FLORIDA STATE UNIVERSITY

DISABLED COMMUNITY

VOTING IN THE STATE OF FLORIDA:

An Analysis of Options

AN ACTION REPORT SUBMITTED TO
THE FACULTY OF THE COLLEGE OF SOCIAL SCIENCE
IN CANDIDACY FOR THE DEGREE OF
MASTER OF PUBLIC ADMINISTRATION

REUBIN O’ D. ASKEW SCHOOL
OF PUBLIC ADMINISTRATION AND POLICY

BY

CAROLINE M. MALKINSKI

TALLAHASSEE, FLORIDA

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APRIL 2004
April 21, 2004

Mr. Edward C. Kast  
Director, Florida Division of Elections  
107 W. Gaines Street, Suite 100  
Tallahassee, FL 32399  

Dear Mr. Kast:

I am pleased to submit, for your review and consideration, *Disabled Community: Voting in the State of Florida: an Analysis of Policy Options*. The report is the product of research and analysis over the winter months of 2003-2004. The importance of the disabled, and the challenges they face when voting, has moved to the forefront in 2002, through the legislation of the Help America Vote Act (HAVA) and 101.715 F.S.

After careful analysis of the 2003-2004 "Report on Polling Place Accessibility" conducted by the Division of Elections, it became apparent that a new approach must be taken concerning voting accessibility for the disabled community. In order to upgrade current polling places to meet 101.715 F.S. and purchasing accessible voting devices for the disabled to meet HAVA requirements counties will be faced with major unplanned expenses.

The recommendation is that the State of Florida implements a combination of two options:

1. Vote–by-mail as the primary voting method
2. Super Precincts for those who need special devices to cast a secret vote

These options working together, will allow counties to need fewer accessible voting locations, possibly fewer people going to a particular polling location, and provide accessibility for the disabled community to cast their secret ballot. The combination of Super Precinct and vote-by-mail will not only assist the disabled community, but will make voting even more accessible for all voters.
If you have any questions or comments on this paper, please feel free to contact me at 850 245-6231 or email me at cmalkinski@dos.state.fl.us.

Respectfully,

Caroline M. Malkinski, MPA
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EXECUTIVE SUMMARY

Going to the polls on Election Day to cast a vote in secret is a right that all registered voters in Florida share -- or is it? Since 1965, legislation has changed as people with disabilities have come forward and stated that they do not share in this right. Throughout the state, disabled citizens that have either mobility or sight challenges, which limit their voting experience.

In 2001, a committee studied this issue, the Secretary’s Select Task Force on Voting Accessibility, appointed by then-Florida Secretary of State, Katherine Harris. Due to the findings of this group, the Legislature passed Senate Bill 1350 (Chapter 2002-281, F.S.), in 2002, known as the Voting Accessibility Bill. A major requirement of this law is to have stricter accessibility requirements for polling places. Also in 2002, the Federal Government passed the Help America Vote Act (HAVA) mandating that voting devices be accessible to the disabled voters to cast their vote in secret starting in the 2006 Federal Elections. The State of Florida has two years to make its voting locations and equipment accessible to the disabled community. New technologies and approaches will need to be explored in order to carry this mandate out in a timely manner.

Information for this report was collected using three methods. First, popular media and academic literature was used to develop the background. Second, Federal and State laws were reviewed for statutory requirements concerning the rights of all voters as well as the disabled voters. Third, personal interviews were conducted with selected persons within the election field and the disabled community.

Four options were explored to address voting and the disabled community: status quo, Super Precincts, vote-by-mail, and Internet voting. Each option was evaluated in terms of technology, administrative cost, and accessibility.
Based on analysis of the options in consideration of the evaluative criteria, a combination of vote-by-mail and Super Precincts is recommended. Vote-by-mail will accommodate voters who cannot get out to the polls or who would like to cast their vote from the comfort of their residence. The Super Precincts would be available around the counties to assist any voter who would need special equipment in order to cast their own ballot. By combining these two options, the state will address the disabled community in an effective and efficient process.
I. PROBLEM STATEMENT

Going to the polls on Election Day to cast vote in secret is a right that all registered voters in Florida share -- or is it? Since 1965, legislation has changed as people with disabilities have come forward and stated that they do not share in this right. Throughout the state, disabled citizens have either mobility or sight challenges, which limit their voting experience. Examples of people with disabilities are located within the ever-increasing older population of Florida (Musgrave, 2004). Within this special population, many find it difficult to get into the building to cast their vote. Once inside the voting location, they have a hard time moving around and then find it difficult to read the small print on the ballots.

