

**From:**  
**To:** <HAVATF@elections.state.ny.us>  
**Date:** 4/21/2009 12:37 PM  
**Subject:** comments on the state HAVA Implementation Plan

Comments to the State Board of Elections re HAVA Implementation Plan for 2009

Thank you for the opportunity to provide comments.

First of all, the 2008 election and use of the ballot marking device in Orange County was by no means a success. The machines were often not plugged in, or in an open area with no privacy, and were generally unused.

Poll workers were not sufficiently trained on the machines. Individuals asking to use the new machines were discouraged by poll workers, saying it would take a long time.

My personal experience: when I asked to use the ballot marking device, the poll worker asked me if I was handicapped. He said he did not know if anyone knew how to use the machine, and then pointed to a separate area where he said I could go for help.

When I went up to the two ladies sitting at a table, and I said I wanted to vote on the new machine, one woman said that was her worst nightmare. She did not know how to use the machine. She admitted that she had been initially shown at a training, but that was in August, and she could not remember the instructions.

Reluctantly, we all walked over to the machine. They called the local board of elections and were told that there were other "emergencies" and they did not have time to explain the new machine process. To the credit and tenacity of the poll workers, who stayed on the line until they received instructions, I voted about an hour later. So the warning was correct – it did take a lot longer to vote on the new machine, but the reason why was because the poll workers were not prepared that day.

The plan states in Section 3 "Voter education and poll worker training" –" The State Board is committed to effective election official and poll worker training which will result in positive voter experiences and fair and orderly elections. Poll workers will be trained in new procedures and the operation of new voting equipment" - well the 2007 plan was ineffective since poll workers did not learn the new machine procedures.

You write that the poll worker training program was completed in September 2008 and it provided a uniform statewide curriculum for use by county boards of elections to train poll workers in the use of the voting systems. A county-level poll worker training manual was also developed in both a student's edition

as well as an instructor's edition. Also a county-level administrator manual was developed and county board of elections designated staff members were trained through a series of regional training sessions conducted in 2008.

None of this was reflected in results of the November 2008 election. There is no indication going forward in the plan that the process will change in a meaningful way to ensure better compliance with the plan in 2009.

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