



**THE LEAGUE OF WOMEN VOTERS OF SOUTH
CAROLINA**

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**Notes on Interview with Marci Andino
March 18, 2008**

Barbara Zia, Duncan Buell, and Eleanor Hare met with Marci Andino, Executive Director, and Donna Royson, Deputy Executive Director and Director of Voter Services, of the South Carolina State Elections Commission (SCSEC) on March 18, 2008, to discuss current issues in voting machine technology.

When the LWV interviewed Director Andino about two years ago, South Carolina had approximately 2.4 million voters and approximately 11,500 iVotronics. SCSEC has not acquired any voting machines since that time, but some counties may have bought additional machines. Twelve iVotronics have been kept by the SCSEC. SCSEC purchases break/fix coverage and an annual software license fee from the vendor (ES&S) for these iVotronics.

When asked what equipment needs were anticipated in the next 5 to 10 years, Director Andino replied that new equipment will be needed as the size of the SC population increases and that new equipment would be purchased by the counties, not SCSEC. She foresees the possibility of creating voting centers. If legislation creates the voting centers, SCSEC would run pilot projects. Presently, there are no guidelines for operation of voting centers.

Director Andino supports “no excuse” absentee voting.

January 2008 primaries and, with continued interest, turnout for the November election could exceed that. When asked if she would encourage absentee voting, Director Andino replied that she would, because this would take the load off the precincts.

Dr. Hare said that add-on printers for the iVotronic record votes sequentially and include a time stamp, thus jeopardizing the privacy of the ballot. Deputy Director Royson said that other add-on printing mechanisms for the iVotronic may be available.

SCSEC POLICIES AND PROCEDURES

Members of the State Elections Commission are appointed by the Governor. Members of county election commissions are appointed by the Governor with recommendations from county delegations.

The SCSEC gives guidance and training to the counties by recommending policy and procedures, giving online training, and providing a training manual for poll workers. The SCSEC makes recommendations to counties, but cannot enforce procedures.

The SCSEC pays a small maintenance fee and annual license fee for 12 iVotronics and 7 Unity software licenses. (The Unity software is used in each county to collect totals from precincts. It is used by the SEC to create election definitions for counties.) Preventive maintenance for these machines is done in-house. Also, ballots for all elections are produced in-house, which cuts down on dependence on ES&S.

The SCSEC provides \$60/day (one training day + one work day = \$120/election) for poll managers. An additional \$60 is provided to the clerk. The clerk is the person responsible for picking up the iVotronics and returning them to the county office. SCSEC also funds “rovers,” county information technology personnel assigned to precincts during an election. SCSEC recommends one “rover” for each ten precincts and pays rovers \$150/day plus mileage.

When asked how recounts are conducted, Director Andino stated that absentee, emergency, and fail-safe ballots are rescanned optically and the Personal Electronic Ballots (PEBs) are reread electronically. Director Andino stated that this procedure had detected changes in the vote cast in the past when not all PEBs were counted the first time. Dr. Buell, noting the problems found with PEBs in the EVEREST report, stated that recounting the PEB *does not constitute a proper recount*.

Dr. Hare raised a concern about “sleepovers” – the practice of having the clerk take the voting machines home prior to elections. Director Andino stated that she has not made recommendations to counties regarding “sleepovers.” This process is determined by county election commissions.

When asked how software updates are installed, Director Andino stated that software comes on a CD, and her staff travels to counties to install the software. A Unity software upgrade was performed last summer. Personnel from the vendor are not allowed to touch the iVotronics. SCSEC obtains its software upgrades from the testing laboratory, not directly from ES&S.

PROBLEMS IN HORRY COUNTY

When asked about the problems in Horry County during the Republican primary election, Director Andino stated that when the poll managers tried to open the iVotronics the morning of the election, the machines would not open because test votes, which were supposed to be cleared after testing, were still on the machines.

The worker who usually sets up machines was pulled off that detail, and people with minimal training performed the setup. During testing, written SCSEC procedures were not followed. Another problem in Horry County was the shortage of “rovers” (polling place support specialists). It is recommended that counties have 1 “rover” for each 10 precincts, but, in Horry County, there were only 3 rovers covering 120 precincts.

RESPONSIBILITIES OF THE COUNTIES

SCSEC paid maintenance (both break/fix and preventative) and software license fees on ES&S equipment for the first two years of operation. Maintenance is now paid by the counties. Recalibration of machines is done by the counties. The counties, using written procedures provided by SCSEC, test machines prior to an election.

Counties are instructed not to connect machines using the Unity software to a network. SCSEC has published standard procedures to use statewide, but has no power to enforce conformity to these procedures.

Counties are also responsible for paying annual software licenses and, possibly, vendor contracts for preventive maintenance and break/fix.

Counties are responsible for training poll managers, using the materials supplied by SCSEC. Counties may purchase additional ES&S machines, if needed.

FALLOUT FROM EVEREST REPORT

The portion of the EVERESTⁱ Report dealing with iVotronic machines, prepared for the Ohio Secretary of State by scientists at The University of Pennsylvania and Web Wise Security, Inc., found that the ES&S equipment lacks “the fundamental technical controls necessary to guarantee a trustworthy election under operational conditions.” When asked what changes SCSEC planned to make in response to this report, Director Andino replied that SCSEC is “constantly reviewing our procedures and working on a number of things” and that the iVotronics used in South Carolina have always functioned correctly. Dr. Hare disagreed with this

claim, stating that since there is no way to find out how people voted, there is no way to verify that the reported vote is correct. Dr. Buell pointed out we cannot say that there have been no failures; all we know now is that we have not detected a failure.

Director Andino said, “We have reviewed the report and changed procedures.” Dr. Buell pointed out that the EVEREST report did not find any practical procedural safeguards that might substantially increase the security of the ES&S system.

Dr. Buell suggested that those evaluating the machines and the voting public should have a healthy skepticism, that we are dealing with an imperfect system, that things need to be improved, and that to continue saying everything is fine is doing a disservice to voters. Several other flaws identified by EVEREST were discussed.

When asked if SCSEC has a security specialist in-house, Director Andino replied that it does not. Dr. Buell suggested that SCSEC use Fortify (one of many standard commercial packages that will detect security flaws) or some other security software to detect problems in the voting software. Director Andino replied that only the vendor can correct problems with the software.

Director Andino suggested that we agree to disagree on the reliability of the ES&S system. She states that since the ES&S system is the only system certified in South Carolina, whether or not the system is flawed is not an issue that can be addressed by SCSEC. She said that only the General Assembly can make changes in voting equipment used in South Carolina.

Dr. Buell expressed an interest in speaking to the State Elections Commission.

ⁱ EVEREST: Evaluation and Validation of Election-Related Equipment, Standards, and Testing, December 7, 2007.

<http://www.sos.state.oh.us/sos/info/EVEREST/14-AcademicFinalEVERESTReport.pdf>.

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