

1       BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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3       IN RE:   :

4       Public Hearing   :

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7                       Proceedings before Chairman Douglas J.  
8       Preisse, Board Member William A. Anthony, Jr.,  
9       Board Member Michael F. Colley, and Board Member  
10      Kimberly E. Marinello, taken at the Franklin  
11      County Board of Elections, 280 East Broad Street,  
12      Columbus, Ohio, on Thursday, August 14, 2008,  
13      at 6:40 o'clock p.m.

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1 APPEARANCES:

2 Franklin County Prosecuting Attorney  
3 373 South High Street  
4 13th Floor  
5 Columbus, Ohio 43215

6 By Mr. Anthony E. Palmer, Jr.,  
7 Assistant County Prosecutor

8 and  
9 Mr. Nick A. Soulas,  
10 First Assistant,

11 On behalf of the Board of Elections.

12

13 ALSO PRESENT:

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15 Mr. Michael Stinziano, Director  
16 Mr. Matthew Damschroder, Deputy Director

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P R O C E E D I N G S  
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CHAIRMAN PREISSE: We are in session, and thank you all for coming. Thank you for attending Franklin County Board of Elections' public hearing regarding the preliminary voting machine allocation report issued by Sagata Limited.

The Board is taking under consideration both the report and the comments received for our final determination of allocation of voting machines throughout Franklin County on election day.

Pursuant to Revised Code 3501:11(i), this Board will vote in public session on the final voting machine allocation for the November 4th general election, 2008.

We will hold this vote no earlier than our regular meeting of -- regular meeting of the Board on September 8 so that this Board and our staff and consultants have adequate time to review the record from tonight and make final recommendations prior to our vote.

1 I'd like to briefly describe the  
2 format of tonight's proceedings. We'll begin  
3 with a brief presentation from Dr. Ted Allen and  
4 his team from Sagata Limited.

5 Once they have finished, we will then  
6 hear comments and questions from those  
7 individuals who have submitted speaker slips to  
8 the Board staff.

9 Each individual will have five minutes  
10 for comment. Our staff will raise a sign when  
11 there's one minute remaining for the speakers.  
12 Depending on the time remaining this evening,  
13 we'll then open the meeting for additional  
14 questions and comments.

15 We did ask you to fill out a speaker  
16 slip so that the staff can adequately reach you  
17 for any additional follow up that may be desired.

18 Thank you for attending tonight's  
19 meeting. Let us begin with Dr. Ted Allen of  
20 Sagata and the presentation. I think I unplugged  
21 the machine accidentally over here, and you've  
22 got it back in order.

23 MR. ALLEN: I'd also like to thank you  
24 all for coming today. My name is Ted Allen I'm

1 almost 40; I'm not that young. I'm an associate  
2 professor. I'd like to thank the Board for  
3 commissioning our study. It's been a pleasure.

4 This has been a really exciting thing  
5 for me to work on. I think it's an opportunity  
6 for moving the election community in a positive  
7 direction and Franklin County can hopefully be a  
8 catalyst for that and you also can participate.

9 I'm here representing my partner, Mike  
10 Bernshteyn or Bernshteyn and Chris Rockwell of  
11 Lextant. They ran the mock election, which is  
12 roughly equal partnering with us that did  
13 the -- we did the analysis.

14 I'm here representing a consulting  
15 company that I'm partly involved in. I'm also  
16 representing Lextant that Chris is president of,  
17 and then I'm also representing the Ohio State  
18 University where I'm an associate professor in  
19 industrial engineering.

20 So at Ohio State, I actually teach  
21 waiting line analysis sometimes. I teach  
22 simulation, the kinds of things that this project  
23 is related. So I'm fully capable of putting you  
24 all to sleep. And so don't make any growls at

1 me. No, I wanted to -- and so what I'm here to  
2 present is one slide for each of these topics.

3           The first topic is the summary, and  
4 I'll just give you the summary. The summary is,  
5 there is a serious likelihood, we believe, that  
6 there will be lines again, despite all the  
7 several positive steps that the Board has taken  
8 in the past, including increasing the number of  
9 machines, sharing the voting machines across  
10 locations, stimulating early voting.

11           Despite these positive transits and  
12 others that we'll mention, the reason why there  
13 will be possibly long lines to deal with, the  
14 increase in time it takes to vote once you are at  
15 the machine. And so we'll talk about that.

16           So if you think about the process of  
17 waiting, if you'd take a class from me in Ohio  
18 State on waiting line analysis or a simulation,  
19 this is the picture of the fundamental queuing  
20 situation that is general to waiting in lines at  
21 elections, waiting at cashiers in McDonalds,  
22 waiting in the hospital for your nurse, waiting  
23 for many different kinds of situations.

24           It's fundamentally similar to this.

1 There's an arrival. There's some queuing, or  
2 waiting, and then there's service. And so this  
3 shows the machines here, and these are three  
4 people being served. This person is arriving and  
5 in line. This person is about to leave, and this  
6 person will replace them.

7           So this shows the fundamental waiting  
8 system. So to address our methods for how we  
9 simulate this, you have to address how do you  
10 simulate the arrival at the queue? You have to  
11 simulate how they are served, how the machine  
12 serves them.

13           And so we'll talk about the arrival,  
14 the service rates, other things -- negative  
15 events can also arrive such as machine  
16 breakdowns. So we'll talk about what we do for  
17 breakdowns.

18           And then the last thing I will talk  
19 about as you're thinking about how to simulate  
20 the system is the multiplicity.

21           This Board is in charge of not just  
22 one precinct, but over 800 precincts in over 530  
23 locations. So they will be judged, sadly, by not  
24 their best precincts; they'll be judged by their

1 worst precincts out of all these many possible  
2 opportunities for problems.

3           So another aspect of the simulation is  
4 the multiplicity issue. So we'll talk briefly  
5 about these things and then finish up with, okay,  
6 you understand the basic ideas of queuing and  
7 election systems, how do we apply it, what are  
8 some properties to take home. All of these  
9 points are described in your report.

10           So turnout. This is probably the  
11 biggest source of uncertainty among you; yet, on  
12 the other hand, the ability to predict how many  
13 people are going to vote in the last two  
14 elections was remarkable by the Board and by the  
15 officials here.

16           They told me in advance how many  
17 people would vote, and they were very accurate  
18 within 2 percent, which was surprising to me at  
19 the time.

20           In 2004, 530,000 people voted in  
21 Franklin County. The population is slightly  
22 larger but not that different. But yet the sign-  
23 in level could theoretically be higher, so, maybe  
24 more.



1                   Now, that's the total number who  
2 vote. But our scope in this project is smaller  
3 than that. It's only how many people are going  
4 to vote on election day.

5                   So 100,000 people voted early in the  
6 last two elections, major elections, the primary  
7 in 2006, and that's about 24 percent of the total  
8 that voted.

9                   So we expect that that should go up.  
10 There are reasons to suspect that it will go up.  
11 For one, this Board has commissioned a mailing  
12 inviting every single registered voter to vote  
13 early.

14                   Also, there's a large advertising  
15 budget to stimulate early voting. Both of the  
16 candidate elections have made promises to try and  
17 stimulate early voting. Other precincts around  
18 the country have had increases as they introduced  
19 early voting options, so -- over time.

20                   Although, I would say, in the last two  
21 elections, it was constant at around 100. So we  
22 don't know how many people are going to be coming  
23 early against how many people are coming on  
24 election day.

1           Now, another issue is, any given  
2 precinct, there's considerable variability in the  
3 turnout fraction for those precincts. There are  
4 patterns of precincts that continually vote at a  
5 higher turnout but yet it's -- you're wondering  
6 how to make assumptions about that.

7           So what we've adopted is probably our  
8 most conservative assumption, is we say that in  
9 our simulation work -- not in our allocation,  
10 we'll describe as a little different here. In  
11 our simulation, we randomly select this precinct  
12 will have a higher turnout or a lower turnout  
13 than the overall turnout fraction.

14           So we first can assume -- take 50  
15 percent overall turnout; and then for some  
16 precincts, there's some probability they're going  
17 to have 50 times 1.4, which is -- it's  
18 around -- in the 80 to 80-something percent.

19           So some will get that, some will get  
20 lower. And so that's our simulation. Now, you  
21 say, such a high rate on the highest turnout may  
22 be a conservative element in this particular  
23 simulation, and we actually are currently  
24 investigating on our own this issue because we're

1 concerned about it.

2 But, anyway, then there's a question  
3 of when will people arrive? These are the actual  
4 times from over 4,000 machines that we studied in  
5 2006, real time, recorded from the machine, of  
6 when the people voted.

7 And since there weren't particularly  
8 very long lines in those precincts that we  
9 studied, we can say, well, that's when they  
10 arrived. So this is the -- in our simulations,  
11 this is the arrival distribution. It shows a  
12 peak, a slight peak -- a pretty big peak at the  
13 beginning of the day, and then some came around  
14 lunch or early lunch and then in the afternoon.

15 So this is what we used to simulate  
16 when people would be arriving. So these are how  
17 many people are going to arrive at each place,  
18 this is when they were most likely to arrive.

19 So then the biggest thing that we do  
20 know, which is the negative trend counteracting  
21 all the positive things, is how much longer it's  
22 taking to vote.

