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THE SAN FRANCISCO CHRONICLE (California)

December 24, 2005 Saturday
FINAL Edition

SECTION: BAY AREA; Pg. B2

LENGTH: 730 words

HEADLINE: CALIFORNIA;
State threatens to pull plug on vote machine firm;
Company ordered to correct glitches or lose certification

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BODY:

A voting machine company whose equipment handles elections in San Francisco, San Mateo, Contra Costa, Solano and seven other California counties could be out of business in the state if it doesn't fix software problems that surfaced in November's election, a state official has warned.

"The California secretary of state is deeply concerned about problems experienced by counties utilizing (Election Systems and Software) voting equipment and software," Bradley Clark, assistant secretary of state for elections, wrote in a Nov. 17 letter to the Omaha, Neb., company that was obtained by the Associated Press.

In what Clark called "an alarming error," a videotaped test on an iVotronic touch-screen terminal in Merced County showed a woman choosing one candidate on the screen while the vote was awarded to a different candidate.

While only Merced County uses the iVotronic system, San Francisco and other counties use optical scan equipment made by Election Systems and Software. Clark threatened to decertify all of the company's machines if action wasn't taken immediately.

According to Clark, the optical scanning systems have incorrectly counted voter turnout in some counties, a problem the company has had a year to correct.

Although company officials were unavailable for comment Thursday afternoon, a spokesman for Election Systems and Software told the AP that most of the problems described by Clark resulted from operator errors or misunderstandings about how the software was supposed to be used.

"We listened carefully to the issues that (Clark) raised, and we've been working to address each of the issues," Ken Fields, a spokesman for the company, told the wire service.

The secretary of state's office declined to release a copy of the letter Friday, saying only that the company had been very responsive to the concerns raised in the letter. Earlier this week, Secretary of State Bruce McPherson refused to certify Diebold election systems used by 17 California counties, instead ordering the company to have its voting security software tested and approved by the federal government.

State Sen. Debra Bowen, D-Redondo Beach (Los Angeles County), said it was both outrageous and unacceptable that news of Clark's concerns was only coming out five weeks after the issues were raised.

"It's shocking that it happened, and it's shocking that it's only coming to light on Dec. 23," said Bowen, who is gearing up for a run against McPherson next year. "There's an enormous problem with public confidence in voting machines now, so any scrutiny has to be done in public, not in secret."
Dowen called for McPherson to immediately make public any concerns about the reliability of voting equipment used in the state, as well as any correspondence with the companies that make the equipment.

"It's the only way the public is going to have confidence in the voting systems they use," she said. "We need to know votes are being recorded the way they are cast."

This isn't the first time the company's equipment has been called into question. In a 2004 primary in Hawaii, about 6,000 votes were miscounted because of problems with the optical scan system. More recently, a county election in Kershaw, S.C., found that the iVotronic system recorded 3,208 votes, but only 768 voters. It took a manual recount to get a true result in the election.

While Clark didn't suggest the company's problems changed the results of any elections in November, the concerns raised were real.

The Merced County test, where a vote apparently was recorded for the wrong candidate, is the worst nightmare for election officials, said Stephen Jones, the county's clerk and registrar.

"We want a good explanation as to why it happened and for someone to make sure it doesn't happen again," he said.

Company officials suggested the woman testing the system had hit the name on the screen with a long fingernail rather than her finger and accidentally brushed another candidate's name at the same time, leading to the wrong vote being counted.

"We've tried to duplicate the problem but haven't been able to," Jones said. "We haven't had problems with the systems in the five elections we've used it, but we're concerned about what caused this."

Along with the four Bay Area counties, Election Systems and Software equipment is used by Amador, Colusa, Merced, Nevada, Sacramento, Stanislaus and Tuolumne counties.

**LOAD-DATE:** December 24, 2005