The Secretary’s Select Task Force on Voting Accessibility, appointed by then Florida Secretary of State, Honorable Katherine Harris, on August 13, 2001, confirmed this. In their final report, the task force stated that:

There are significant, severe, and pervasive obstacles that have been placed in the path of Florida’s voters with disabilities. Under Article VI, section 1, of the Florida Constitution, all voters, irrespective of ability or disability, are guaranteed the right to cast a vote in secret. However, voting procedures and systems currently in use in Florida routinely deprive voters with disabilities of this constitutional guaranteed right (Select Task Force on Voting Accessibility, 2001, p.2).

As a result of the Task Force Report, the 2002 Legislature passed Committee Substitute for Senate Bill 1350 (Chapter 2002-281, F.S.), also known as the Voting Accessibility Bill, to address many of the concerns of the disabled community. One of the provisions of this bill includes stricter requirements for polling place accessibility in the State of Florida (Department of State, 2004).
Florida is currently facing a major challenge in the effort to make voting locations accessible for all voters regardless of disabilities. According to a survey completed by the County Supervisors of Elections in the fall of 2003, 2,939 out of 5,834 of the voting locations will be accessible to the physically disabled for the 2004 Presidential Election (Department of State, 2004). Florida Statutes 101.715 passed in 2002, mandates that all polling places holding federal elections need to meet the needs of all voters, including the disabled, no later than 2006. Until then, voters with disabilities within the state may have to continue to vote by absentee ballot or seek assistance in the voting booth in order to cast their ballot.

This paper will explore new ways to meet the needs of the disabled voters. Numerous options are available to meet these challenges. The focus will be on three popular options that Florida and other states are exploring to meet the needs of the disabled voter: Super Precincts, Vote-By-Mail, and Internet Voting.
II. BACKGROUND AND LITERATURE REVIEW

Background

This section examines three key developments of voting and the disabled community: past legislation, passage of HAVA, and current accessibility issues. Each of these key elements has, and will, continue to play an important role in the lives of the disabled community.

First, prior to 1990, the disabled community was recognized and Congress passed laws to assure them rights of accessibility. The Voting Rights Act of 1965 and subsequent amendments were passed to assure all eligible voters, with or without disabilities, the right to vote. In 1984, Congress passed the Voter Accessibility for the Elderly and Handicapped Act (VAEHA), which required that all polling places be physically available to voters with disabilities (United States Commission on Civil Rights, 2002).

More legislation passed in the 1990s, starting with the passage of the Americans with Disability Act (ADA) in 1990. This act required the private sector to eliminate physical, communication, and procedural barriers that excluded people with disabilities from the routine activities most Americans take for granted (Historical Context, 2002). Under this bill, polling places selected after January 26, 1992, were required to be accessible to the disabled community.

Shortly following the passage of ADA, Congress passed the National Voter Registration Act (NVRA) in 1993, commonly referred to as the “Motor Voter Act.” Its aim was to make voting registration locations accessible to minorities and disabled citizens. Florida implemented its own version of the law, the Florida Voter Registration Act (FVRA) in 1995. These bills increased the number of registered voters, but did not address the accessibility issues at the polling places.
Second, upon the passage of HAVA in 2002, ADA compliance issues moved into the election arena once again. Now each state is required to meet the challenge of making voting completely accessible to the disabled community. HAVA clearly states that voters must have the opportunity to cast their vote independently and privately in any federal election by 2006. With the passage of this bill, the disabled voter will receive help in the following ways:

1. States are required to have a minimum of one voting device in each precinct that is accessible to all individuals with disabilities by January 2006.

2. HAVA makes accessibility grants available to states to improve physical and non-visual access at polling places.

3. A protection and advocacy system to assist voters with disabilities is to be established. This will allow for training the disabled community on how to use the new voting devices as well as to be a sounding board for any of the disabled community who encounters a problem on Election Day (HAVA, 2002).