23 We did a historical analysis before  
24 for a publication of what happened in 2004. And

1 despite the long lines that we all are aware of,  
2 the actual time it took to vote, we're  
3 estimating, was quite fast, by our current  
4 standards. Most people took less than five  
5 minutes to vote, once they got to the machine.

6 Now, in 2006, we have the real times  
7 from the machines because now the new technology  
8 records how long when we start, when we stop.  
9 And so now we know real time how long it took to  
10 vote.

11 And then we did the mock election, the  
12 simulated longer ballots that we are predicting  
13 in the current election, in the November  
14 election. And so we actually -- this was a large  
15 element of our costs for the project.

16 We had 60 carefully-selected voters  
17 doing what's called statistical stratification on  
18 ballots on three issues so that we would get some  
19 minority voters and some other voters, some  
20 experienced voters and some other voters, and we  
21 would get educated voters and other voters.

22 So we stratified from those three  
23 variables to create a representative sample, and  
24 then we timed people on different ballots, and we

1 also asked them about their election experience.

2 From these, we were able to piece  
3 together this distribution. You may not be  
4 familiar looking at these kinds of histograms.  
5 What it's basically saying is most people took  
6 three to four minutes way back when to vote. In  
7 the current election in the city, people are  
8 going to take around nine to 10 minutes or  
9 longer, and some will take 20 minutes.

10 Some dutiful people, even with the  
11 people waiting, may come to the machine, try to  
12 read everything carefully, and take 20 minutes.

13 So that -- and, you know, so you could  
14 say, stop, but, you know -- anyway, so they  
15 probably won't. They really will take that  
16 time. And so if they do, that is going to cause  
17 some issues with lines.

18 Now, so there's this trend  
19 counteracting all these positive trends. So in  
20 the simulation, we drew samples from this  
21 distribution, and that's how we filled it in.

22 Now, there's another issue with these  
23 direct reporting equipment devices that has to do  
24 with machine breakdowns.

1           We've done two different studies both  
2 here in Cleveland for Cuyahoga County where we  
3 have studied what causes the machines to break  
4 down, and I think everyone here knows it has to  
5 do with -- generally, it has to do with the  
6 different printing machines, paper jams, paper  
7 issues related to the printing function.

8           And those breakdowns sometimes put  
9 everything on hold, but sometimes we need that  
10 interventionalist. And so the distribution of  
11 the arrival of breakdowns and the distribution of  
12 how long the machine is down for may also factor  
13 in, based on some historical data we have.

14           So then the last thing is, we also  
15 took into account this multiplicity issue. So  
16 when we first -- we didn't realize how important  
17 this is.

18           As we -- as I mentioned earlier, this  
19 system will be judged not by its best precincts,  
20 it will be judged by its worst precincts. And  
21 when you have a lot of precincts, that is not  
22 -- some precincts will have a really bad day;  
23 that means, people will come in bunches, people  
24 will take a long time to vote, and the machine

1 will break down. And so you have to take that  
2 into account, in line.

3 I mean, since the headlines are going  
4 to be not by the best precincts, they're going to  
5 be by the worst precincts.

6 So we simulated 534 precincts. So  
7 that's how we did our simulation to study how  
8 long the lines were going to be.

9 Now -- so if you think about, what  
10 does this all mean? What are some things to  
11 remember, and what can Franklin County help the  
12 country do to be better -- I mean, maybe not our  
13 community in operations research, which, to me,  
14 this is -- most of them, this is pretty  
15 elementary stuff.

16 In other systems, people are aware of  
17 this. But the election committee -- I'm just  
18 saying that the election committee, this is  
19 important messages that I think need to be heard.

20 And so service times matter. It's not  
21 the number of machine -- number of people per  
22 machine, it has to do with the utilization of the  
23 machine.

24 So if the machine -- so if people come

1 arriving at the machine, if the machine is  
2 serving them fast enough, no big deal. But if  
3 the machine is serving them slow and people  
4 arrive, that machine becomes overutilized. Boom,  
5 really long lines.

6 So it has to do with the combination  
7 of the arrival and the service and how long the  
8 ballots are. That's the key point.

9 And so our earlier study pretty  
10 conclusively demonstrated that what happened in  
11 2004, the apparent discrimination was likely  
12 caused by the longer ballots in the city.

13 In other words, they didn't have  
14 enough machines there to do the jobs they were  
15 trying to do, and so, as a result, lines -- and  
16 this problem with discrimination will be solved  
17 simply by using this method, which I'll describe  
18 in a second.

19 All right. And then one other finding  
20 of the study is that if your goal is equal access  
21 to equipment for all precincts, the fact that you  
22 have add a machine, the problems are gone, no  
23 lines. One machine less, you're going to get  
24 considerably long lines.



1           So what happens, then, is you're going  
2 to get -- even in 2004, quite a few precincts had  
3 minimal lines, but some had really long lines.

4           So the only way to guarantee equal  
5 access consistently is to essentially eliminate  
6 all lines by just having one machine at every  
7 place. And it's not impossible to do. You might  
8 think it is, but it isn't. It's just having it  
9 sort of slight overmatching it -- overmatching at  
10 every location, you can essentially drive the  
11 lines to zero.

12           So then the last thing is, this  
13 allocation. I've already mentioned that it's  
14 based on this thing -- you can't really read it,  
15 but it's based on this idea of equal utilization.

16           So you time how long it's going to  
17 take the people, in general, to vote and then you  
18 say, okay, I'm going to allocate the machines to  
19 try and equalize the utilization, not the ratio  
20 of people per machine.

21           So it's people per machine, per time.  
22 It's almost the same as people per machine, just  
23 like this one there in the PowerPoint.

24           So if you do that, then you're doing

1 what ATH, what the papers are written about, what  
2 people are using for Taco Bell and what people  
3 are using for nurses and now are using for this.

4 And so if you do that, it has this  
5 pleasing property. This is how the allocation  
6 happens. People all around the country with this  
7 spreadsheet can reproduce the allocation.

8 They can take the same data, they can  
9 apply the spreadsheet approach, and, bingo,  
10 that's where the allocation comes from.

11 And so this is not perfect  
12 allocation. Does this guarantee there will be no  
13 problems? In fact, no, partly because the total  
14 amount of machines that we have is not  
15 sufficient.

16 But using this approach, we will very  
17 likely address or solve this problem that at  
18 certain times, people waited considerably longer  
19 in 2004. That won't happen. There will be some  
20 people waiting longer than others, but the  
21 likelihood that they share demographic -- share  
22 demographics will be considerably reduced. So  
23 it's transparent and it's designed to address  
24 this issue that we incurred in 2000.

1                   With that, I will conclude and thank  
2 the Court. And thank you for listening. I  
3 appreciate it.

4                   CHAIRMAN PREISSE: Thank you,  
5 Dr. Allen, for reviewing that most informative  
6 overview.

7                   Our agenda calls us to go right to  
8 speakers who have submitted speaker forms, though  
9 I believe you are remaining to address potential  
10 questions. We appreciate your attendance and  
11 remaining.

12                   The staff have handed me a half a  
13 dozen or so -- five, I think, speaker slips which  
14 have been numbered, I assume in order of,  
15 perhaps, submission. And so first we would ask  
16 Leah -- help me out. Rival, Rival?

17                   MS. RIVAL: Rival.

18                   CHAIRMAN PREISSE: Rival, Esq., of the  
19 Ohio Democratic Party Voter Protection Section or  
20 Division. Leah, if you would please state your  
21 name. What other information do we wish to have  
22 for the record?

23                   MR. DAMSCHRODER: Organization and  
24 address.

1                   CHAIRMAN PREISSE: Organization and  
2 address for the record, we'd appreciate it. And  
3 then please proceed and welcome.

4                   MS. RIVAL: Thank you. I'm Leah  
5 Rival, and I'm regional co-counsel for the Ohio  
6 Democratic Party Voter Protection. We're now  
7 calling it Promote the Vote.

8                   I have a couple of questions from  
9 Dr. Allen. I'm looking at your bid table, column  
10 3, which I assume is -- is this what you're  
11 projecting the distribution of machines to be, or  
12 is this your suggestion or -- I just was a little  
13 unclear.

14                  SPEAKER: What page is that on?

15                  MS. RIVAL: Page 16. Sorry. On page  
16 16.

17                  MR. ALLEN: Okay. So which one is it?

18                  MS. RIVAL: Column 3, that shows the  
19 4,565 voting machines. That's the number of  
20 voting machines we currently have; is that  
21 correct?

22                  MR. DAMSCHRODER: Page 45, 65 on this.

23                  MR. ALLEN: Right. 45, 65. Yes.

24                  MS. RIVAL: So is this your suggestion

1 of the best way to allocate the machines?

2 MR. ALLEN: That's right.

3 MS. RIVAL: Okay. Then I guess I'm  
4 just looking at -- there appear to be large  
5 discrepancies in average wait times, even with  
6 the suggested allocations, so I was wondering if  
7 you could speak to that.

8 It looks like there are many precincts  
9 where the average wait time is up around 50 or 60  
10 minutes. There are some that have 20-minute wait  
11 times, and there are some -- there's a couple  
12 that have five-minute or nine-minute wait times.

13 So I was just wondering if you could  
14 speak to that.

15 MR. ALLEN: Sure. Well, so what goes  
16 into the wait is mainly two things. One thing is  
17 the number of people there. So we don't know  
18 what fraction of people there will show up.  
19 That's the clear one.

20 So you might look at a case where it  
21 had roughly the same number of people there and  
22 the same number of machines and that the waits  
23 are different.

