

Ltr 06-11

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November 20, 2006

Ms. Wilma A. Lewis, Chairman
D.C. Board of Elections and Ethics
441 - 4th Street, N.W.
Washington, D.C. 20001

Re: Voting Problems for SMD 3F06 at Precinct 33 in the General Election on November 7, 2006

Dear Chairman Lewis and Members of the Board:

At a duly noticed public meeting on November 20, 2006, ANC 3F voted 5-0-0 with a quorum present to request an investigation into the Board of Elections and Ethics' (BOEE) failure to provide enough paper ballots to Precinct 33 (Murch School) for potential voters in SMD 3F06 during the General Election on November 7, 2006. Because of this error, three-quarters of SMD 3F06 voters were forced to vote electronically. Of even greater concern, a significant number of voters were prevented from voting at all when the single electronic voting machine at the precinct broke down and was out of service for a period of time. We ask the Board to conduct a thorough investigation into these problems and to share its findings with our ANC. We also urge the Board to adopt clear and strong measures to prevent recurrence of these problems in the future, not only for SMD 3F06 but for all other SMDs throughout the city.

Specifically, ANC 3F has learned that BOEE sent only 150 paper ballots to Precinct 33 for the 1,400 registered voters in SMD 3F06 assigned to that precinct. As could be expected from such an extreme disparity, the paper ballots ran out early in the morning of Election Day. By 9:30 a.m., people were leaving the polls saying that all voters in SMD 3F06 had to vote electronically if they wanted to vote.

At the start of the election, Precinct 33 was given only one electronic voting machine. A long line formed at this single machine. Some said they had to wait for over an hour to use it. In addition, this machine broke down shortly after the paper ballots ran out and stayed out of service for half an hour, leaving voters in SMD 3F06 without any means to vote during that time. Some chose to wait to see if the machine could be fixed, but a number of voters simply left the polls without voting. Many of them were elderly or had jobs to go to. Others, who learned of the problems as they arrived at the polls, just turned away before going inside.

Precinct staff did request more paper ballots when the original allotment ran out, but BOEE was unable to provide new ballots for more than two hours. When these finally arrived, there were only 100 to 150 of them, and they were labeled “duplicate” and “test ballot”. Although BOEE assured precinct staff that these ballots would last until the close of the polls, they ran out shortly after 4:00 p.m., before the peak time for evening voting had even started.

BOEE also brought in a second electronic voting machine as a back up for the one that had malfunctioned. It was put into operation by 1:30 p.m. and helped to reduce the length of time voters had to wait. With these two machines, voters were able to vote for the rest of the day, but for those who have trouble voting electronically – as many say they do and as several people reported at Precinct 33 on Election Day, electronic machines are not a full and complete substitute for paper ballots.

Although BOEE Executive Director Alice Miller has already responded to inquiries from the two candidates for SMD 3F06, ANC 3F would like specific answers to the following questions:

- How does BOEE determine the number of paper ballots to send to a precinct for an election?
- Why were only 150 paper ballots for SMD 3F06 provided to Precinct 33 initially?
- Did other precincts experience a similar shortage? (ANC 3F has been told that there was also a shortage of ballots for SMD 3F06 at Precinct 30.)
- Why did it take so long to find additional paper ballots and get them to Precinct 33?
- Why was BOEE unable to provide enough additional paper ballots to last until the polls closed?
- If a precinct has been given an oversupply of ballots, can the excess be given to a precinct that has a shortage? (Many voters wondered whether the shortage at Precinct 33 occurred because the bulk of the paper ballots for SMD 3F06 had been given in error to Precinct 30 or Precinct 32, both of which have a small number of voters in SMD 3F06.)
- What measures will BOEE take in the future to make sure that enough paper ballots for each SMD are provided to each precinct?
- Will BOEE commit to providing two electronic voting machines to each precinct as an additional means of making sure voters are able to vote at all times that the polls are open?

We look forward to your responses and to working with BOEE to avoid such problems in the future.

Sincerely,

/s/ Cathy Wiss

Cathy Wiss
Chair, ANC 3F

cc: Councilmember Vincent Orange, Chair, D.C. Council Committee on Government Operations
Councilmember Kathy Patterson, Ward 3
Councilmember-elect Mary Cheh, Ward 3
Gottlieb Simon, Director, Office of Advisory Neighborhood Commissions