Many areas of the disabled community’s lives have changed due to the above-mentioned legislation. For example, ramps and automatic doors allow the disabled access to buildings that, before this time, required them having to wait for someone to help them up stairs and open doors for them. However, current surveys indicate that the disabled community still meets challenges when it comes to casting their vote at the polls on Election Day.

Third, a review of the current voting locations within the state reveals numerous accessibility problems in all 67 counties. As noted in a survey conducted by the General Accounting Office in 2001, the lack of accessibility into voting locations is not a new problem. This survey revealed that 84% of polling places limit access to people with disabilities (Waterland, 2003 p. 2). Another reference to voting accessibility issues comes from a speech delivered to the United States Commission on Civil Rights in Miami, Florida on June 20, 2002. It was stated that “stereotypes assumed people with disabilities were either incapable of voting, chose not to vote, or were ‘homebound’ and would vote only by absentee ballot” (Manheimer,
2002 p. 3). Manheimer goes on to say that, if a disabled person were to go to the polls on Election Day, there would be no guarantee that they would have access to the polls. If one did get in the polling place, the voting equipment would often preclude them from casting their vote in private.

In summary, the passage of numerous laws aimed at making polling places accessible to the disabled community over the last 39 years has not made it a reality. In the 2004 Presidential Election, the disabled community will still have barriers preventing them from entering into some polling places. The disabled voter will not have the same right that other voters have taken for granted such as to be able to enter a voting location and cast a secret ballot on Election Day without assistance.

**Literature Review**

The pertinent literature review on this topic addresses three themes, which affect voting by the disabled community in Florida. These themes are (1) past legislation affecting the disabled and voting, (2) current voting location conditions, and (3) alternative methods to allow disabled voters to cast their vote in secret.

First, since 1965, the disabled community has made great strides to improve their quality of life through legislation. Two of the articles discuss the historical content of these bills (Historical context, 2002; Schur, 2003). Other areas of interest were the steps taken to assure the passage of bills in Congress pertaining to the disabled population from 1965 until 2002 (Waterland, 2003).

The implementation of HAVA is still in its infancy for interpretation. A new commission appointed and sworn into office on December 10, 2003, will have the responsibility to review the implementation of HAVA. Current articles discuss how HAVA will assist in creating an
environment that will give the disabled community the same right to cast their votes in secret as the non-disabled community has experienced since 1880 (Manheimer, 2002; Waterland, 2003).

Second, there are current debates over the legality of the new accessibility legislation as it pertains to the election process. Election officials, the disabled community, and other interested parties are eagerly watching the results of this litigation for a standard as they develop new ways to handle accessibility issues at the polls. The State is currently facing multiple lawsuits regarding these accessibility issues. To review the current conditions of Florida voting locations, the Department of State issued a survey on accessibility as instructed by Florida Statutes. Sarah Jane Bradshaw, Assistant Director of the Florida Division of Elections, stated the survey revealed that approximately 42% of the polling places scheduled for the 2004 Presidential Election would not be ADA compliant (personal communication, January 9, 2004).

Third, a review of different alternative voting options that will ensure the disabled voters the ability to cast their vote in secret. This will include an evaluation of each alternative option and the possible implications for the disabled community. Unlike the traditional polling places, some counties in Florida, such as Pasco County, are researching Super Precincts. A Super Precinct is defined as a place where many precincts would congregate to vote in one larger location (Grumet, 2003). Other articles review the option of voting by mail, as is currently happening in Oregon (State of Oregon, Secretary of State, 2000). Internet Voting is causing major controversy. The articles read pointed out the pros and cons of Internet voting. A major concern is the security of the Internet. Regardless of the option selected, it all comes down to what will be the best way to lower the cost of implementation of HAVA (Bell, 2003).