24 What that is is that -- in this

1 particular election, there's only two factors  
2 about the ballot. One is that the Columbus  
3 districts will have considerably longer ballots.  
4 But it's not that much longer. I think it's  
5 about 40 percent longer because of the five extra  
6 issues that they will have. But, anyway, they  
7 will have five extra -- six extra bond issues.

8           So that will take them longer to  
9 vote. So you have to take into account the  
10 vote. Because you're trying to predict the  
11 wait. You need to take into account both the  
12 number of people there and how long it -- if it's  
13 Columbus or not Columbus.

14           Because somebody e-mailed us -- I  
15 think it was you -- some questions, and we were  
16 able to verify that the questions that you were  
17 asking were -- it was just some were in Columbus  
18 and some were not in Columbus and so --

19           MS. RIVAL: It wasn't actually me,  
20 but, okay.

21           MR. ALLEN: Well, someone from your  
22 organization. And I appreciate the questions. I  
23 mean, we looked at it carefully, and the answer  
24 was, there was no mistake.

1           Some were in Columbus, some were not  
2     in Columbus. So those ones in Columbus  
3     had -- even if they had the same number of  
4     machines, they had more to vote on. So that  
5     means, when the person got there, they  
6     monopolized it longer. And so the queue grew,  
7     the line grew.

8           MS. RIVAL: So would your suggestion  
9     be, then, to allocate more machines to precincts  
10    within the city of Columbus?

11          MR. ALLEN: Yeah. Well, we generally  
12    did that. We generally did that. But there's  
13    this limit on the total number of machines.

14          I mean, my suggestion would be, in a  
15    way, I would stimulate early voting to the extent  
16    that the turnout on election day goes down and  
17    the number of machines is sufficient and everyone  
18    waits nothing. Or increase the number of  
19    machines until all lines are zero.

20          But the trick in this is, it's very  
21    hard to equalize the number of machines except  
22    equalizing them down to zero. There's really  
23    no -- because once you add a machine -- if you  
24    took this precinct, one of these ones with long

1 waits and add a machine there, that wait will go  
2 further way down.

3 And so it's -- that's how it works.

4 MS. RIVAL: So you think the  
5 difference is basically based on the fact that  
6 some of the precincts are within the city of  
7 Columbus and have longer ballots?

8 MR. ALLEN: That's all there is.  
9 Yeah.

10 MS. RIVAL: Okay. I want to thank the  
11 Board for giving us this opportunity to speak to  
12 the report. And it is very interesting and very  
13 helpful.

14 I just want to say a couple more  
15 things. A couple of things struck me about the  
16 report. Even with the increased number of  
17 machines that we have, on page 3 and page 4,  
18 there's a sentence that says, based on 50 percent  
19 turnout, and we don't know what the turnout's  
20 going to be -- and I guess it could be higher.

21 MR. ALLEN: On election day.

22 MS. RIVAL: On election day. Our  
23 simulations predict 37 locations will likely  
24 experience average waits of longer than three



1 hours.

2                   And then also on page 4, with these  
3 assumptions, we predict numerous locations where  
4 the average voter will wait longer than 60  
5 minutes. The number of these locations out of  
6 543 locations range between 137 and 229  
7 precincts.

8                   So that is a little concerning, and  
9 obviously, we would just, you know, encourage the  
10 Board to get any extra machines that you can.  
11 And I know that there's always been a lot of  
12 discussion about voter education, and we would  
13 just like to encourage that early voting.

14                   Thank you very much.

15                   MR. ALLEN: Thank you.

16                   BOARD MEMBER MARINELLO: Thank you.

17                   CHAIRMAN PREISSE: Thank you.

18                   Our second slip is from Bill Buckle.  
19 Welcome, Mr. Buckle. If you would similarly  
20 state your name and bio for the record.

21                   MR. BUCKLE: My name is unchanged  
22 since you introduced me. Bill Buckle. I'm 1641  
23 Hess Boulevard, Columbus, Ohio.

24                   And my background is, I'm a poll

1 worker with a bad memory, so I'm one of those  
2 guys that tend to forget things. But I watched  
3 as several elections go by, so, therefore, I've  
4 come to make some comments.

5           On the prepared statement I have here,  
6 I have listed five comment areas. Starting at  
7 the bottom, while the focus here is on the  
8 machines, if you do have a single precinct stand-  
9 alone someplace and you've got the machines lined  
10 up real good, don't -- and it's a fairly large  
11 precinct, be careful because the bottleneck may  
12 be at the sign-in table.

13           And both whether it's at the machines  
14 or the sign-in table, there are ways to make it  
15 move a little faster. And I'll be -- in the  
16 printed comments, I'm suggesting that the manual  
17 that you give poll workers like me have a piece  
18 of paper that says, these are things you can do  
19 to make this bottleneck go down and put the ideas  
20 that's already there, we all know about them, you  
21 know, in the manual.

22           And I was told by one of the manual  
23 people, I can do it, but I've got to be told to  
24 do it. I don't run this place. Remember? And I

1 guess we've got a new director. And where's the  
2 new director? That's you. Okay.

3 And then the fourth one on the list  
4 was voter turnout estimates. And that seemed to  
5 be -- I just seemed to -- I just seemed  
6 to -- using the stuff I read in the paper and  
7 what seemed to be the -- you're right in there,  
8 you're making good estimates, so I'll give you an  
9 A on that one.

10 How long it takes to vote? Now I'm  
11 thinking like a voter. You're thinking like  
12 planners. But just remember there's people out  
13 there who do vote, and they'd like to know how  
14 long it takes. And that's really not in the  
15 study. Maybe they'd like to know that. So  
16 that's number 3 as a suggestion.

17 Number 2 on the list was -- well,  
18 let's go to number 1 because number 2 was the  
19 key. Number 1 is that the data, the analysis,  
20 seemed to be based on time the voter controls the  
21 machine.

22 But the machines -- what shall I say  
23 -- time to exist -- what the machine does, it,  
24 first of all, stands idle because the other voter

1 just left. Secondly, somebody's introducing the  
2 voter to how to use this machine, and the voter  
3 isn't doing anything yet except listening and  
4 watching.

5 Finally, the voter takes over, which  
6 is where your study focuses. So beware of the  
7 fact that there's some dead time there that's got  
8 to be considered in the analysis they're using.

9 Then number 2, which is the more  
10 interesting one is machine service time is  
11 adjustable. And I've lived through some of this.

12 So if you let people come up there to  
13 the equipment and say, now -- and this is  
14 2004 -- I'm sorry, in the year 2000, we  
15 asked -- we put the face plate of the  
16 machine -- that was the older style.

17 And as people waited in line, we said,  
18 we've got long lines; be sure and study this. We  
19 happened to have two precincts in the same  
20 building. And the one where they studied the  
21 face plate, the line just began to move down, and  
22 the other line where they were a little more  
23 obstinate and not so voter sensitive -- their  
24 presiding judge wasn't of the same mind set. The

1 line was still outside the room at closing time.

2           So personal experience, but I can't  
3 quantify this. I just know it has to work, and  
4 it's common sense, too. So on number -- staying  
5 with number 2, the analysis assumes that for some  
6 reason we've got to live with this distribution,  
7 but there are ways by putting a study table  
8 either at the beginning or between the sign-in  
9 desk and the machine so that we all -- everybody  
10 entering that machine or the vast majority  
11 entering the machine will be experienced not just  
12 how to use it but experienced on the ballot.

13           A friend of mine did a little study  
14 after he got confused and spent some time in  
15 Upper Arlington and, low and behold, he was able  
16 to cut his machine time down by 50 percent.

17           This is just -- you know, a family got  
18 frustrated, took a public record, which is the  
19 face plate of the machine in 2004, says, now, how  
20 come it took this so long? Well, once they  
21 studied this and saw the -- what confused them  
22 and, therefore, went in the machine knowing full  
23 well what to do, stop and think, hitting  
24 a -- hitting an X isn't that time-consuming. Or

1 flipping a page and then hitting an X isn't that  
2 time-consuming, if you know what you're doing  
3 before you get there.

4 So talking about nine minutes in a  
5 machine and all you do is flip a page and hit an  
6 X, flip a page and hit an X because you know what  
7 you're going to do, you're not talking nine  
8 minutes, you're talking more like three or four.  
9 So that's my main point.

10 And thank you for your patience. If  
11 you have any questions, ask Bill.

12 CHAIRMAN PREISSE: Thank you,  
13 Mr. Buckle. There were comments and mixed with  
14 possible questions or observations that may merit  
15 response. I don't know if Dr. Allen or the staff  
16 want to comment at this point. But you may wish  
17 to.

18 MR. ALLEN: I think that your primary  
19 issue of trying to reduce the times by preparing  
20 the voters is really important --

21 MR. BUCKLE: At the polls. At the  
22 polls, yeah.

23 MR. ALLEN: And let me tell you one  
24 good thing that they already have done, this team

1 right here. They have convinced the people to  
2 shorten the ballot lengths, and they're working  
3 towards convincing them to shorten the amount  
4 of words they use.

5 MR. BUCKLE: Easier to read.

6 MR. ALLEN: And that's the setting.  
7 And I do think that -- you know, I've never run  
8 an election. I don't know what these people are  
9 facing. You participated in it, but it is true  
10 that maybe the best medicine if the machine  
11 breaks down is not so much to send a tech but to  
12 send somebody so the people in line can read  
13 before they get to the thing, just what you're  
14 saying.

