

Public Hearing Testimony: Amy Naccarato, State Election Director, Utah - 06/03/04

**Testimony of Amy Naccarato, State of Utah, Director of Elections
United States Election Assistance Commission Public Hearing
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Chicago, Illinois**

Background on Utah

Utah began using the punch card in the 1960's. Twenty-three of our twenty-nine counties use the punch card, which is about 98% of our voters.

Utah is a small state with only 1.1 million registered voters. The punch card has served us well for many years. The punch card has been both economical and functional. The units are easy to store and transport. Most of all, voters and pollworkers are familiar with them.

After the 2000 election, obviously the punch card was thrust into the national spotlight. We as election officials found ourselves defending the punch card. Many people called this technology "old," "outdated" and "flawed." We were not immune to the nationwide move to get rid of the punch card.

Changes in Response to HAVA

Utah "opted in" on the punch card buyout money available under the Help America Vote Act. Our Utah State Plan Committee on Election Reform also determined that it would be most beneficial and cost effective to purchase one uniform voting system because of our small population. We worried that many counties did not have the funds, buying power or the expertise to purchase voting equipment on their own.

Early on we anticipated purchasing an electronic voting system to replace the punch card. Some officials have begun to second guess this decision based on the controversy surrounding electronic voting equipment that is going on around the nation. Now people are beginning to say, "What's so bad about the punch card?"

Given the current climate in elections, we have found it difficult to explain that there are more reasons besides the perception that the punch card is "outdated" to replace it with a new voting system. Currently our punch card system does not meet new HAVA requirements such as notifying voters of over and under votes and it is not accessible so that persons with disabilities can vote independently.

In addition to these HAVA requirements, Utah allows write in candidates. The punch card system can disenfranchise these candidates because their names cannot be written on

the ballot and must be written on the secrecy envelope. We've had many problems with candidate, voter and pollworker confusion on this matter.

One of our greatest concerns, however, is that we will no longer be able to purchase the punch card stock, at least not from a quality vendor. As I mentioned, Utah is a small state and we can no longer rely on the availability of punch card stock because other larger jurisdictions no longer use it. They have transitioned to other voting systems.

While it is important to recognize the problems and limitations of the punch card, it is also important to note that we see many advantages in a uniform voting system. These advantages include uniform procedures, uniform laws, cost savings in training materials and the ability to share resources.

Transition Challenges

Utah will transition to a new voting system. We are in the middle of drafting our RFP, which will be released this summer. So what are the difficulties the state of Utah faces in transitioning to new voting equipment? The State has never been involved in the selection of voting equipment. These decisions have always been made at the county level and now the Lt. Governor (Chief Election Official in Utah) is making decisions that will affect the counties. We have tried to include county representatives in each decision we make. County representatives have served on the State Plan Committee, the RFP drafting team for voting equipment and many counties will be represented on the RFP evaluation team. While the state has new responsibilities under HAVA, it is important to get "buy-in" from the counties.

Electronic voting equipment is obviously a lot different than the punch card. It cannot be stored in the unfinished basement or the back shed like the Votomatics. Physical security of the equipment must become a primary concern with the electronic equipment. Furthermore, electronic machines cannot be tossed in the trunks of the pollworkers' cars on election days. The equipment is too large and too heavy for many pollworkers. Many counties will need trucks and delivery crews to transport the equipment to the polls. No matter what type of system is selected, Utah faces major re-training of election officials, pollworkers and voters.

One of the most difficult challenges we face this year is how do we convince people that it is necessary to make the transition from a system that is supposedly "outdated" and "flawed" yet still inspire confidence that every vote will be counted and counted correctly? We honestly do not yet know what to expect from our voters this year. Will people be suspicious of the punch card or will they be singing its praises?

Best Practices in Punch Card Voting

Utah has always been strong in uniformity. The Lt. Governor's Office meets monthly with all county clerks. This has enabled us to have somewhat of a "users group" to

develop best practices, share problems and concerns, and resolve any new issues. The following are some of the other best practices used by election officials in Utah:

- Vacuum or clean chads out of the Votomatic reservoirs after every election or at least once a year. Maintenance of the equipment is key.
- Test a punch card ballot in each Votomatic unit to ensure that the alignment is correct. The judges are also instructed to test this before opening the polls.
- Continue testing the alignment of the ballots in the Votomatic units on Election Day. Teams of runners are dispersed throughout the county or the judges do this during a slow period.
- Inspect every ballot before they are run through the counting machine. Teams of “pickers” and “fluffers” ensure that there are no damaged ballots or hanging chads.
- Reproduce damaged ballots. Detailed records are kept so that the new ballots can be tracked back to the original.

Since the passage of HAVA we have also done the following to strengthen our process:

- Instituted uniform ballot counting standards as required by HAVA.
- Begun working with the media to help them understand our punch card procedures, both old and new. We are, in fact, hosting a “training” on June 11 for the broadcast and print media in Utah.

One of the best practices with the punch card happened inadvertently. After the 2000 election, everyone seemed to be an expert on how to use a punch card correctly. During the 2001 and 2002 elections, the state and counties did not have to do much publicity on the punch cards. The media and political parties handled it for us (without being asked.) In fact, I remember getting a piece of mail from a political party a few days before the election reminding me to “PUNCH OUT CHAD.” Pollworkers also reported that voters were diligent in checking the backs of the punch card ballots for chads.

Conclusion

Utah will be using punch cards in 2004 and no new equipment will be in place. We will continue with the practices we have established through the years and I am confident that we will run a successful election. When the time arrives for the transition to new voting equipment, our long-standing tradition of communication and partnership between the State and the counties will help us continue conducting successful elections in Utah.