

Wendy Frome
35670 Ebenger St. SW
Albany, Oregon 97321
541-926-0516

March 10, 2013

Testimony in Opposition to HB 2199

HB 2199 will:

--Increase the chance of voter fraud, by removing the requirement to destroy unused ballots at 8:00 p.m. on election night.

--Make it very difficult for election observers to monitor and verify the location and safety of ballots.

--Add new requirements for county security procedures, but will retain the stipulation that the details not be released to the public, eliminating public oversight.

HB 2199 on (page 2, line 10) amends ORS 254.483 by omitting the law requiring the county clerk to destroy all unused ballots after 8:00 p.m. on the day of the election. There is a good reason why unused ballots are destroyed in a timely manner. Blank ballots sitting around are an invitation for voter fraud.

- If this bill is passed, it will allow boxes of unused ballots to sit in election offices after the election is over until the county clerk deems it “practicable” to destroy them. Some counties currently keep them until the election is certified—weeks after the election.
- Destroying unused ballots is an important safeguard to elections. Hoarding boxes of ballots that can be brought out of election closets “when needed” is unacceptable and must not be permitted.
- Elections must be subject to public oversight. Election observers cannot reasonably monitor boxes of unused ballots for weeks on end.
- Some counties have video surveillance, but unused ballots are kept for weeks. It is not realistic for volunteer election observers to watch hours of surveillance video recordings. Another prohibitive factor that prevents public oversight is the costly fee that is charged to access the recordings. One volunteer was given a quote of over 300 dollars from her county elections supervisor.

HB 2199 amends ORS 254.074 by introducing new security procedures. However, on page 1, line 24 it states that “A security plan developed and filed under subsection (1) of this section is confidential and not subject to disclosure under ORS 192.410 to 192.505”. What good are security procedures if they are not subject to public oversight?

- The security procedures listed in the bill are not subject to public review, so they are not credible and only produce added suspicion. It is like a car salesman, telling a customer, “You don’t need to look under the hood, just trust me.”

- The public does not have confidence in a system that keeps them in the dark, public oversight is necessary for all aspects of government and especially elections.

There are alternatives that will protect vote integrity and save taxpayer funds.

- Audit voting lists so that county clerks are not wasting limited tax-payer funds printing and paying postage for thousands of ballots that are returned undeliverable.
- Undeliverable ballots should be shredded immediately as they return to the election office. The voter should be noted as inactive, until he or she updates their voter registration
- A minimum number of ballots may be printed for legitimate purposes, but should be printed on paper of a different color that is absolutely distinguishable to an election observer. Watermarks are not adequate, because election observers typically have to be several feet away and sometimes behind a glass window.
- Ballots that are unreadable by the vote counting machine should not be duplicated on a substitute ballot. The votes should be hand tallied. The results from the tally sheets can be added to the counting machine results when the election staff perform the “Reconciliation Process” prior to certifying election results.

Elections are the cornerstone of our representative form of government. If they are faulty, the entire system is faulty. There should be no compromise in guaranteeing the integrity of the vote.

The state law requiring unused ballots to be destroyed in a timely manner, is in place for a very good reason—to protect our vote. The issue that needs to be addressed is why there is confusion over this requirement. This bill should be amended or a new bill should be passed that replaces the wording in ORS 254.483 that make it absolutely clear that unused ballots are to be destroyed. I believe this is the wish of Oregon voters. They expect elections to be conducted in a fair and open way.