15 MR. BUCKLE: Make them experience  
16 voting before they go in.

17 MR. ALLEN: So I just wanted to echo,  
18 I agree with you, and I think that message has  
19 been heard by this Board. And the logistics of  
20 making it happen, you know, are up to them. And  
21 they've definitely heard that message, and I  
22 think your comments are right on.

23 MR. STINZIANO: Also, to let you know,  
24 in our 60-day mailing that we're sending out to

1 all the Franklin County registered voters, we  
2 point the registered voters to go to our website  
3 and to pull up a sample ballot that they would  
4 see on election day.

5 MR. BUCKLE: Very good.

6 MR. STINZIANO: So there is  
7 availability to go to the internet to pull up the  
8 sample ballot as you would see it on election  
9 day.

10 MR. BUCKLE: Well, perhaps, a further  
11 word of explaining what a study table is. If the  
12 voter comes in, all keyed up, he looked at the  
13 website, go over -- you know, you walk by the  
14 study table with questions. Are you -- do you  
15 know what you're doing? Do you know how to use  
16 the machine?

17 Don't ask them, Do you know what  
18 you're doing, because everybody's going to say  
19 yes. But do you feel comfortable with the  
20 machine? Have you had a chance to read the  
21 issues?

22 And the person you're talking about  
23 yes, oh, yes, on they go. And the other person  
24 says, well, I didn't quite get to it. Well, sit



1 down and study these. But you're not going to  
2 lose your place in line because as soon as you  
3 finish, get up with your right to vote slip and  
4 we'll take it.

5 Those kind of psychological hurdles  
6 that you might run into if you just went into it  
7 like a bull in a China shop, then, you know, be  
8 careful to sensitivities, I think you'll get  
9 people willing to sit down and study.

10 CHAIRMAN PREISSE: Thank you,  
11 Mr. Buckle.

12 Our third slip indicates that Mr. Ed  
13 Sweeny -- is it Sweeny?

14 MR. SWEENY: Yeah.

15 CHAIRMAN PREISSE: Is here. Hello,  
16 Mr. Sweeny and welcome. If you would similarly  
17 state your name and address for the record.

18 MR. SWEENY: Thank you. My name is Ed  
19 Sweeny. I live at 3801 Norberk Drive in  
20 Columbus. Thank you for giving me the  
21 opportunity to speak.

22 I have three points I'd like to ask  
23 questions about. It would -- and I observed the  
24 2004 election as an observer, a volunteer. And

1 it would seem to me that newly-registered voters  
2 would vote at a higher rate than people that have  
3 been registered for their whole lives, and I  
4 didn't see where that was taken into account in  
5 the allocation of the machines.

6           Could you address that?

7           MR. ALLEN: Well, we have looked at  
8 this issue of what makes precincts have an  
9 affinity for a higher turnout or a lower turnout,  
10 and the answer is, there is -- there is a way to  
11 predict turnout.

12           We've actually -- in this study here  
13 that was not the current but what we did earlier,  
14 we created -- we studied different issues. Was  
15 it early voters? Was it -- what is it that's  
16 driving the turnout?

17           And we did, in this paper, here, grade  
18 forecasting models and options for trying to  
19 predict turnout. But in this particular case, so  
20 far, we have decided to keep it simple. And part  
21 of that is because we're worried about simplicity  
22 and the potential for a huge shift, partly  
23 because of Obama and for other reasons.

24           And if we assume that people didn't

1 vote before and that they're not going to vote  
2 again, that might be the issue. But I hear you.  
3 Your point is right. There are ways to predict  
4 the turnout, and we have studied that, and I'd be  
5 happy to share this paper with you.

6 MR. SWEENEY: Well, you know, you've  
7 studied them. What is the percentage of newly-  
8 registered voters voting compared to, you know,  
9 the -- you know, you say 41 to 55 percent will  
10 vote.

11 What percentage of newly-registered  
12 voters vote? That's my question? And can that  
13 be taken into account in allocation of the  
14 machines?

15 MR. ALLEN: Yes, it could. You  
16 could. And the fact that this thing which we  
17 have recommended at that time during this -- but  
18 we have changed that because the ability of these  
19 explanatory variables to predict the turnout is  
20 significant, but it's not huge.

21 It's statistically significant, but  
22 it's not huge. And to keep it simple, we did not  
23 do that in this particular --

24 MR. SWEENEY: Can you answer the

1 question I'm --

2 CHAIRMAN PREISSE: Mr. Sweeny, I'm  
3 going to ask the staff if they want to chime in  
4 on that because I think they may have a little  
5 more on-point experience over the years in direct  
6 voter registration and turnout expectancy.

7 MR. DAMSCHRODER: Yes. If I recall  
8 from 2004, we had about 125,000 individuals who  
9 registered for the first time in Franklin  
10 County. And if you shoot me an e-mail, I could  
11 look up the numbers and give it to you, exact  
12 numbers.

13 And I think it was about 70 percent of  
14 those actually cast a ballot on election day.  
15 And I think what we do have the capability to do,  
16 Ted, and we're going to do, find a way to factor  
17 this in, is to look at the precincts that have  
18 newly-registered voters and try to -- and we can  
19 probably go back and get this for '06, too -- and  
20 try to project, based on history. You know, if  
21 it's 70 or 75 percent of new registered voters,  
22 have a history of voting, to then apply that to  
23 the formula on a per-precinct basis.

24 MR. SWEENEY: I think that would be

1 awesome, yeah. I mean, if it's that much  
2 difference. I mean, 70 percent of new voters  
3 compared to, maybe, 40 percent of the average  
4 voters, that would be a big factor.

5 And I think I was at one of the  
6 precincts where there was a lot of newly-  
7 registered voters, and the lines were  
8 horrendous. So I think that's very important,  
9 especially now that I know the percentage. So  
10 that would be considered, possibly. Excellent.

11 MR. ALLEN: Well, the 70 percent is  
12 for sure. The lower percent of the other ones  
13 weren't quite as low as what you're saying at 50  
14 percent, right? I mean, you said -- you quoted  
15 70 -- I mean, you didn't quote the other  
16 percentage, right, of the non-registered voters  
17 reported -- it's not --

18 MR. SWEENEY: Well, whatever it is,  
19 yeah.

20 MR. DAMSCHRODER: It's knowable.

21 MR. SWEENEY: But it's going to be  
22 probably, what -- you don't know.

23 MR. ALLEN: Well, the overall  
24 percentage was 67 percent. So if it's 70, then

1 the other ones are going on 64, something like  
2 that. So it's not -- it's different. Your point  
3 is well taken. And they may have a different  
4 time --

5 MR. SWEENEY: And where they are could  
6 be different. Maybe not just be spread  
7 throughout on the average through all the  
8 precincts.

9 MR. ALLEN: In our mock election, we  
10 looked into, does it take longer if you're new to  
11 vote?

12 MR. SWEENEY: Well, that's a different  
13 issue, yeah.

14 MR. ALLEN: And the answer is, it  
15 wasn't that big a difference.

16 MR. SWEENEY: Yeah. That's not my  
17 point, though.

18 MR. ALLEN: Oh, I know. I just wanted  
19 to mention that.

20 MR. SWEENEY: Anyway, my second  
21 question is, also, if there was a place where  
22 there was multiple precincts at one location, is  
23 that going to be reduced or eliminated in this  
24 next election?

1           For example, I talked to people that  
2 they would wait in line for an hour, two hours,  
3 and be in the wrong line for the wrong precinct  
4 and then they'd have to get in line again. And  
5 sometimes they didn't have time to wait in  
6 line --

7           CHAIRMAN PREISSE: There have been  
8 excellent observation from your experience, and  
9 there has been remedial action already planned  
10 and taken, so I'll ask --

11           MR. DAMSCHRODER: What we've done is  
12 to combine -- and we rolled this out county-wide  
13 in the primary this year -- is for locations that  
14 have more than one precinct, we call them  
15 multiple-precinct locations, we've combined the  
16 poll books and then divided them.

17           Instead of by precinct name, divided  
18 them by the alphabet. So for a precinct -- for a  
19 location that has two precincts, there will  
20 actually be four lines with tall signs that  
21 essentially say, you know, queue here for A  
22 through G and so on.

23           After the voter -- so then we -- you  
24 eliminate the problem of standing in line to get

1 to the poll book when it might happen you stood  
2 in the wrong precinct.

3 MR. SWEENEY: That should help, yeah.  
4 Because a lot of people don't know their precinct  
5 number, but they know their name.

6 MR. DAMSCHRODER: Exactly. Exactly.  
7 And then in -- in the past, with the full-faced  
8 machines we had in 2004, you couldn't -- a voter  
9 could only use the machine that was assigned to  
10 their precinct because of the pre-printed face of  
11 the ballot.

12 With the flexibility of the technology  
13 for the new machines, we can program them so that  
14 they are capable of pulling up a ballot for any  
15 precinct in that location.

16 So after the voter has hopefully moved  
17 in a more quick -- in a faster manner through the  
18 poll books, the poll worker is going to take them  
19 to any machine in that location instead of just  
20 the machine that's assigned to them.

