

ADVISORY 2008-04

February 26, 2008

To: All County Boards of Elections

Re: Directive 2008-01—Additional Information Concerning Optical Scan Ballots for Voters in Counties using DREs

Directive 2008-01 directed the Boards of Elections in counties using DRE voting systems as their primary voting method to have a supply of paper ballots at polling places to provide to voters who request to vote on a paper ballot rather than on a DRE voting machine. The purpose of this Advisory is to identify a circumstance in which a pollworker in a DRE county is no longer required to provide a paper ballot to a voter requesting a paper ballot.

Final Time for Voter to Request Paper Ballot: A pollworker need not provide a paper ballot to a voter who expresses a desire to opt out of voting on a DRE machine at the point in time at which the computerized voting machine has been loaded with the appropriate ballot for that voter or the voting machine has otherwise been committed to receiving the votes of that individual. That point in time can be identified as follows:

Premier (Diebold) Accuvote-TSX: Pollworkers need no longer provide a paper ballot to a voter requesting one at the point in time that the Voter Access Card is inserted into the AccuVote-TSX.

ES&S iVotronic: Pollworkers need no longer provide a paper ballot to a voter requesting one at the point in time that the pollworker has inserted the supervisor PEB containing the ballot image for that voter into the iVotronic.

Hart eSlate: Pollworkers need no longer provide a paper ballot to a voter requesting one at the point in time that the pollworker has begun entering data into the Judge's Booth Controller to generate a voter access codes for that voter.

If you have any questions concerning this Advisory, please contact the election attorney assigned to your county.

Sincerely,

Jennifer Brunner