In summary, the literature details three themes, each of which has serious implications for the future of the disabled community, and their right to have full accessibility when casting their
vote. These themes correspond to legislation mandating how voting by the general voting population, as well as the disabled community, will be conducted. The literature cited above will compare the three leading options available against specific criteria, enabling an evaluation, and providing the most appropriate alternative for the State of Florida.
III. METHODOLOGY AND EVALUATION CRITERIA

Methodology

Information for this report comes from:

- Telephone interviews with:
  - Kurt Browning, Pasco County Supervisor of Elections – December 2003 and January 2004. Two unstructured interviews held for approximately 1 hour in length.
  - Bill Cowles, Orange County Supervisor of Elections – December 2003 and January 2004. Two unstructured interviews held for approximately 1 hour in length.
  - Kathy Procope, Accenture representative for the Secure Electronic Registration and Voting Experiment (SERVE) project. January 2004. One structured interview held for approximately 30 minutes in length.
- Personal interviews with:
  - Unstructured interviews with the Assistant Director and lawyers working in the Florida Division of Elections.
- Report on Polling Place Accessibility Pursuant to Section 17 (Department of State, 2004), Chapter 2002-281 F.S.

The 2003-2004 Department of State survey, academic databases, and current media provided insight into the historical background of disabled voting as it developed in the United States, including Florida. Reviewing applicable federal and state laws reveal statutory requirements and financial support for voting by the disabled community. Expert interpretation
of the previously cited information obtained through interviews and other key factors involved in voting and the disabled community. Interviews consisted of unstructured conversations concerning their part in the implementation of HAVA. The interviewer knew many of the people selected for the interviews. The researcher’s professional position permitted easy access to additional Department of State contacts as needed.

**Evaluation Criteria**

The criteria to evaluate the proposed policy options are:

- Technology examines the cost of implementing new voting equipment; this includes both hardware and software needed for the disabled community to cast their vote in secret (i.e., HAVA compliant voting devices to accommodate the needs of the disabled community). Such devices include hardware and software such as soundcards, headphones, and audio programs. The data comes from current media articles and interviews with the County Supervisors of Elections.

- Administrative cost examines the additional funding necessary for the Supervisors of Elections to administer voting for the disabled (i.e., new training, additional time, increased personnel, and help desk for voters). The data comes from interviews with Supervisors of Election’s and current media articles.

- Accessibility assesses the policy options for external changes to make polling locations accessible to the disabled voter (i.e., cost of adaptation, feasibility of the changes, and temporary or permanent). The data comes from the Report on Polling Place Accessibility Pursuant to Section 17 (Department of state, 2004).

The criteria chosen reflect the concerns discussed in the literature review. Other criteria such as political and public support for these options will not be included due to the unavailability of data and the time constraints of this report (that do not allow for surveys). Evaluation of the criteria will be on a scale of high, medium, and low. High meaning that the criterion has a large relative cost in time and money associated with it in order to carry it out and low meaning it has a smaller relative cost in time and money associated with it in order to carry it out.
The recent passage of HAVA in 2002 limits the scope of this study due to the lack of legislative directives and legal opinions. The State of Florida is currently seeking the most effective way to implement the HAVA and 101.715 F.S. by 2006. Through interviews with various supervisors of elections in Florida and studies done by other states, various voting alternatives will be studied and examined in order to get the best system for the disabled community to use in order to cast their vote in secret.
IV. MANAGEMENT POLICY OPTIONS

Section IV explains three of the most promising options to the challenge of making polling places in the State of Florida accessible to the disabled voter: Super Precincts, vote-by-mail, and Internet voting. Each option will be evaluated by the three previously discussed criteria: technology, administrative cost, and accessibility. This report is not a case study and is not necessarily a representation of the entire state. The options will guide policy makers toward the most viable strategic policy to improve the current accessibility issues at polling places. Although other options are available, such as mobile voting and curbside voting, this paper has focuses on the most frequently discussed options.

Option One: Status Quo

Within the State of Florida, 42% (2,462 of the 5,834) of the current voting locations are not physically accessible to the disabled community (Department of State, 2004). Of the 67 counties, currently 42 do not have voting devices for the visually impaired or illiterate voters. In part, 101.715 F.S. allows that sites that do not meet standards may be selected if no accessible site exists within the precinct, and the non-accessible site selected will meet standards in near future. In 2006, 101.715 F.S will no longer accept these non-compliant sites. Counties are responsible to find voting locations that are ADA-compliant and have voting devices available to the disabled community to cast their vote in secret.