21 So no longer will we have a situation  
22 where two precincts in the same location, one's  
23 the city of Columbus, one's a township. No line  
24 for the township machines, but a line for the



1 Columbus machines.

2 MR. SWEENEY: Okay. Excellent. I  
3 think that will be a big help.

4 And my third question is, I have lived  
5 and voted in other states where they -- I  
6 received a sample ballot in the mail, and it was  
7 a tremendous advantage. I could sit down at my  
8 leisure, read the issues and study them and mark  
9 how I was going to vote way before I got to the  
10 polling place.

11 So when I got to the polling place,  
12 bang, bang, bang. I knew where I was going to  
13 vote, and I voted. Has that been considered? Is  
14 that a possibility?

15 BOARD MEMBER ANTHONY: Well, I'll make  
16 sure we send you one.

17 MR. SWEENEY: Sorry?

18 BOARD MEMBER ANTHONY: I'll make sure  
19 you get one.

20 CHAIRMAN PREISSE: I'll make sure you  
21 get one, too.

22 MR. SWEENEY: Well, no, I mean, it's  
23 not just me. I vote absentee. So I get it in  
24 the mail, and I can do that.

1                   CHAIRMAN PREISSE: I think he was --  
2 the partisan ballot.

3                   BOARD MEMBER ANTHONY: Yeah, the  
4 partisan are the ones that you always get your  
5 sample ballot from. The Board doesn't send out a  
6 sample ballot.

7                   MR. SWEENEY: In this state.

8                   BOARD MEMBER ANTHONY: No, not this  
9 state.

10                  BOARD MEMBER MARINELLO: But didn't  
11 you say, Matt, it's on the website?

12                  MR. DAMSCHRODER: Yes.

13                  BOARD MEMBER ANTHONY: It's on the  
14 website.

15                  MR. DAMSCHRODER: It's not a  
16 requirement in this state, and you are correct,  
17 it is a requirement --

18                  MR. SWEENEY: Well, I heard the  
19 website, but I probably wouldn't go to the  
20 website and look at it.

21                  BOARD MEMBER MARINELLO: A lot won't;  
22 I know.

23                  MR. SWEENEY: And most of them  
24 wouldn't, probably.

1                   BOARD MEMBER MARINELLO: I know my  
2 in-laws wouldn't.

3                   MR. DAMSCHRODER: I think it's  
4 something the staff can review and present to the  
5 commissioners for possible funding if it's  
6 something that the Board wants to decide to do as  
7 a policy, to send a full sample ballot to every  
8 voter before the election ends. It is possible  
9 because they do it in other states.

10                  MR. SWEENEY: Yeah. Oh, yeah. But, I  
11 mean, if you vote absentee, you get it in the  
12 mail, obviously. So, I mean, there might be a  
13 way to send it to the people that did request the  
14 absentee, just sent it to those, the other 75  
15 percent, whatever it was.

16                  MR. ALLEN: Yeah. And I just want to  
17 echo that the Board has considered doing this  
18 instead of some equipment purchases,  
19 so -- because I think it's basically worth  
20 money. It's money versus money.

21                               And I don't know if these guys knows  
22 whether it costs more to buy more machines or to  
23 send this out to everybody. And so I don't know  
24 the details.

1 MR. SWEENY: Do you know the details?

2 MR. DAMSCHRODER: We can look at it.

3 MR. SWEENY: All right. So, I mean,  
4 could somebody get back to me on this? You have  
5 my e-mail address.

6 CHAIRMAN PREISSE: We have it here.  
7 Thank you. Yes.

8 BOARD MEMBER ANTHONY: Well, for sure,  
9 Ed, if we can't send you one with every name on  
10 it, we'll send you a Democratic one.

11 MR. SWEENY: Are you a Democrat, by  
12 chance?

13 BOARD MEMBER ANTHONY: I am a  
14 Democrat. I certainly wouldn't send you a  
15 Republican one.

16 MR. SWEENY: I really appreciate your  
17 listening to me, and I thank you for your  
18 consideration.

19 CHAIRMAN PREISSE: Thank you,  
20 Mr. Sweeny --

21 BOARD MEMBER MARINELLO: Thank you.

22 BOARD MEMBER ANTHONY: Thanks.

23 CHAIRMAN PREISSE: -- for your  
24 observations and questions.

1           Our fourth slip would indicate a  
2 Mr. Bob Brandon of the Fair Elections Legal  
3 Network. Mr. Brandon, are you the gentleman we  
4 heard tell of that may have flown in?

5           MR. BRANDON: Well, I did, but not  
6 just for this.

7           CHAIRMAN PREISSE: Oh, well, now we  
8 feel less special.

9           MR. BRANDON: Well, let's put it this  
10 way, I organize other meetings around the fact  
11 that this one is taking place.

12          CHAIRMAN PREISSE: Well, you're still  
13 getting the prize for the farthest trip made.

14          MR. BRANDON: Well, thank you.

15          CHAIRMAN PREISSE: And please state  
16 your name and the rest of the information for the  
17 record, and welcome.

18          MR. BRANDON: Thank you. My name is  
19 Bob Brandon. I'm the president of the Fair  
20 Elections Legal Network.

21                 We're a network -- nonpartisan network  
22 of election lawyers around the country working  
23 with state, local, and national organizations  
24 that work on voter mobilization efforts.

1           And we're focused on trying to make  
2     sure that every eligible person is able to vote  
3     and have their vote counted. And we really  
4     appreciate the opportunity to speak tonight.

5           We've been very active on the issue of  
6     allocation of resources, including voting  
7     machines, paper ballots, and other equipment.  
8     And as you do know, we've, in fact, sent earlier  
9     this summer a letter to Franklin County and five  
10    other counties in Ohio, as well as other election  
11    boards around the country, asking about plans to  
12    accommodate what we know is going to be a  
13    historic turnout election this year.

14          We've asked election officials to take  
15    the issue of allocation very seriously, and we're  
16    really here to applaud this Board for having done  
17    so. As was mentioned earlier, I think this is a  
18    very unique effort that other boards should try  
19    to follow, and I hope that you'll share the study  
20    and the work that you did, not only with counties  
21    in Ohio but perhaps through the association with  
22    other county boards around the country.

23          As the report recognizes, there's no  
24    precise way to do an allocation, and I think it's

1 important that you've rejected sort of the  
2 traditional formulas of just X machines per  
3 precinct.

4 And that correctly concludes that  
5 there's far more refined techniques that are  
6 necessary and required to do any serious analysis  
7 of this.

8 As the Board is aware, whenever there  
9 are long lines on election day, you get -- you  
10 hear about it. You know, whether it's charges  
11 that there will be long lines at certain places  
12 were not accidental or, as a practical matter,  
13 many people wind up not voting out of  
14 frustration.

15 So this public hearing, I think, is an  
16 important step to dispel some of the unwarranted  
17 criticism. And the next step, obviously, would  
18 be to make sure that the -- what you finally  
19 decide is out there in the public so people are  
20 quite aware of the allocation of the nearly 500  
21 machines that you're going to have available, and  
22 perhaps more if you have the funds.

23 And I think -- and that will also help  
24 recognize that some precincts will complain that

1 they have fewer machines than others, but I think  
2 you have -- will be able to back up why you've  
3 made that decision.

4 So I think the focus on the precinct  
5 level is very important and plainly correct and  
6 the decision to take into the account the often  
7 overlooked issues around ballot length and  
8 complexity is a good one.

9 I was -- one question. It was unclear  
10 to us whether you're taking into account the time  
11 of day fluctuations. I know you have that there,  
12 but I'm wondering if, again, the precincts, the  
13 allocation formula, assumes an average across the  
14 day, number, or whether you're sort of looking at  
15 what might happen because of the variation and  
16 bottlenecks that might occur. So that's one  
17 question.

18 And the other is, in terms of the  
19 assumptions you're making on pre-election-day  
20 voting, early voting, or absentee voting.  
21 Again -- and I think it was alluded to earlier by  
22 one of the speakers -- while there hasn't been a  
23 lot of experience with the early voting yet,  
24 doing something that's across the board may be a



1 problem because we should be able to figure out  
2 precinct by precinct some variations that might  
3 lead the Board to conclude that there will be  
4 hard numbers of early voting and not just across  
5 the board, 33 percent, or whatever the number you  
6 finally come up with.

7           And then, of course, I'm assuming that  
8 the Board will try to update this as best they  
9 can toward -- as far down the road as they can  
10 and still be able to make the decisions, given an  
11 opportunity to look at what I think is going to  
12 be a very large surge in voter registration in  
13 the next month or two, particularly in Franklin  
14 County in the area as students come back to  
15 school.

16           So the other thing I wanted to mention  
17 because, again, it wasn't touched on earlier, one  
18 of the things that we would suggest is not just  
19 making sample ballots available to the voters by  
20 mailing them to them where I think they have much  
21 more opportunity to actually look at them, but  
22 having a sufficient number of sample ballots at  
23 the precinct so people are waiting in line and  
24 try to make them available well in advance.

1           And, along those lines, we've  
2 suggested -- and you may have this now, trying to  
3 get some of the poll workers or get additional  
4 volunteers -- I know there are many people who  
5 want to volunteer to help -- as almost poll  
6 greeters to sort of be at the back of the line  
7 trying to direct people, answer their questions,  
8 give them sample ballots if it looks like there's  
9 going to be a long wait.

10           We have other ideas, too, that would  
11 reduce the wait times and minimize election-day  
12 confusion. Not only would they require money,  
13 but I know that's something you need to worry  
14 about.

