

307 Seventh Avenue, Suite 1403
New York, NY 10001
www.wccny.org



Telephone: 212-353-8070
Facsimile: 212-228-4665
Email: info@wccny.org

**Testimony of the Women's City Club of New York
To the Board of Elections in the City of New York
For the December 29, 2009 Public Hearing Re: Selection of a Poll Site Based Optical
Scanning System for Use in 2010 Within the City of New York**

The Women's City Club of New York appreciates your commitment to an open and transparent process for the selection of new voting systems for use by the voters of the City of New York.

Of the three systems certified by the New York State Board of Elections for selection by the Board of Elections in the City of New York, (Dominion scanner plus Ballot Marking Device (BMD), Dominion Scanner and ES&S Scanner) we would eliminate the Dominion combination machine. This "All in One" has a station attached to the back of the scanner for disabled voters to mark ballots, allowing a voter to cast his or her ballot at the same time as another voter using the BMD. This presents privacy problems for our crowded poll sites. The State has approved this machine, and it may work upstate. However, we feel that it will be problematic in New York City. Furthermore, we oppose the purchase of a different ballot marking device. We believe that the ES&S BMDs, purchased at a cost of almost \$15 million, should remain in use and not be scrapped.

There are more similarities than differences between the two optical scan read & count systems. They look alike in color and size, both use direct feed of ballots and both hold ballots in a box for possible hand recounts. However the two differ in the voter notification screen. The Dominion does not alert the voter to an over-vote. The salesman correctly said, "State regulations do not require it." Thus, if you filled in two ovals for the Governor's race, it simply would not count that vote; the rest of the ballot would be counted. The ES&S machine alerts voters to an over-vote and allows the voter to re-mark the ballot. We feel this gives a slight preference to ES&S.

Given the many similarities between the Dominion and the ES&S machines, we believe the Board should place great weight on other factors such as cost, service support, training programs and the reputation of the companies. Both vendors have sold these systems to other localities. Take their experience into account in reaching your decision.

We look forward to the January 5, 2010 Commissioners' meeting when you will make the final decision.

For more information, please contact Marjorie Kelleher Shea of the Women's City Club Board of Directors and Public Policy Committee at 212-580-2895.