



TRUST BUT VERIFY: TOWARD INCREASING VOTER CONFIDENCE IN ELECTION RESULTS

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INTRODUCTION

In December 2006, the Tennessee Advisory Commission on Intergovernmental Relations began a review of the entire election process, including an examination of the advantages and disadvantages of voting machines currently used in Tennessee. This first report focuses on issues related to voting machines because any changes to voting systems will take time to implement. Subsequent reports will examine other aspects of the electoral process, including ensuring voter eligibility and regularly auditing compliance with election rules and procedures.

This brief reports the findings and recommendations related to voting machines.

FINDINGS

- There are no formal requirements or methods for reporting voting problems in Tennessee or nationally.
- Voter verified paper audit trails (VVPAT) reassure voters that their vote is being counted accurately and can be audited or recounted.
- Many experts and advocates believe the direct recording electronic machines (DREs) are especially

*“There is a better way
to do it. Find it.”*

—Thomas Edison

vulnerable to tampering and fraud because most do not physically document votes so that they can be independently recounted or audited.

- Vulnerability in all electronic or computerized systems can stem from computer codes that are subject to tampering, connections to other computers that can allow hacking, and weak data encryption.
- Governmental entities and private corporations are routinely audited regardless of whether problems are suspected. With so much at stake, the same should be true for elections.
- In Tennessee, nearly 50% of the statewide November 2006 vote was cast early.

TACIR STAFF RECOMMENDATIONS

- Implement VVPAT statewide within a reasonable time frame.
- Adopt VVPAT that can be counted by hand, as well as by machine—machine tallies to support prompt reporting of results with hand counting for audit and recount purposes.
- Adopt a standard for VVPAT that would meet federal guidelines.
- Request a review by the Election Assistance Commission to find out how much of Tennessee's remaining Help America Vote Act (HAVA) funds would be available to purchase new voting machines.
- Require voting machine vendors to escrow all of their proprietary software

so that it can be reviewed by experts as recommended by the Commission on Federal Election Reform and secured for further analysis if vote-counting problems should arise.

- Strengthen audit requirements to ensure that a random sample of machines is routinely tested.
- Consider making early voting and voting by mail more accessible.
- Implement a Vote by Mail pilot program that would allow the state to assess the advantages and disadvantages of this type of voting in Tennessee.
- Strengthen security and pre-test requirements and make them consistent for all voting systems.
- Implement election day parallel voting machine tests to detect any hidden programs that are triggered by election day conditions and are erased so that they cannot be detected later.
- Allow government employees to serve as poll workers, with restrictions on those who work directly for a candidate on the ballot.
- Extend the minimum age for poll workers to 16 and ensure students receive an excused absence from school on election day to work at the polls.
- Encourage counties to partner with high schools and colleges to set up programs that would motivate students to work at the polls.