15           The one other thing I want to mention  
16 is obviously a very important piece of this is  
17 the voter education that you're clearly prepared  
18 to do, pushing at least the awareness that people  
19 can vote early, which would be a very big help.

20           I also wondered whether you're giving  
21 any thought to the option when people do stand in  
22 line, if you've got paper ballots and they could  
23 actually use those, the scan machines. So that's  
24 the other question I would ask.

1                   So, in conclusion, I just want to say  
2                   that, you know what, we wanted to congratulate  
3                   the Board for, I think, its careful and  
4                   thoughtful and nuance approach to this vital  
5                   issue of proper allocation of voting machines,  
6                   and I think it bodes well for the experience that  
7                   hopefully voters will have here in Franklin  
8                   County.

9                   Thank you.

10                   BOARD MEMBER MARINELLO: Thank you.

11                   CHAIRMAN PREISSE: Thank you,  
12                   Mr. Brandon.

13                   MR. STINZIANO: Mr. Brandon, I just  
14                   wanted to let you know -- I'm not sure if you're  
15                   aware being out of state, but the Secretary of  
16                   State also issued a directive today or yesterday  
17                   requiring all the boards to post the allocation  
18                   so there will be opportunity for the public to  
19                   see the allocation 15 days before the general  
20                   election.

21                   MR. BRANDON: Good. Great. What  
22                   about -- I'm just curious, have you thought more  
23                   about what availability there might be for the  
24                   paper ballots if somebody really doesn't want to

1 wait in line and --

2 MR. STINZIANO: The Secretary of State  
3 also issued a directive --

4 MR. BRANDON: Right. I'm aware of  
5 that.

6 MR. STINZIANO: -- regarding precinct  
7 setup. Our office is studying that, trying to  
8 figure out the number of precincts we have,  
9 specifically multiple precincts, location, how  
10 best to meet what the secretary recommends and  
11 what's going to be the most functional for the  
12 staff-wide plan.

13 MR. BRANDON: Great.

14 CHAIRMAN PREISSE: I think I heard two  
15 or three questions. I don't know if Dr. Allen  
16 -- one related to the factoring in of time of  
17 voting. One of my notes reflect that your  
18 comments accurately -- early voting in an  
19 analysis by precinct as it might relate across  
20 the board as opposed to a general percentage  
21 assumption, and then updating our analysis,  
22 moving it as late as possible in the procedure.

23 I don't know if, Ted, you want to --

24 MR. ALLEN: Yeah. Your first

1 question, yes, I agree. There were three  
2 questions.

3 MR. BRANDON: Well, one of them was,  
4 you've done a good analysis of time of day.

5 MR. ALLEN: Right. Okay. I have it  
6 is. Yes.

7 MR. BRANDON: And the question was,  
8 did you average that to the precinct, or do you  
9 try to figure out if there's a way to --

10 MR. ALLEN: So let me clarify the two  
11 issues that are coming up here. One of them has  
12 to do with the time of day, and the other one has  
13 to do with what was mentioned earlier in terms of  
14 earlier voters and what are we doing to try and  
15 predict the turnout in individual places.

16 So that was the big issue for me and  
17 for this discussion that we had. How do we try  
18 and predict and determine?

19 Now, let me just first answer the  
20 first question first. The allocation right here  
21 will be implemented on a spreadsheet. We'd be  
22 happy to show anyone how to do it and, you know,  
23 provide our example.

24 This allocation does not use all the

1 simulation that we talked about. It's not  
2 nuance. It doesn't take into account the arrival  
3 rates during the day or any of that stuff, it's  
4 just utilization, a machine. How many people are  
5 going to come.

6 I don't know if you guys can read  
7 this, but it's kind of small. But it's -- the  
8 average time it takes to vote in that location,  
9 the number registered, people in that location,  
10 and then just a bunch of numbers.

11 But, basically, it's just out of -- if  
12 you round the average voting time times the  
13 number of registered. Now, the question is,  
14 should we replace this by some -- instead of  
15 number of registered, we can replace it by some  
16 factor that says, these people are more likely in  
17 this place to vote.

18 And so I'd be interested in feedback  
19 about that. We feel that we can keep it simple  
20 and not make any assumption that these people are  
21 more likely to be in this group. And it is also  
22 true that people who tend to vote precincts where  
23 they tend to vote more also tend to vote more  
24 early, too. So there are patterns.

1           And there is a new voter pattern, and  
2           there are other patterns that we were able to  
3           detect, statistically. So we could replace this  
4           with some of those. But then, to me, that opens  
5           up a whole big can of worms because there's all  
6           sorts of opportunities to discriminate and to  
7           game the system.

8           And so I feel that without doing that,  
9           we could probably address with the simple  
10          approach, what happened in 2004. So we kept it  
11          simple. So there are two things that we did:  
12          this allocation formula, which is just this times  
13          this times the number rounded. So very simple.  
14          That simple. Spreadsheet. No big deal. It may  
15          look a little complicated if you're not familiar  
16          with this way of writing, but it's not that  
17          complicated.

18          Then the simulation to try and -- the  
19          simulation's function is mainly that, hey,  
20          there's going to be a problem or, you know, there  
21          isn't going to be a problem. So the simulation  
22          was more detail, all that kind of stuff. But the  
23          allocation was simply --

24                 MR. BRANDON: Yeah. But it's the same

1 issue that the simulation is not -- you're not  
2 determining these other factors in terms of, will  
3 there be a higher performing -- new --

4 MR. ALLEN: That's true. This  
5 simulation -- the only thing we did in the  
6 simulation was we had a random turnout, some  
7 places considerably higher than the rest.

8 MR. BRANDON: Right. So the only  
9 other thing I would say is, do you know at what  
10 point, date-wise, you're going to make -- you're  
11 going to look at the new registrants? That will  
12 at least be a constant factor that I assume would  
13 plug in, right?

14 MR. ALLEN: You mean the total overall  
15 average turnout?

16 MR. BRANDON: Yeah. Well, in other  
17 words, where is the cutoff in terms of when you  
18 have to make the decision on the allocation? Is  
19 it after the final registration period is over,  
20 or are you going to have to make a decision  
21 before that?

22 And I assume you're going to factor in  
23 as best you can the new registrants --

24 MR. DAMSCHRODER: We'll have to make



1 it before --

2 MR. BRANDON: Before. That's what I  
3 thought.

4 MR. DAMSCHRODER: -- for programming  
5 purposes. But under the Secretary of State  
6 directive that was issued late last night, if I  
7 recall correctly, the director says we have to  
8 revisit any decisions that were made before the  
9 cutoff election, the cutoff registration.

10 And we have to revisit that after the  
11 cutoff registration just to see if there are any  
12 significant swings in the original decision.

13 MR. BRANDON: Just to make your life  
14 easier.

15 MR. DAMSCHRODER: Right.

16 MR. BRANDON: Okay. Thank you.

17 CHAIRMAN PREISSE: Thank you,  
18 Mr. Brandon.

19 Next we have Deborah Barksdale.  
20 Welcome, Deborah. I think you've heard the drill  
21 four times previous, but if you'd kindly state  
22 your name and organization and address for the  
23 record, and then please proceed.

24 MS. BARKSDALE: I am Deborah Barksdale

1 with the Advancement Project. I'm The Ohio Local  
2 Voter Protection coordinator, and I live at 4724  
3 Julian Drive, Columbus, Ohio, 43227. And thank  
4 you for giving me some time today. I just have  
5 just a few questions. About 20 -- no.

6 (Laughing.)

7           Okay. My questions are on machine  
8 allocation. My first question is, will  
9 additional machines or will machines be allocated  
10 in areas with the highest wait time if you're  
11 unable to obtain all the machines on your wish  
12 list?

13           MR. ALLEN: Yeah. That's right. I  
14 mean, that's what this does. It basically  
15 takes -- oh, no, that's the wait time. The  
16 highest time it takes to vote times the number of  
17 people and some numbers, a bunch of just  
18 constants and then rounded.

19           So if you're in a place like the city  
20 where you have five, six -- six extra things to  
21 vote on, it's going to take you longer. We've  
22 timed it. We know how much longer it's going to  
23 take. That's the step 4, that we feel is step 4.

24           MS. BARKSDALE: Okay. Now, will

1 Franklin County rent more machines to populate  
2 areas where waiting times are the greatest?

3 MR. ALLEN: Yeah. I would say they  
4 would have been the greatest except they won't be  
5 the greatest anymore because we're doing this.

6 MR. DAMSCHRODER: Michael, do you want  
7 to --

8 MR. STINZIANO: Well, we're making  
9 efforts to get appropriate funding from the  
10 County Commissioners to secure more machines.  
11 Right now, we're waiting on that funding before  
12 we go ahead and either buy or lease additional  
13 machines.

14 There is an effort from the Board of  
15 Elections standpoint to get more machines to  
16 reduce waiting times.

17 CHAIRMAN PREISSE: And the number of  
18 machines have gone up since '04.

19 MR. DAMSCHRODER: Yes. That's  
20 correct. In 2004, we had -- it was about 2800,  
21 2900 voting machines. I don't recall the exact  
22 number. And this, as of right now, we have 4565,  
23 4565 machines.

24 There is also -- one of the challenges

1 that we have is we -- as we pursue funding, is  
2 that the number of machines that are available  
3 from the vendor is that that supply is being  
4 depleted by other counties by cash on the barrel.

