



**PLEASE REFER TO THIS REQUEST AS #NY-BUDG**

**DATE: DEC. 14, 2006** -- Please deliver promptly to the person(s) responsible for fulfilling election-related budget records requests for your county.

**Specifications:** This request pertains to budget projections for your elections department. Please provide these by e-mail as attachments (ie. in electronic form). The time period we are seeking is the year of 2006 and the year of 2007.

**Background:** We are seeking the documents containing the details that underlie your budget projections in connection with the transition to computerized voting systems.

With the exception of a portion of the voting system itself, the costs listed below are generally not reimbursed by HAVA. Black Box Voting has been examining dozens of New York county budgets, and cannot find that there is an understanding of or any planning for the expenses listed below.

Black Box Voting is noticing that counties in other states are being forced to deal with expenses they had not adequately planned for which are sizeable. Frequently these expenses then come out of the county's General Fund. Therefore, on behalf of the taxpayers of your county, Black Box Voting is seeking documentation to show that you have indeed anticipated and budgeted accurately for these items, and we are seeking documentation on what specific funding you plan to use to pay the costs.

**Black Box Voting is requesting the following items:** Please include the spreadsheets or other documents that show your projected costs for the following budget items for **2006** and **2007**. This request does not pertain to cost projections for implementation of the voter registration system, only for the voting system itself and its related costs.

**Item 1:** Please provide the document that shows your **projected reimbursement from HAVA** and/or state funds for electronic voting equipment purchases.

**Item 2:** Please provide the documentation that shows your projected **costs for your computerized voting system** (either optical scan or DRE). This should break out the costs for:

- polling place voting machines
- ADA voting system
- absentee ballot counting machines
- absentee vote authentication systems (like signature comparison software and sorting software)
- central tabulation computers and election management system
- networking and installation costs
- card encoder devices
- any electronic pollbook devices
- any other peripherals or handheld devices that will accompany your system.

**Item 3:** Please provide the documentation that shows your projected costs for **recurring supply expenses in connection with your computerized voting system**. This should include:

- memory cards
- ink cartridges
- flash cards
- test ballot decks
- ballots

**Item 4:** Please provide the documentation that shows your projected costs for **licensing and annual usage fees** including the following:

- firmware usage agreements
- software usage agreements
- additional programs such as vote verification systems ("VoteHere" would be an example of an additional verification system)
- data protection systems ("Digital Guardian" would be an example of an add-on data protection system)
- voting equipment inventory and security tracking systems (these are used to track serial numbers and seals)

Note that many jurisdictions have discovered that they need additional systems to support and secure their computerized voting system, and this request is requesting documents showing whether you have anticipated and budgeted for costs like these

**Item 5:** Please provide the documentation that shows your projected costs for **pre-election programming and Election Day/Night support costs**, including:

- ballot programming
- media burns
- coding services
- audio file preparation charges
- layout charges
- technical support charges
- repair charges
- Logic & Accuracy test technical support
- Election Day on-site support fees.

**Item 6:** Please provide the documentation that shows your projected **contingency costs for upgrades or fixes** needed to bring equipment into compliance with ongoing security alerts and/or updated standards.

**Item 7:** Please provide the documentation that show your projected costs for **replacement equipment** when it is damaged, dropped, or misused in a way that is not covered by the warranty.

**Item 8:** Please provide the documentation that shows your projected costs for **insurance on your computerized voting system**.

**Item 9:** Please provide the documentation that shows your projected costs for **legal fees** on computerized voting system-related public records requests (the vendors often seek to block records requests claiming proprietary trade secrets, which necessitates the involvement of county counsel). Include also any budgeting for increased litigation costs due to candidate lawsuits, voter lawsuits, or public

interest group lawsuits that will be incurred as a result of use of computerized voting systems.

Black Box Voting has obtained many of the invoices from elections jurisdictions using computerized voting systems, and ***we are seeing all of the above costs*** on various county invoices. The costs are substantial and often were not anticipated during budget planning.

Therefore, on behalf of the citizens in your county, we are seeking documentation showing that your budgeting staff is familiar with the specific real costs involved in the use of computerized election systems, documentation that shows you have planned for these costs, so that there will be no surprises to your taxpayers.

**Item 10:** Please provide the documentation that **shows the specific fund from which each of the above six items will be paid.** Will costs be paid from HAVA reimbursements, your Election Department budget, or the county General Fund?

Please note that this records request is part of a research project in the public interest. The study is being conducted by a nonpartisan, nonprofit 501c(3) organization. Therefore, please waive any fees when possible, and please minimize fees as is customary for such non-commercial, nonprofit, public interest research projects.

Quote any fee estimates and receive approval on the cost estimates **before** fulfilling the request. Quote any fees per each item separately rather than for this request as a whole.

Thank you!

Bev Harris  
Director  
Black Box Voting  
330 SW 43<sup>rd</sup> St Suite K  
PMB 547  
Renton WA 98057

# # # # #