

MEDIA RELEASE
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AN ERA OF VOTING ENDS; CHAUTAUQUA COUNTY SCRAPS MECHANICAL LEVER VOTING MACHINES

Schools and villages may continue to use mechanical lever voting technology for 2010!

MAYVILLE—The Chautauqua County Board of Elections yesterday completed a public auction sale of eighty one mechanical lever voting machines to scrap dealer Archie Nichols, Inc. of Frewsburg for \$52.47 each, thus ending an era of voting for county General Election voters.

All county voting machines and many in New York State were produced at the now defunct Automatic Voting Machines, Corp of Jamestown. The most recent selling price for the approximately 700 pound election vote counters was about \$2,000 for reconditioned models. Voting Machine Service Center, Inc. of Ellington most recently serviced the machines and previously offered after market manufactured replacement parts available for sale.

The county BOE was one of just nineteen counties statewide and the sole western New York county that took part in a federal court supervised "pilot program" for full rollout of new optical scan ballot technology in 2009. The United States Justice Department had previously successfully brought a federal lawsuit against New York State to force compliance with the federal Help America Vote Act of 2002.

The BOE previously selected the Dominion Imagecast paper ballot optical scan voting machine for county voters as it moved forward with state and federal voting law compliance. Chautauqua County chose the Imagecast machine in support of the jobs created with the all New York State produced voting machine and having the commitment of a continued sales and service office headquartered in Jamestown.

The remaining forty three New York State counties will presumably catch up with Chautauqua County this year and will complete the court mandate of full voting machine replacement for all elections. The Chautauqua County "pilot program" in 2009 was conducted before the December certification of new voting technology by the New York State Board of Elections.

"The new optical scan voting technology allows something the old machines couldn't; the ability of election professionals to reconstruct any election by reviewing and hand counting paper ballots cast by individual voters," said Democratic Election Commissioner Norman P. Green. "But the downside is that with an increase of transparency in what we do," added Republican Commissioner Brian C. Abram, "we are now open to increased legal review by lawyers and the courts."

With the advent of New York State Board of Elections voting machine compliance, current New York State law makes the mechanical lever voting machine outlawed for all elections. However, since New York City has yet to even take

delivery on its optical scanners, all voting machine legal advisors believe that state schools and villages may continue to use mechanical lever voting technology for 2010. With that in mind, the Board of Elections first offered the surplus machines to all county villages and school districts prior to the auction.

Most county election boards around New York State have been working with state Assembly legal staff from Albany to gauge how schools in each county wish to move forward with school voting. A survey by the county Board of Elections finds that all schools are currently using the lever machines and will again in 2010. All responding schools seem to desire a change in state law which will allow local school districts to continue using the lever machines for the near future.

Election law mandates that the "chain of custody" and security for the new optical scan voting machines be maintained by the Board of Elections. Also, programming of ballot layouts and maintenance of ballot results is mandated on an expensive closed network computer system based at the Board of Elections in Mayville. Ballot printing and trucking of voting machines is currently done using outside vendors and only BOE approved voting inspectors and staff may work elections where the new voting machines are operated.

Election Commissioners Brian Abram and Norman P. Green have been working on a future meeting with Chautauqua County schools to share how each moves forward with elections. In 2009, the BOE also met with most county village clerks at a future of elections meeting and plans on a similar session for 2010.