5 And so we're trying to move as quickly  
6 as possible to see both how much money can be  
7 appropriated, what that will buy, if any,  
8 depending on the inventory of the vendor.

9 MS. BARKSDALE: Okay. Thank you.

10 Do you all have any suggestions on  
11 anything that advocacy groups can do to educate  
12 voters about wait time?

13 MR. STINZIANO: I think our overall  
14 suggestion is to go to absentee. You'll never  
15 have a line if you go by mail. And we also have  
16 the 35-day voting period down at Vets Memorial.

17 BOARD MEMBER MARINELLO: And the  
18 sample ballot online.

19 MR. STINZIANO: Check the sample  
20 ballot. There's instructions and a 60-day  
21 mailing. All that should help either eliminate a  
22 line all together, if you vote by mail, or at  
23 least reduce the time that you'll be voting as  
24 you get informed or go early.

1           The earlier in the 35-day period, the  
2 better, I think, would be our suggestion. I  
3 think we've seen in the last two weeks, there's  
4 always a significant number in uptake. And so if  
5 people voted earlier than the 35-day period, it  
6 wouldn't be as large.

7           MS. BARKSDALE: Do you all have any  
8 way to alert or educate voters about potentially  
9 long lines?

10          MR. STINZIANO: I think the posting  
11 per the Secretary of State's directive well  
12 identifies some areas where there could be  
13 lines. But also, based on the quantitative  
14 analyses of Dr. Allen, we have a measurement  
15 where we can somewhat predict that some cases  
16 it's going to be inevitable because of the ballot  
17 length. But we're doing our best to address it.

18          And so I think the word will get out,  
19 and I imagine there will be some media coverage  
20 on how the allocation is this time around.

21          MS. BARKSDALE: Have there been any  
22 times identified as slow periods that voters  
23 should be encouraged to take advantage of?

24          For example, like, after the main rush

1 when the post first opens, say, from 7:30 to  
2 9:30, there's a lull. Maybe there was something  
3 that you all could put out to say that, these  
4 might be the times that you want to go vote?

5 CHAIRMAN PREISSE: Well, I was sort of  
6 surprised looking at the -- I thought I'd see a  
7 spike at lunchtime.

8 And, Dr. Allen, you mentioned early  
9 lunch. The only thing I can tell from that is  
10 people say they're going to vote at lunch, but  
11 they're voting just before lunch and they're  
12 taking a long lunch and they're going back and  
13 trying to explain to their boss that they'd done  
14 that. But do you have any observations on that  
15 chart you --

16 MR. ALLEN: Yeah. This is only 4,200-  
17 something voters. This is not a huge sample.  
18 But it was in Reynoldsburg, and it was also in, I  
19 think, Columbus, too. So it's half in  
20 Reynoldsburg, half Columbus put together. So  
21 this is some indication.

22 But it's far from, you know, the  
23 studied poll places. You know, there may be  
24 different times, different places. But if you

1 look at this, what it is saying is that,  
2 surprisingly, there is a lull in the early  
3 afternoon.

4 So if you want to go with that, that  
5 seems to be the -- so, like, in this period here  
6 between 12 and 3, or maybe even 11:30 and 3, you  
7 know, it's kind of a lull.

8 MR. BUCKLE: Mr. Chairman, may I add a  
9 point to that?

10 CHAIRMAN PREISSE: Why don't we let --

11 MR. BUCKLE: May I add a point to that  
12 one topic?

13 CHAIRMAN PREISSE: All right.

14 MR. BUCKLE: If you're working on the  
15 poll and you go to lunch, the manpower goes  
16 down. And you see how it dropped off around noon  
17 but it peaked after they came back from lunch?

18 Then it dropped back to -- so if you  
19 move some of those people in the three  
20 o'clock -- or the after-lunch period into the  
21 lunch period, you've got a pretty smooth curve  
22 there. I think you're seeing a manpower problem  
23 at the polls rather than just an arrival time.

24 Because this is just based on machine

1 times, not somebody clocking when people are  
2 coming in.

3 MR. ALLEN: Oh, I see what you're  
4 saying. You perceive the lines at lunch but  
5 that's because of manpower.

6 MR. BUCKLE: Well, we can't process  
7 people as fast.

8 MR. ALLEN: Yeah, I see what you're  
9 saying. I see what you're saying.

10 CHAIRMAN PREISSE: We need you to pack  
11 your lunch. Thank you, Mr. Buckle.

12 MS. BARKSDALE: And then my final  
13 question. What amount of time disenfranchises a  
14 voter? For example, a voter is unable to stay in  
15 a line because of other obligations and they  
16 cannot return later?

17 MR. ALLEN: We did a study about that  
18 exact issue and we -- in this paper here that we  
19 published in the America Sysco Society Magazine  
20 (ph.) called Chance, we predict exactly how long.

21 And I don't know exactly. I mean,  
22 just a rule of thumb. But in 2004, the lines,  
23 you know, were in some cases over five hours and  
24 six hours. And so -- and the average voters were



1 spending at certain precincts a long time.

2 So, in other words, people are pretty  
3 tough. I mean, even when those precincts  
4 were -- they were waiting a long time, it was a  
5 relatively small fraction of people -- we only  
6 estimated it to be 20 to 30,000 people who were  
7 deterred in 2004 despite the lines.

8 So that's a small percentage of the  
9 530,000 voters. So people are tough. It makes a  
10 difference, but it didn't make a huge  
11 difference. So it probably cost the Democrats  
12 less than 7,000, something like that,  
13 guesstimating.

14 MS. BARKSDALE: Okay. So you didn't  
15 come up with a number for an amount of time?

16 MR. ALLEN: I mean, a rule, yeah. We  
17 could. I could get it, but I don't have one.

18 MS. BARKSDALE: Okay. Well, thank  
19 you.

20 CHAIRMAN PREISSE: Thank you, Deborah.

21 BOARD MEMBER ANTHONY: You know, sir,  
22 again, I would just -- you know, all of the  
23 groups out there that's working to make sure we  
24 have a good election, I think it's imperative

1 that we all say the same message, that if you  
2 vote either absentee or if you vote at our early  
3 voting location at the Vets, we would highly  
4 suggest that you do that, then you don't have the  
5 issues of work and day care and a whole bunch of  
6 other stuff.

7 So we really -- I mean, as you reach  
8 out to your constituents, say that. I mean,  
9 we're going to say it; but I think if everybody  
10 says that, I think we could make it happen and we  
11 won't see the long lines. Because it doesn't  
12 help none of us to have folks get upset because  
13 they've got to wait.

14 CHAIRMAN PREISSE: Thank you for  
15 that. Any other comments from the Board? We  
16 appreciate all of the speakers and guests here  
17 tonight. Anything else for the good of the order  
18 from anyone in the audience who hadn't filled out  
19 a slip or wished to?

20 (Show of hand.)

21 CHAIRMAN PREISSE: Yes, ma'am.

22 MS. STEINHOFF: My name is Dorri  
23 Steinhoff. I was wondering if poll workers, if  
24 they see that there's long lines at certain

1 precincts, if they will offer the people standing  
2 in line the option of using a paper ballot as  
3 opposed to the people having to know they're  
4 available.

5 MR. STINZIANO: I think currently  
6 we're not offering. They're available equally.

7 CHAIRMAN PREISSE: I mean, that's  
8 posted, isn't it?

9 MR. STINZIANO: Yes. And there will  
10 be signage identifying that that's an option.  
11 Again, we do have a new directive from the  
12 Secretary of State that our staff is studying  
13 about the best way, and the directive suggests  
14 that there should be a line for paper and a line  
15 for people that wanted to use the voting  
16 machines.

17 And so depending on how the staff  
18 recommended on our staff recommendation, that  
19 would make a difference on whether or not people  
20 see a line for machines and maybe, hey, we'll  
21 head towards the paper line because it's shorter.

22 But we're still looking into that.  
23 We're not sure what the outcome is, based on the  
24 concern with the multiple precincts. In theory,

1 that could create up to 8 or 10 lines rather than  
2 just two, as suggested in the directive.

3 CHAIRMAN PREISSE: Yes, sir.

4 MR. BRITTON: I'm Scott Britton from  
5 Worthington. I'm also a volunteer for the Legal  
6 Network of Voters in Metro Columbus. And I was  
7 an English major and not a math major, so forgive  
8 me.

9 But I'm wondering, on the average wait  
10 times, if there -- if there is a way,  
11 mathematically, to drive these times closer to  
12 each other?

13 Is it because of the round-up that  
14 there is that variance because you do take some  
15 of that wait time into consideration?

16 MR. ALLEN: Yeah, it's true. It's  
17 because of the round-up. It's quite  
18 significant. I mean, if all the precincts were  
19 really large so that they all had 50 and you're  
20 adding one machine, it wouldn't matter. Then you  
21 would be equalized. That's another way to  
22 equalize it, have a smaller number at a very  
23 large precinct. Then you could equalize things  
24 pretty well.

1           It is this integrality of add one more  
2 machine, smooch the problem. Don't have more  
3 machine, long line. That makes it hard to really  
4 guarantee the line status. But, you know, one of  
5 the things that I think has come out of this that  
6 I think is very exciting is how important in some  
7 of the options -- if you run out of machines, we  
8 can do more voter preparation either with this  
9 idea that you had at this polling place or the  
10 study table or better signage or by mailing, the  
11 issues to the people in advance.

