

## **DIRECTIVE 2008-01**

January 2, 2008

To: All County Boards of Elections

Re: Optical Scan Ballots for Voters in Counties using DREs

Due to the concerns raised by the EVEREST report, and to avoid any loss of confidence by voters that their ballot has been accurately cast or recorded, I hereby direct all counties using direct recording electronic voting machines (DRE) to provide an optical scan ballot to any voter who requests it as an alternative method to casting a ballot on a DRE voting machine. This is similar to the procedures already in place for counties using a DRE for persons appearing at their office to cast an absent voter ballot (i.e. "Voting an Absent Voter's Ballot" in Directive 2007-06, specifically at page 8).

Therefore, effective January 3, 2008, all counties using DREs must provide an optical scan ballot to any voter making such a request at his or her polling place on Election Day.

### **Determining Minimum Number of Optical Scan Ballots**

Boards shall determine the minimum number of optical scan ballots to provide for each precinct by multiplying the number of ballots cast in each precinct at a like election by 10%. This will provide the minimum number of optical scan ballots a board using DREs as their primary voting system must provide for each precinct.

### **Secure Ballot Containers**

Boards shall provide a secure ballot container for the voter to place his or her optical scan ballot into after marking the ballot.

### **Voter Privacy**

Boards shall provide a private area for a voter to mark his or her optical scan ballot. Privacy booths used by persons voting provisional ballots may be utilized for this purpose.

### **Tabulation**

The optical scan ballots cast in a precinct are to be centrally counted at the Board on election night as part of the unofficial canvass.

### **Documenting Additional Costs in Complying with this Directive**

Please document and itemize the additional costs incurred as a result of complying with this directive to allow the Secretary of State to compile them and seek federal or other reimbursement of these costs as funds may become available. A further directive and accompanying reporting form will be provided to you after the March 4, 2008 primary election to allow you to report these documented and itemized costs.

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

Sincerely,

Jennifer Brunner