

SECRETARY OF STATE JENNIFER BRUNNER

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Good morning Chair Lofgren, Ranking Member McCarthy, and distinguished members of the House Subcommittee on Elections and Chair Nadler, Ranking Member Franks, and distinguished members of the Subcommittee on the Constitution, Civil Rights and Civil Liberties of the Committee on the Judiciary. Thank you for the opportunity to offer testimony on Ohio's state and local efforts to prepare for the 2008 general election. I am David Farrell, Deputy Assistant Secretary of State and Director of Elections for Ohio Secretary of State Jennifer Brunner.

The state of the elections system in Ohio has come a long way since Secretary Brunner took office in January 2007. Between that time and now, Secretary Brunner has taken substantial efforts to examine, strengthen and continually adjust and make improvements to the elections system. Evidence of our successes can be found by looking at Ohio's March primary election where we had a 46% turnout and over 500,000 absentee voters despite experiencing severe weather problems and other emergencies. Chair Lofgren, I would like to offer into the record the March 2008 Ohio Primary election report, which fully details the significant advancements Ohio has made in its elections system since Secretary Brunner came into office.

With November 4th approaching, there is great work to do in every Ohio county, and we are getting that work done. This will be a historic November election, and in Ohio, where we can realistically anticipate a statewide turnout of 80%, Secretary Brunner has focused on three objectives: Preparation, Partnership and Success.

Secretary Brunner is focused on strengthening Ohio's voter operations, which is the nuts and bolts of elections administration. She understands that given the technological advances made over the last decade and the implementation of the Help America Vote Act of 2002 (HAVA), getting voter operations right is crucial. She has made great strides in this respect. For example, to equitably apply Ohio's elections laws to all voters, Secretary Brunner implemented an aggressive statewide poll worker training program, which includes an interactive, online poll worker training component. She created and made available a quick reference guide for poll workers to use on Election Day. Secretary Brunner also issued a directive (Directive 2008-77), which provides minimum standards for poll worker training.

In addition, Secretary Brunner made compliance with the Americans with Disabilities Act of 1990 (ADA) a priority for all Ohioans. While the Act has been law for 28 years, Secretary Brunner was the first chief elections officer of the State of Ohio to provide to the 88 Ohio county boards of elections an easy-to-use checklist that permits local boards to confirm their compliance. We thank Congress for providing ADA grant dollars to Ohio and allowing us to make available \$500,000 in funds to address ADA concerns at polling places in 2008.

Secretary Brunner and local boards of elections are also preparing for any problems that may arise on or before Election Day. In 2004, Ohio became the unfortunate poster child for long lines at the polls and concerns about voter disenfranchisement. Secretary Brunner has taken a number of steps to address long lines and a host of other issues that cut to the core of voter confidence in our elections.

First, a key “best practices” focus has been backup paper ballots for direct recording electronic voting machines (DRE) counties. In the March primary election, these backup paper ballots made the difference for polling places impacted by severe weather, power outages, and machine problems. Secretary Brunner was very supportive of Chair Lofgren’s bill, H.R. 5803, which would have provided funding for states to provide backup paper ballots. Although that bill did not pass, we will utilize HAVA funds to reimburse boards of elections for the cost of backup paper ballots equal to 25% of the turnout in that precinct in 2004 for the November 4th election.

Second, we have also provided boards of elections with a formula, developed by the Ohio General Assembly and based on HAVA, for the equitable distribution of voting machines on Election Day. This will help us find problems with distribution plans ahead of time and assure a scientific, facts-based approach to allocating voting machines for all Ohioans.

Secretary Brunner’s preparation efforts also include making sure that voting is secure. This spring, our office brought together a bi-partisan working group to craft best practices for elections security. From the board of elections office to the ballot box and back again, we have created a suite of directives that provide “best-in-class” security for Ohio’s voting systems. Those directives address security at the polling place and board of elections offices; minimum storage, security access and inventory control requirements for voting systems equipment at the board of elections; voting machine delivery requirements; chain of custody for ballots; and security for voting equipment supplies. Secretary Brunner also required boards of elections to end the practice of so-called “sleepovers” for voting machines in Ohio (Directive 2008-68), and we are now phasing in secure machine transport for every county in Ohio.

Between now and November 4th, we in Ohio will all be focused on preparing for success. We are confident that state and local election officials can address any new set of problems that may arise because we have established a partnership that works to get things done.

This partnership is the cornerstone of elections in Ohio. Ohio’s voting system was established to recognize the inherent tensions between political parties and to use that tension as a check and balance on the process. I will say that it is refreshing to work for a Secretary of State like Jennifer Brunner who has stated unequivocally that her efforts are focused not on any party, any re-election or other affiliation, but rather, on making Ohio’s election system the best it can be. Indeed, our focus is on what we all do in public service – serve people for their greater good.

Success in November is what this is all about. Every meeting we hold, every checklist we prepare, every tough decision we make must be focused on this indisputable fact – Ohioans and our country expect and deserve nothing but the very best from us all.

Success will be measured by a lot of people in a number of different ways this November. Did voting lines move quickly? Were the poll books up-to-date? Were the voting machines working? Did our poll

workers know their jobs? Were absentee ballots handled properly? Did we operate an election people felt confident about? Preparation and partnership will enable Ohioans to say a resounding “yes.”

Again, thank you for the opportunity to testify on behalf of Ohio Secretary of State Jennifer Brunner regarding election preparedness.