12           But it's all ways to drive down the  
13 time. That's another way to smooch the problem.  
14 Because if you drive down the average time it  
15 takes to vote, it's like having more machines.

16           CHAIRMAN PREISSE: Yes, Mr. Buckle.

17           MR. BUCKLE: Bill Buckle. I spoke  
18 earlier. One of the things I didn't say was when  
19 you're standing there watching this thing develop  
20 in front of you, if you -- I think the Secretary  
21 of State says, don't encourage paper ballots.  
22 Well, just offer the folks --

23           BOARD MEMBER MARINELLO: She never  
24 said that.

1                   CHAIRMAN PREISSE: No, that's, I  
2 think, quite, perhaps, the opposite, Bill.

3                   MR. BUCKLE: We can use paper ballots  
4 as a way to cut down the line when things get  
5 long. Who cares, otherwise. But, I mean, that's  
6 one tool. Poll workers will have to reduce the  
7 wait, is to offer the sample ballot option. Now,  
8 that will be on a piece of paper on the panel,  
9 right?

10                  CHAIRMAN PREISSE: Right. And we have  
11 a question over here.

12                  MS. DePOALA: Carole DePoala. Do you  
13 want my address or what? Columbus, Ohio. I have  
14 driven people to the polls. Every -- during the  
15 election, I do something. I've been a poll judge  
16 and everything.

17                  One thing I notice is the  
18 misinformation with the training as far as sample  
19 ballots. Are they allowed, are they not allowed?  
20 Some people are forced to throw them away, to  
21 hide them.

22                  This has to be addressed before  
23 anything else with the residing judges because  
24 I've -- the people I've taken have had to throw

1 away their sample ballots.

2 CHAIRMAN PREISSE: Well, let's  
3 get -- that is a -- from time to time, a concern,  
4 so let's get a comment.

5 MR. DAMSCHRODER: It is in the -- I  
6 stand corrected if I'm wrong, but it is in the  
7 training manual that poll workers are provided  
8 that voters can take materials into the voting  
9 booth with them.

10 CHAIRMAN PREISSE: Please don't try to  
11 carry a yard sign in. I've experienced that,  
12 myself, so I'm glad you're bringing it up here.

13 BOARD MEMBER MARINELLO: You're just  
14 not allowed to pass out -- you're not allowed to  
15 pass out --

16 MR. DAMSCHRODER: You can't pass out  
17 but you can take materials in for your own use at  
18 the polls, and the poll workers are instructed.  
19 And we will -- we'll make a note that we need to  
20 make sure that that's an underscore in the  
21 training.

22 BOARD MEMBER MARINELLO: I don't think  
23 you can wear buttons or anything, can you?

24 CHAIRMAN PREISSE: Right.

1 MS. DePOALA: But this has happened.

2 MR. DAMSCHRODER: Oh, sure. There's a  
3 lot of things that the judges do.

4 MR. STINZIANO: And we are taking  
5 additional training with our poll workers. We're  
6 having summer session, which is the first time  
7 we've done that. And they'll be required to also  
8 participate in the fall training.

9 CHAIRMAN PREISSE: Thank you.

10 Bill, do you want to wrap it up?

11 MR. BUCKLE: I would like to just  
12 point out a practical matter, one guy carrying a  
13 sample ballot in his pocket or she in her purse,  
14 no one's going to say anything.

15 But when you flash it around, waive it  
16 around, that's when you get into this thing.  
17 When is the sample ballot advertising and when  
18 isn't it? That's the reason you get this  
19 discrepancy.

20 CHAIRMAN PREISSE: Well, we hope that  
21 voters demonstrate good behavior and common  
22 sense.

23 I think that if there's no other  
24 comments from any of the staff or Board, I just



1 want to again thank our speakers and for your  
2 participation and Dr. Allen for his informative  
3 presentation.

4 And the Board remains individually and  
5 collectively down here open to further input over  
6 the next days and weeks. So thank you very  
7 much. So we'll entertain a motion to adjourn.

8 BOARD MEMBER ANTHONY: Motion to  
9 adjourn.

10 BOARD MEMBER MARINELLO: So moved.

11 CHAIRMAN PREISSE: All in favor.

12 (Board members in favor of the motion  
13 so indicated.)

14 - - - - -

15 Thereupon, the proceedings were  
16 concluded at 7:53 o'clock p.m.

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CERTIFICATE

The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted, and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_

ANGELA N. FRASER  
Certified Digital Reporter  
Notary Public - State of Ohio.  
My commission expires July 10, 2013.

\_\_\_\_\_

AMANDA C. BERKSTRESSER  
Certified Digital Transcriber

**COMMENTS AND SUGGESTIONS FOR THE FRANKLIN COUNTY BOARD  
OF ELECTION ON THE ALLOCATION OF VOTING MACHINE**

At the August 14, 2008 public meeting  
By: Bill Buckel#

The following comments and suggestions are related to the report titled, "HELPING FRANKLIN COUNTY VOTE IN 2008: WAITING LINES", prepared by Sagatal Ltd. and Lextant Co. My prepared remarks include:

- (1) More to service rate than in-machine use time,
- (2) Machine service time is adjustable,
- (3) How long it takes to vote,
- (4) Voter turnout estimates, and
- (5) Sign-in books could become a bottleneck.

**(1) More to service rate than in-machine use time**

The "service time" concept used by the authors is defined as the period of time when the voter is "monopolizing the DRE" (direct recording equipment). As all poll workers will agree, the per-voter DRE-use time has three elements:

(a) Dead-time, the time the DRE machine sits idle after one voter completes voting while a machine judge finishes his/her current chore, takes the voter's right-to-vote slip, and leads the voter to a machine.

(b) Introduction time, the time required to reactivate the idle machine, introduce the voter to the DRE, and answer last-minute questions.

(c) Voting time, the time the voter monopolizes the DRE while casting a ballot in private.

The authors appear to have considered in their DRE allocation methodology only the time a voter monopolizes the DRE. Dead time and introduction time may add up to more than two minutes per voter. (See Comment (3) below.)

Suggestion: More timing data may be needed before the DRE allocation methodology is used.

**(2) Machine service time is adjustable**

The allocation methodology used in the report doesn't take into consideration that voters who use "study time" before entering the DRE will need far less time to vote than those who enter the DRE cold. This subject is discussed somewhat on page 12. On page 4 of the report, the authors state, "Also, efforts to prepare voters by supplying them with information about issues in line or otherwise could drive down service times." The table on page 9 listed the experience level of each voter. But, the report did not seem to consider that there are two types of experience--- machine experience and ballot experience. Logically, a voter who has both machine and ballot experience will spend fewer minutes in a DRE than someone who doesn't.

Suggestion: More timing data would define the time savings possible by using study tables between the sign-in table and the voting machines, wall displays, etc. Rather than just adding DRE machines to cover the expected increased demand, use creativity to help voters at the polls become "experienced" (both machine and ballot) before they enter the voting machines. Once some ideas are developed, add a separate page to the Precinct Election Officials Training Manual. This should encourage hundreds of judges to think about other ways to help voters vote smarter and faster.

**(3) How long it takes to vote.★**

Authors of the report focused on "arrival rates" and "service rates". These factors are of high interest to Board of Elections (BoE) planners. But, to voters, an average "time to vote" estimate is more useful.

In my letter of December 14, 2007 to Karen Cotton, I reported my crude attempt to measure the times taken for voters to make the necessary steps from beginning to the end of the voting process. The time-to-vote measures assumed each voter entered the correct precinct and had zero wait in a line at the sign-in book (signature poll book). During the 2007 general election at Precinct Hillard 4-E (with two issues on the ballot), I used very small samples to clock average times for:

- \* 45 seconds (0.75 minutes) at sign-in step
- \* 38 seconds (0.63 minutes) waiting for a machine

- \* 77 seconds (1.30 minutes) machine introduction
- \* 201 seconds (3.35 minutes) voting in DRE machine
- \* 6.03 total minutes per voter's cycle

Suggestion: It is good public relations to let voters know what to expect in the way of time to vote even when there are no waiting lines.

#### **(4) Voter turnout estimates**

In applying the proposed machine allocation methodology, the authors used three possible levels of election-day turnout. These three scenarios for the percent of registered voters that might use a direct recording equipment (DRE) voting machine were: 41%, 45%, and 50% (page 13). (On page 4, the report said the election day turnout scenarios ranged between 41% to 55%. The 55% figure appears to be a typographical error.

Suggestion: Either explain the discrepancy between pages 4 and 13, or correct the error.

#### **(5) Sign-in books could become a bottleneck**

The crude timing study mentioned above showed the average sign-in time to be about  $\frac{3}{4}$  (0.75) of a minute. There are  $13 \times 60 = 780$  minutes in an election day at the polls. If only one line formed at the table with the two sign-in books, the capacity of a single precinct polling place would be 1040 voters. This capacity could be increased by perhaps 50% or more by using the common practice of separate waiting lines for each sign-in book. The resulting capacity would then be above  $1040 \times 1.5 = 1560$  voters. If the  $\frac{3}{4}$  minute per voter is accurate, the theoretical upper limit for the two-book arrangement is 2080 voters.

Once the voting-machine capacity exceeds that of the sign-in books, adding more voting machines will not increase the daily voting capacity of a single-location precinct.

Suggestion: When using the proposed DRE allocation methodology, be alert to the daily voter capacity of both a set of DRE machines and the sign-in books.