Technology: HAVA requires a minimum of one voting device for the disabled to be in each precinct. These voting devices are required to have an audio capability as well as a connection for special devices used by a variety of the disabled community. Toshia Brown, Voting Systems Certification Specialist, working for the Department of State, Division of
Elections, revealed that the costs of these voting devices to be in excess of $3 thousand each. She gave an example using Duval County, which is representative of many Florida counties. Duval has no accessible voting devices and has 285 voting locations. The estimate for this county alone to be compliant with HAVA is in excess of $855 thousand. The approximate cost for the other 52 non-compliant counties can be estimated by multiplying $3 thousand times the number of precincts. The $3 thousand per machine is as of 2003, and the cost of these machines will steadily increase with time (personal communication, March 10, 2004).

**Administrative Cost:** The 15 counties that have accessible voting systems have all stated that the new devices increase the number of workers required at each polling location. At least one must be available to review the device with the disabled voter and answer any questions the voter may have as they cast their secret ballot. In part, this is due to a learning curve that is present when any new device is introduced and is also affected by the varied level of experience disabled voters have with technology.

Another area of increased administrative cost is training. As state and federal reforms change to comply with HAVA, training has gone from as little as three hours up to 15 hours. This increases the administrative cost of elections (Grumet, 2003).

**Accessibility:** As of January 2004, 2,462 voting locations throughout Florida will not be accessible to the disabled voter for the 2004 Presidential Election. County Supervisors of Elections were asked to estimate the dollar amounts they would need to bring these locations up to ADA standards. Not all counties responded with dollar amounts but the 44 counties that did respond with a dollar figure stated that it would take in excess of $6 million dollars to make needed changes to current voting locations. Upon discussing this with Sarah Jane Bradshaw, Assistant Director of Florida Division of Elections, she stated that only 745 of these locations are
tax supported. The remaining locations are private owned and many are religious buildings (personal communication, January 15, 2004).

There are temporary external accessible devices to make polling locations accessible, such as portable ramps and handrails. Counties can purchase these accessible devices to assist the disabled community to enter polling places. However, they would need to provide storage for this equipment when not in use and be able to distribute them to needed locations in a timely manner prior to elections. To compound this issue, larger counties could have a small municipal election almost every Tuesday of the year.

In summary, a review of the status quo reveals many areas of major change would need to take place within the current election process. The majority of the counties in the state do not have the necessary technology. Under HAVA, counties will be required to purchase at least one accessible voting device per precinct by the 2006 election cycle. Administrative costs will grow due to the additional number of poll workers required to assist the disabled with the new devices at least initially and the additional training required of all poll workers.

**Option Two: Super Precincts**

In the last 30 years, the State has experienced a major growth in population. Due to this growth, the number of voting locations required has grown from 3,319 in 1974 to 5,834 in 2004. Approximately 2,462 of these voting locations are not currently accessible and yet will be used for the 2004 Presidential Election (Department of State, 2004). Many counties experience problems identifying available voting locations. Then there is the added burden of verifying that the buildings are accessible. The Super Precinct option would allow the Supervisor of Elections in each county to divide voters into larger precincts thus needing fewer voting locations on Election Day.
Technology: In 2006, HAVA will require at least one accessible voting device in each location. Under the current system, counties may have hundreds of accessible voting devices scattered throughout their county with at least one device per precinct. Pasco County Supervisor of Elections, Kurt Browning stated “But in my opinion, it’s absurd to have to provide for something you don’t need in every single precinct” (Bell, 2003). Super Precincts would possibly allow counties to purchase fewer accessible voting devices, but at the same time, larger quantity of devices could be available for the disabled at each voting location.

Administrative Cost: The need to recruit an increasing number of poll workers has become a major undertaking for the local Supervisor of Elections’ office. Super Precincts would reduce the number of workers required. Dade County currently has 511 voting locations and recruits thousands of poll workers for countywide elections (Department of State, 2004). In addition to staffing the precincts on Election Day, each worker is required to attend mandatory training. The county pays poll workers to attend the training this training. With a reduced number of workers, the payroll would decrease thus saving counties money. Kurt Browning, Pasco County Supervisor of Elections, estimates that he could reduce his current 151 voting locations to 20 or 30 by using the Super Precinct model. This would reduce the number of poll workers needed on Election Day (Grumet, 2003).

