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**TESTIMONY ON BEHALF OF THE  
LEAGUE OF WOMEN VOTERS OF NEW YORK STATE AND  
NEW YORKERS FOR VERIFIED VOTING  
OPEN HEARING, MARCH 4, 2009  
BEFORE THE NYC BOARD OF ELECTIONS**

On behalf of the New York State League of Women Voters, the New York City League of Women Voters and New Yorkers for Verified Voting I speak in support of the two paper ballot-ballot marker-optical scan systems being considered for adoption by New York City. Both offer accessible, verifiable, and auditable voting. Both, therefore, are an improvement over the present system which uses unverifiable, unauditable, and inaccessible lever machines.

Informed citizens have come to a consensus as expressed in January, 2009, by the League of Women Voters of the United States, in the introduction to its "Report on Election Auditing." This consensus is that any voting system should:

1. Provide a voter-verifiable paper record that is the official record of the voter's intent
2. Allow the voter to verify this paper record while still in the process of voting
3. Allow verification of vote totals by an independent hand count of the paper record
4. Allow routine audits of the paper record in every election.

That there is a growing consensus about these requirements for a modern voting system has been shown recently when Congressman Rush Holt's draft bill to amend HAVA in 2009 aims to make all of these requirements a matter of federal law.

We urge the NYC Board of Elections to keep these principles in mind when choosing your equipment. In addition, of course, you need to choose a system that offers equal access to persons with special needs. Both of the proposed systems do this. By contrast, the lever machines unfairly separate ballot marker ballots from the main system so that the privacy of those votes is not adequately protected.

We also urge New York City to require that problems revealed during the deployment of the ballot markers last fall are corrected at no charge to the state before contracts are offered to

either of these vendors. The City should resist current efforts by the vendors to raise prices beyond those offered in the initial contracts. It also should resist any pressures to implement equipment that has not passed NY's strict testing for certification. In addition, independence from vendor influence should be sought in all possible areas, for example, in ballot programming. As soon as possible, the printing of ballots should be opened to competitive bidding, in order to get lower prices. We need a voting system that meets the standards we have enumerated at the same time as it protects federal, state, and county taxpayers from exploitation.

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