

July 7, 2010

New York State Board of Elections
40 Steuben Street
Albany, NY 12207-2108

New York City Board of Elections
32 Broadway, 7th Floor
New York, NY 10004-1609

Re: Setting Machines to Automatically Reject Overvoted Ballots

Dear Commissioners:

As a group, we have spent thousands of hours reviewing electronic voting systems, studying their code as well as their security and reliability flaws. We are strong proponents of rigorous testing of machines to ensure that they operate properly.

We also believe that usability is a critical component for any effective voting system. There is substantial evidence that the overvote interface currently contemplated for New York's voting systems will not give voters adequate notice and opportunity to correct overvoted ballots.

The most obvious solution to this problem is to set the voting machines to reject overvoted ballots. This is a common practice among jurisdictions that use optical scan systems. It is our understanding that this is a configuration file issue, which should mean that firmware and software would not need to be modified in any way to make this change. **Because no software would be modified, testing of the change can be expected to be simple, straightforward and efficient, and to take no more than a day.**

The benefits of good overvote protection, like automatically rejecting overvoted ballots, have been demonstrated consistently, throughout the country. Small configuration changes that prevent loss of votes, when verified by the simple testing described above, are worth the effort to deploy.

Sincerely,

Douglas W. Jones,
Associate Professor of Computer Science
University of Iowa

David Dill,
Professor of Computer Science
Stanford University

Barbara Simons, Ph.D.,
IBM Research (retired)
EAC Board of Advisors*

Aaron Burstein
Research Fellow, UC Berkeley School of Information
Associate, California Voting Systems Top to Bottom Review*

Joseph Lorenzo Hall,
Postdoctoral Researcher UC Berkeley School of Information /
Princeton Center for Information Technology Policy
Policy and Document Consultant, Ohio EVEREST Voting System Study*

Bo Lipari,
New Yorkers for Verified Voting

* Affiliation listed for identification purposes only

Cc: Todd Valentine, Co-Executive Director, New York State Board of Elections
Robert Brehm, Co-Executive Director, New York State Board of Elections