Accessibility: In a large percentage of counties, at least 50% of precincts are in accessible locations, but these locations may not necessarily spread throughout the county. A major obstacle for counties, whether large or small, is they may have rural areas with limited accessible buildings and/or available buildings that are not large enough to hold a countywide election (Sarah Jane Bradshaw, personal communication, March 15, 2004). Many problems addressed above under the status quo options will also need to be addressed in this option.
In summary, with Super Precincts counties could use fewer voting devices, and locations, throughout the county. Counties could choose locations that would be accessible to all voters. The challenge would be in small and/or rural counties where they do not have many locations that could handle a large number of voters on Election Day. These areas would still need to address the accessibility issues before 2006.

Option Three: Vote-by-mail

Vote-by-mail permits voters to request and receive their ballot in the mail and return the ballot to the county Supervisor of Elections on or before Election Day. Oregon has used this method of voting since 1995. Between 1995 and 1997, Oregon counties saved over $1 million on three vote-by-mail special elections. It is estimated that the counties could have saved an additional $3 million if the primary and general elections could have been conducted in the same manner (Center for Voting and Democracy, 2003). Section 101.6102, F.S. and rule 1S-2.022, F.A.C., permits “vote-by-mail” for elections that contain issues, but not for elections that include the election of candidates. Bill Cowles, Orange County Supervisor of Elections, stated they used “vote-by-mail” for the 1997 election (personal communication, December 13, 2003). The county mailed ballots to all qualified voters a few weeks prior to Election Day. The county experienced a monetary savings in no poll workers, voting locations, and phone connectivity.

Technology: Technically, “vote-by-mail” is a very similar technique used to administer absentee ballots. This method fails to meet the needs of the disabled community since it does not allow the blind to vote without the help of someone else. In order to meet the needs, each county would be required to have special voting equipment located around the county. This would cost each county in excess of $3 thousand per device; depending on the type of equipment, they choose (Toshia Brown, personal communication, March 10, 2004).
Administrative Cost: Vote-by-mail will be able to use the same scanning equipment as is presently used in each county to count absentee ballots. “The main cost associated with this method is postage and additional printing of envelopes and ballots” (Florida Legislative Committee on Intergovernmental Relations, 2003, p.2). Orange County Supervisor of Elections, Bill Cowles, states, “Lots of logical headaches are cut down” when referring to vote-by-mail. He goes on to say by using this method you do not have to hire poll workers, deliver voting equipment, or set up a phone network to communicate to the voting locations (Bell, 2003).

Accessibility: With the need for fewer voting locations, counties could take advantage of selecting convenient accessible sites. Oregon is planning to implement HAVA by requiring each county to have at least two electronic voting devices for each county, one will be at the county elections office, and one will be a mobile unit that can be transported to locations that suit the voter (Bradbury, 2003).

In summary, vote-by-mail would allow counties to handle a large percentage of the votes similarly to absentee ballots. This option is gaining interest among many voters because it is convenient, but it fails to meet the HAVA accessibility issue (HAVA, 2002). Therefore, it would not alleviate the need for accessible voting locations to be available on Election Day for persons who need special voting devices.

Option Four: Internet Voting

Today, many Americans trust the Internet with a plethora of important transactions; they do their taxes online, renew driver’s licenses, transfer funds in bank accounts, check their credit history, etc. Voting would appear to be the next logical step to conducting elections in an increasingly high tech society. This is confirmed by the results of a national telephone poll
conducted by ABC News in July 1999, “42% of adult respondents, and 61% of young adults desired to vote on the Internet, but were concerned with security” (Nevin, 2002).

The most commonly discussed stages of Internet voting are:

1. **Electronic voting at traditional polling sites:** This form of voting does not actually use the Internet at all, but it is a key first step in the transition to Net voting: simply replace current voting devices and paper ballots with computers. The votes are stored on each system then are physically transported to the Supervisors office after the polls close. The technology would cost money but the counties would save money by not printing paper ballots.

