



COUNTY OF LOS ANGELES  
**REGISTRAR-RECORDER/COUNTY CLERK**

12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024/(562) 462-2716

**CONNOR B. McCORMACK**  
REGISTRAR-RECORDER/COUNTY CLERK

April 27, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDED POSITION ON STATE LEGISLATION (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the recommended position of **OPPOSE** regarding **SB 530**, **SB 1723** and **SB 1438**.

**SB 530 and SB 1723 (Johnson/Perata)** would prohibit, until January 1, 2005, a city or county from using any form of direct recording electronic device as part of the city or county's voting system for the November 2, 2004 Presidential General Election.

**SB 1438 (Johnson/Perata)** would prohibit, on and after January 1, 2005, a city or county from purchasing a direct recording electronic voting system that does not include an accessible voter verified paper audit trail. In addition, the bill would require that, as of January 1, 2005, all direct recording electronic voting machines in use on that date, regardless of when purchased, include an accessible voter verified paper audit trail.

2. Instruct the County's legislative advocates in Sacramento, working with the affected departments, other counties and interest groups to advocate this position on behalf of Los Angeles County.

**SB 1438** and **SB 1723** are scheduled for hearing on May 5 in the Senate Elections and Reapportionment Committee.

**SB 530 and SB 1723:** Passage of either recently amended **SB 530** or **SB 1723** would ban the County from offering electronic touchscreen voting during the “early” voting period in the two weeks prior to the November 2004 Presidential General Election in Los Angeles County as is currently planned. We recommend opposing these bills in light of your Board’s support and approval of a contract in 2002 to purchase a sufficient number of touchscreen voting units to conduct touchscreen early voting which is the only voting system that allows voters who are blind or visually impaired to vote privately and unassisted and enables minority language voters to vote on a system capable of displaying the entire ballot on the screen in their native language(s).

Touchscreen early voting has been available to the County’s voters during the early voting period in conjunction with major statewide elections since the November 2000 Presidential Election. In addition to voters with specialized needs as cited above, almost 100,000 of the County’s voters have availed themselves of this convenient “third voting option” in conjunction with major elections (the other two options consist of the opportunity to vote via absentee/mail ballot or to vote on election day at the voter’s assigned neighborhood polling location). Surveys of tens of thousands of touchscreen voters, both in Los Angeles County and in other counties in California that have adopted electronic voting systems, reveal overwhelming voter support for this method of voting and preference for its use over paper-based voting systems.

**SB 1438:** No certified voting equipment currently exists that contains the “accessible voter verified paper audit trail” (AVVPAT) referenced in SB 1438. This measure would have the effect of ending the County’s touchscreen early voting program until such time as system modifications are developed, tested and certified by federal and state authorities that would produce the specified AVVPAT.

This bill would, in effect, put into statute a directive previously promulgated by California’s Secretary of State in November 2003 that requires:

- “...beginning July 1, 2005, no county or city may purchase a touch screen voting system that does not include an accessible voter verified paper audit trail (VVPAT” and that
- “As of July 2006, all touch screen voting systems used in California, regardless of when they were purchased, must have a VVPAT that can be used by all voters, including the visually impaired...”

This recommended position will be added to the State Legislative Agenda and is consistent with the following specific County Strategic Plan goals: Service Excellence (provide the public with easy access to quality information and

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services that are both beneficial and responsive) and Organizational Effectiveness (ensure that service delivery systems are efficient, effective and goal-oriented).

Respectfully submitted,

CONNOR B. MC CORMACK  
Registrar-Recorder/County Clerk

c: Executive Officer, Board of Supervisors