

# Congress of the United States

Washington, DC 20515

May 20, 2002

The Honorable Theresa LePore  
Office of the Palm Beach County Supervisor of Elections  
240 S. Military Trail  
West Palm Beach, FL 33415

Dear Ms. LePore:

We are concerned about potential voter confusion that may occur in Palm Beach County in the upcoming primary and general elections. However, we do believe that feasible and appropriate steps may be taken in the meantime that could significantly diminish this risk.

As you know, a number of Palm Beach County voters experienced problems in recent municipal elections. In Boca Raton, some voters reported irregularities, such as attempting to choose one candidate while the machine was recognizing another. In Wellington, 3 percent of its voters did not record a vote in the village council race, the only race on the ballot. This means that 78 people showed up at the polls at a small municipal election and did not have a recorded vote. We understand that Florida law (effective this September) will provide new notification requirements for undervotes and your pre-election education program is proceeding, but we do not believe that these are the only answers to preventing irregularities.

Following Election 2000, Governor Bush established the Governor's Select Task Force on Election Procedure, Standards and Technology to make recommendations to improve our methods of conducting elections. Their final report included the following:

“The Select Task Force recommends that the Secretary of State direct the Division of Elections to accelerate its review of voting system standards so that new technologies that meet technical standards and “voter-friendly” standards of reliability...”

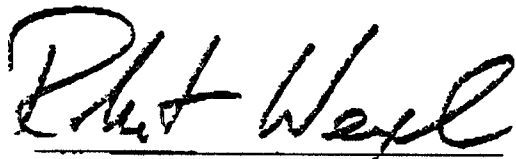
As a result, the Division of Elections modernized its Florida Voting Systems Standards. While it includes new technical standards for voting machines, it does not address the critical issue of user-friendly standards. We believe that the problems in Boca Raton and Wellington may have been a result of less than sufficient attention given to the computer-human interaction factors of the machines.

After consulting with leading experts at universities throughout the nation, it is our understanding that there are specialists in the field of computer-human interaction. We were referred to the Association for Computing Machinery's Special Interest Group on Computer-Human Interaction (ACM SIGCHI) which is a non-profit professional association of computer-human interaction specialists from the public and private sectors. Its parent organization, the Association for Computing Machinery (ACM), advances the skills of information technology professionals and students, serving its global membership of 75,000 by delivering cutting edge technical information and transferring ideas from theory to practice. ACM provided expert testimony to Congress on electronic voting systems standards, criteria and security to the House Science Committee in May, 2001. It is our understanding that ACM SIGCHI is prepared to offer its expertise to evaluate these machines and to make recommendations on how to improve them. We recommend that you contact ACM SIGCHI at your earliest convenience and seek their assistance.


Secondly, while we appreciate the depth of your education program, we believe that more should be done to ensure an accurate election outcome. Once potential computer-human interaction changes are made, only through the experience of a mock election will we be able to truly gauge the effectiveness of the new voting machines. We recommend that you conduct a mock election using county employees and any voter of Palm Beach County that wishes to participate. In addition, you may consider choosing a select number of precincts, including some of those that experienced the most notable problems in Election 2000, and conduct a mock election at their polling sites in advance of the September primary.

We are certainly willing to help in these endeavors. Thank you for your attention to this matter, and please let us know at your earliest convenience your thoughts on our recommendations.


Sincerely,



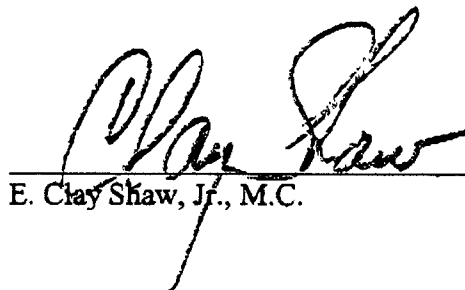
Robert Wexler, M.C.



Mark Foley, M.C.



Alcee L. Hastings, M.C.



E. Clay Shaw, Jr., M.C.