2. **Internet voting at traditional polling sites:** Once sufficient security systems are in place, the computers described above could be connected to the Internet. The votes would be transmitted over the Internet to the Supervisor of Elections’ office. This would speed the tabulation and reporting of votes. Election officials would remain at the voting location.

3. **Internet voting from any location:** This is usually what people think of when they hear the term “Internet voting.” This would allow voters to vote from any computer and any location. Election officials would not be present, so this type of voting requires a new way to verify voter identification. (Center for the Study of Technology and Society, 2001)

Alaska Republicans, Arizona Democrats, and Washington State Republicans used Internet voting for the 2000 Presidential Preference Primary.

This section will focus on the third method, Internet voting from any location. The first method, commonly called direct recording electronic (DRE), is in use in 16 of the 67 counties in Florida. The second method is not currently in use due to not all precincts have internet access a limitation on the part of the county, not the technology.

**Technology:** Internet voting can open up new and exciting avenues for the disabled community as well as the rest of the population by allowing voters to uses their own computer equipment to cast a secret ballot. Election officials and security experts have raised two major concerns: security and authenticity.
Computer security is not sufficiently to thwart the unwanted interception of Internet voting data. Critics state that this form of voting is vulnerable to hackers, cyber-terrorists, power outages, downed telephone lines, computer viruses, and software bugs (Konrad, 2004). Two recent examples of Internet security issues are VoteHere Inc., and Secure Electronic Registration and Voting Experiment (SERVE).

In October 2003, VoteHere Inc., a company that develops security technology for electronic voting, became the center of controversy when its systems were hacked by intruders. The company states that the hackers were able to penetrate due to the lack of a security patch not being applied to their system (Robinson, 2003). The intruder may have accessed documents and copied sensitive software blueprints. Chief executive Jim Adler said that the company has repaired the hole in their network (Bridis, 2003).

The federal government was to implement SERVE, a $22 million project to allow selected overseas service persons and civilians to cast their votes for the 2004 Presidential Election over the Internet. U. S. Deputy Secretary of Defense Paul Wolfowitz made the decision to scrap the system because Pentagon officials were not certain they could “assure the legitimacy of votes that would be cast” (Lumpkin, 2004).

The authentication of a voter’s identity is not an easy task. This issue deals with insuring that each voter has the opportunity to vote, but that each voter only is able to vote once during a given election. Unlike other e-commerce transactions, where the person is identified with the transaction, the vote cannot be linked to the voter. One possible solution would be to treat Internet voting like absentee voting but, rather than receiving a paper ballot, the voter would receive a pin number. Like all new systems, the burden of additional duties placed on voters
cannot outweigh the benefits derived from the use of the Internet to cast their ballot (California Secretary of State Bill Jones, 2000)

**Administrative Cost:** The administrative cost associated with Internet voting will share some of the same costs as those associated with Super Precincts. Whether or not the voter is disabled, counties will still need to establish voting locations for those who do not have the Internet connection or who choose to vote in person.

Counties would need to hire help desk personnel to assist voters by phone who have problems casting their vote. In their January 2000 report, the California Internet Voting Task Force stated that in an Internet Project that had 91 people registered to vote, 84 actually cast votes, and the project help desk logged 71 support calls (Quesenbery, 2001)

**Accessibility:** The accessibility issues are the same as for the Super Precincts. Due to Florida Statutes there still needs to be accessible voting locations for disabled voters who need special devices in order to cast their secret ballot.

In summary, Internet voting has many technical challenges that make it vulnerable as an option in the immediate future. At the very least, it would not meet all the requirements of 101.715, F.S. since not all disabled voters have Internet access. Accessible voting locations would still need to be present throughout each county.
V. CONCLUSION

The options of status quo, Super Precincts, vote-by-mail, and Internet voting were assessed according to the relative cost associated with the following evaluation criteria: technology, administrative cost, and accessibility. Table 1 summarizes the results.

