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State likely to overlook Diebold flaws

Officials expected to OK voting system despite problems on tests

By Ian Hoffman, STAFF WRITER

In less than a week, state officials are poised to approve a new Diebold electronic-voting system that several large counties, including Alameda, want to use.

But the system showed problems in security, protection of voter privacy and printing of a paper trail during testing this spring.

State elections authorities have obscured the full nature of those problems by blacking out parts of test reports that have been released under the state Public Records Act and declaring other documents too full of Diebold "trade secrets" for public release.

During tests in late April and early May, a chief feature of Diebold's new computerized voting machine — the ability to print out voters' electronic choices so they could be verified and, if needed, recounted — performed so poorly that the state's testing consultant concluded "this version is not ready for use in an election."

Assistant Secretary of State Brad Clark, a former Alameda County registrar, said Thursday that those problems have been fixed, and the Diebold system desired by county elections officials is ready for state consideration.

A panel advising Secretary of State Bruce McPherson is to vote on approval of the new Diebold touch-screen voting system next week.

Elections officials say new systems such as Diebold's are essential if California counties are to meet January 2006 federal mandates for handicapped voting and state mandates for providing a voter-verifiable paper record.

"The more options that are out there for the counties to use, the better off we are," Clark said.

Diebold's first efforts to secure approval for its AccuVote TSx in California ended in public distrust of all electronic voting and consideration of criminal charges against Diebold. That's partly because Diebold officials persuaded four counties to spend more than \$40 million on the TSx — and state

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elections officials to approve its

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use in the 2004 presidential primary — before the system made it through lab tests and federal approval.

Former Secretary of State Kevin Shelley rescinded the TSx approval in April, and thousands of those machines now sit in climate-controlled warehouses in San Diego, San Joaquin and Kern counties.

Solano County dropped its Diebold machines and switched to another vendor. Alameda County elections officials want to swap out 4,000 older AccuVote TS machines for the TSx, which is smaller, lighter and equipped with a printer for generating a paper record of a voter's choices for the voter to verify.

Before applying to California for approval, voting-system makers are required by state election rules to get their machines through lab tests and federal approval, then draw up procedural and training manuals for using them. None of this was done in October 2003, and none of it was done before Diebold applied for approval again in March.

"We're going through the same kind of scenario, not only from Diebold but from the (Secretary of State's) elections division," said Jody Holder, a voting activist who unearthed reports on state tests of the new Diebold machines and e-mails between the state and Diebold through a public-records request. "You can see from the e-mails between them that they're bending over backwards."

"There's a sense of deja vu in this rush," said Kim Alexander, president of the California Voter Foundation, a nonprofit group based in Davis.

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