7. Require inspection of the printed tally of total voters, particularly for machines that will be used for more than one ward.
8. Specify test techniques for devices for people with special needs, including audio, keypad, magnification, and languages.
9. Include calibration and testing of the accuracy of a touchscreen.
10. Check that internal clocks have the correct date and time.
11. Include any appropriate special requirements for central count machines.
12. Specify testing of Election Management Systems that accumulate results from many tabulators.
13. If equipment fails the initial test, the cause should be determined and corrected, and two consecutive errorless tests should be required before equipment is approved for use.
14. Include requirements for re-test if any hardware or software maintenance is done after testing.
15. Specify what records are to be kept.
16. GAB staff should prepare an informational guide explaining the process for observers, along with guidelines for observer conduct.
17. GAB staff should develop a checklist form to aid testers and to ensure proper procedures.
18. GAB staff should develop a Certificate of Public Testing form, such as Oregon has.

GAB staff should research and report on recommendations from the Election Assistance Commission, testing in other states, and outside academic analysis. Best practices should be incorporated into draft administrative rules, and subjected to public review.