Table 1 -- Summary of Options and Evaluative Criteria

<table>
<thead>
<tr>
<th>Options</th>
<th>Evaluative Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Technology</td>
</tr>
<tr>
<td>Status Quo</td>
<td>High –16 counties currently have audio voting devices. The remaining 51 will need to buy new equipment.</td>
</tr>
<tr>
<td>Super Precincts</td>
<td>Medium – This would enable counties to purchase fewer accessible voting devices.</td>
</tr>
<tr>
<td>Vote-by-Mail</td>
<td>Low – Counties currently use this technology to process absentee ballots.</td>
</tr>
<tr>
<td>Internet Voting</td>
<td>High – Counties would need new equipment to address security issue and to validate voters.</td>
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Note: Policy options measured according to evaluative criteria: technology, administrative cost, and accessibility. Rating based on analyst’s assessment of relative cost categories, rated on a scale of low, medium, and high.
Status Quo received a high rating in all evaluative criteria. Due to HAVA requiring a disabled voter device in every precinct, the cost of technology will be high. At present, voters who need special equipment are not required to notify the county Supervisor of Elections’ office of their need. Therefore, some voting locations may have no need of this voting device while other precincts could make use one or more of these devices in order to meet the needs of their voters. Administrative cost is high due to the increased number of poll workers required at each polling location and the increased number of hours required training workers on the new equipment. With only 58% of the current voting locations accessible to the disabled voter, the cost estimation to bring the remaining 42% up to ADA compliance is over $6 million (Department of State, 2004).

Super Precincts received a medium rating in terms of technology. Super Precincts could allow counties to have fewer voting locations, but at the same time allow counties to have more voting devices that are accessible to the disabled at each location. Administrative cost received a low rating. Fewer poll workers would be required on Election Day, and the number of persons needing training would go down proportionately. Accessibility received a medium rating. While it is true that fewer voting locations will be required for this option, in some rural areas no accessible buildings will be available to accommodate a Super Precinct setting. In those areas, the building to house the Super Precinct would need to meet ADA compliance per Florida Statutes.

Vote-by-mail received a low technology rating because all 67 counties currently have the equipment to handle absentee voting and vote-by-mail will use the same, or a similar mechanism. Administrative cost received a medium rating due to an increased expense of printing the ballots and increased postage. The other large increase would be in the added office
staff needed to verify the signatures of the voter against the one on file before the ballot is cast. Accessibility received a medium rating. This option would not address the needs of the disabled community that could not mark their own ballot in secret. Counties would still have limited voting locations and accessible voting devices to meet the HAVA and Florida Statutes requirement.

Internet voting received a high rating in the area of technology. Currently, there is insufficient security to ensure that the vote cast is the one received and counted. Another area of major concern is the authentication of the voter’s identity. Unlike the authentication on an absentee ballot, where the voter seals the ballot into the designated envelope and signs it on the outside, the cost to authenticate a voter over the Internet could be substantial. Administrative cost also received a high rating. Poll workers will need a higher level of technical training to answer questions concerning the election, use of the internet, and security concerns that may arise. Accessibility received a medium rating; the same issues are relevant here as were discussed under Super Precincts.

Upon evaluation of each option, it is recommended that Florida implement a combination of vote-by-mail and Super Precinct for future elections. The vote-by-mail has a low rating on technology costs since all counties in the state handle absentee ballots using the same equipment required by this option. Super Precincts have a low rating in terms of administrative cost, but still allow each county to scatter several voting locations throughout their county to accommodate the disabled voter. The accessibility cost has a medium to high rating in all policy options because almost half of the current voting locations are not accessible. By combining these two options, counties would be able to meet the requirements of HAVA and Florida Statutes by giving the disabled community, as well as voters that do not wish to vote-by-mail, to
go to Super Precinct locations and cast their secret ballot (Bell, 2003). Counties could have fewer voting locations and fewer voting devices, thus possibly lowering the overall cost of elections.
REFERENCES


ABOUT THE AUTHOR

Caroline M. Malkinski holds a Bachelor of Arts degree in Political Science from the University of Central Florida. She is a candidate for a Master of Public Administration from the Reubin O’D Askew School of Public Administration and Policy at Florida State University. She has worked for the State of Florida since 1995 and is currently employed as an Assistant Bureau Chief within the Department of State, Division of Elections, Bureau of Voting Systems Certification in Tallahassee, Florida. Ms. Malkinski is interested in the election process and plans to remain an active participant of the process.