



## Los Angeles County Registrar-Recorder/County Clerk

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To: VSAP Advisory Committee  
RR/CC Internal VSAP Team

From: Monica Flores

Re: **VSAP Advisory Committee Meeting- November 4, 2011 Notes**

### Summary

The Voting Systems Assessment Project Advisory Committee met for their seventh meeting on November 4, 2011, from 1-5pm. The meeting was held at the California Endowment in Los Angeles, CA.

During this meeting, the VSAP Advisory Committee discussed the voting system and regulatory markets, and how those markets may affect the acquisition and implementation of a new voting system for Los Angeles County. VSAP Advisory committee members dialogued with RR/CC staff, and guests from voting system regulatory agencies and non-profits.

### Meeting Notes

#### Welcome and Announcements

Dean Logan, Registrar-Recorder/County Clerk, welcomed and thanked VSAP Advisory Committee members and guests for attending the meeting. Dean announced that Veronica Mosqueda, former Committee Chair, is no longer with the California Community Foundation, and will therefore be considering his options for appointing a new Committee Chair.

Dean introduced Justin Levitt, Advisory Committee member as Chair of the meeting. Justin thanked Dean and welcomed the group.

#### Meeting Notes Review and Approval

Monica Flores, VSAP Project Coordinator, informed the group that notes for the previous meeting were included in the packet and asked members to review and provide feedback if there is any. Members requested that notes be revised to be a summary of key points and decisions. Monica and staff agreed to revise the notes and present them for approval at the next Advisory Committee meeting.

## Staff Review of Voting Systems

Kenneth Bennett, Manager of Precincting, GIS & Election Tally Systems Division at the RR/CC, presented to the VSAP Advisory Committee the findings of a review of voting system models, conducted by RR/CC staff. In the presentation, Kenneth discussed four voting system models that are commonly used throughout the nation: hand-counted paper ballots, optical scan ballots, direct recording electronic ballots, and ballot-marking devices. Kenneth concluded by saying that no existing voting system fully satisfies all General Voting System Principles and that recent voting system evaluations by other jurisdictions have found that no voting system exists to meet the needs of a jurisdiction as large and complex as Los Angeles County.

Committee members asked questions regarding precinct tabulation. In particular, members asked about the number of ballots that the County typically receives per precinct and the feasibility of counting that number of ballots at the precinct level. Members also asked what comparable Counties use a Central County tally method.

Members also asked for relevant studies regarding accuracy and costs of the discussed voting systems to be brought to the Committee.

Committee members finally expressed a desire for the Department to continue to strive for a voting system that meets all the General Principles before starting to prioritize certain principles over others.

## Staff Recommendation: Open Design Search

Max Messern, VSAP Project Coordinator, presented to the Committee regarding the next steps the VSAP is exploring in the acquisition of a new voting system for the County. Max provided an overview of the "Open Design Search" model the Department is researching. The Open Design Search consists of two elements, an online design challenge and a 1-2 day design workshop. The purpose of approaching the next steps using this model is to maintain the VSAP values of citizen participation and transparency while continuing to engage experts into the process.

Members of the Committee responded to the idea of an Open Design Search by reminding the staff to ensure that General Voting System Principles are the foundation for the process and that it puts in the forefront issues like privacy and security. In addition, participants should be reminded of the needs of minority voters since they will probably approach it thinking of their own personal needs and preferences.

Other members asked about the process of evaluating the solutions. Staff said that while the specifics of who and how it will be done have not been determined, it is an important component of the process and Advisory Committee members will have an opportunity to participate to either shape the selection process or be a part of the selection process.

## “Regulating Innovation: Certifying California Voting Systems” Panel Discussion

The Committee engaged in a discussion with a panel of experts and leaders on the regulation and administration of voting systems. The panel, included Joshua Franklin, Computer Engineer, US Election Assistance Commission; Lowell Finley, Chief Counsel, Secretary of State’s Office; and John Sebes, Chief Technology Officer, Open Source Digital Voting Foundation. The panel was moderated by Pamela Smith, Executive Director, Verified Voting. The panel provided an overview of the current regulatory structure, provided some insight on possible changes in the near future, and discussed the effects the current structure has on the voting systems market.

Joshua Franklin with the EAC provided an overview of EAC functions, the Federal testing and certification process, Quality Monitoring program and opportunities for cooperation.

Advisory Committee members asked for further clarification regarding system elements that are tested, in particular, regarding system firmware. Members also asked questions about the enforcement procedure for program violations by vendors, and the effectiveness of the EAC testing standards in general. Committee members asked further questions regarding the structure and operations of the EAC. They asked about the role of employees, how they interact with test labs, if voting systems can be certified without a quorum of Commissioners, and if the VVSG 2.0 will need approval by the Commissioners.

Lowell Finley, Deputy Secretary of State presented an overview of the voting system approval process in California. He discussed the key elements of state testing and went over the documentation that must be completed to enter the process. Lowell also stated that the Secretary of State’s Office is exploring new specifications and regulations.

Dean Logan asked if the prior Secretary of State published voting system certification standards under Election Code Section 19205, since Lowell presented saying the current Secretary of state has not published standards. He responded that standards were not published and they have to be cautious and standards must account for the fact that the EAC may not exist in the future.

Advisory Committee members asked Lowell how prepared the Secretary of State’s Office is for a system that is out of the ordinary. They also asked if the Secretary of State’s Office has seen any systems which are close to the ideal and if there has been any progress on achieving greater voting system security since the TTBR. Committee members also had questions regarding the implications or challenges of moving towards a state-only testing system.

John Sebes with the Open Source Digital Voting Foundation provided an overview of the Open Source Digital Voting Foundation. He discussed the vision and functions of the organization. John also discussed innovation in the voting systems market- the

current state of it, the reasons for the current state, and methods to spurring innovation. He discussed how the certification process affects innovation and how it can be altered to spur additional innovation.

Advisory Committee members asked about the types of projects OSDV has been involved with, and what type of work they have done with the EAC. John was also asked questions regarding open source software modifications and the process of recertifying a system after those modifications.

### Conclusion

Dean thanked panelists and Advisory Committee members for attending and participating.

### **Additional Information**

You can find additional information regarding the VSAP Advisory Committee, including a video archive of this meeting, at [www.lavote.net/voter/vsap](http://www.lavote.net/voter/vsap).