



President: Nancy Bickel

October 2003

Editor: Jean Safir

## EXPERT TO SPEAK ON THE INTEGRITY OF ELECTIONS

- How can we be sure that our votes are counted correctly?
- What guarantees do we have that electronic voting will be secure and safe from manipulation?

Join us on **Monday, OCTOBER 27, 6:30 to 8:30 pm** at the **Berkeley Central Library on Kittredge Street**, to hear **Prof. Henry Brady**, U.C. Professor of Political Science and Public Policy, who will address these questions for us. We will be in the meeting room on the 3rd floor, which is accessible by elevator or stairs.

Not only an expert on voting and political participation, Prof. Brady has also studied campaigns and elections, the media, political participation, mass mobilization, political attitudes, political and social inequality and welfare reform in the U.S. and abroad.

Prof. Brady's extensive work on voting systems includes: *Counting All The Votes: The Performance of Voting Technology in the US* (2001), *Chasing Butterflies in Florida* (2001), *Law and Data: The Butterfly Ballot Episode* (2002) and *Equal Protection for Votes* (2002). In addition, he has been an expert witness in cases trying to end punch card voting in California and Illinois. He was recently elected to the American Academy of Arts and Sciences.

**This is a topic of wide and vital interest. Invite your friends.** Call the office if you would like to post some fliers or get some help with transportation. **[See also Box on page 4.]**

- Lois Brubeck, Program VP

## OCTOBER 7 SPECIAL ELECTION - Vote with the League - **VOTE NO on PROPOSITIONS 53 & 54:** **53: Dedicated Infrastructure Spending**

This measure would establish an "infrastructure investment fund" in the State constitution and transfer a fixed percentage of State General Fund revenues into the fund, committed to pay-as-you-go projects. Starting at 1% in 2006 (estimated at \$850,000), the size of the fund would rise to 3% over the following few years. Half the total would go to State-owned projects and half to local government projects, other than schools and community colleges. Legislators would allocate the funds, with no requirement to support projects of greatest need.

Prop. 53 would not provide new revenue; it would simply earmark funds, even if that means cuts for essential health care, education, public safety, or other programs. Even in hard times, transfers from the General Fund might still be required, reducing the state's flexibility in responding to other priorities.

**(Prop. 54 on p. 5)**

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## SPEAKER SERIES

**Thursday, October 9, noon to 2 pm**  
**Albany Public Library, Edith Stone Room**  
**1247 Marin Avenue at Masonic**

*Polly Armstrong*, longtime League member, former Berkeley City Council member and recent traveler to Iran, will be our guest speaker at the October 9 meeting. Her main topic will be "Wheelchairs for Iran." She will give her impressions of the country and of the status of women, as well as the details of the program to acquire and deliver the wheelchairs.

The public is invited to all our Speaker Series meetings. You may bring lunch; juice will be served. For questions about the event, please call the League office at (510) 843-8824.

- *Doris Mendell*

## NEW MEMBERS

**The LWVBAE extends a warm welcome to the following new members:**

<i>Lori Arnold</i>	<i>Dorothy Jansizian</i>
<i>Jane Brooks</i>	<i>Laura Murra</i>
<i>Katherine Castro</i>	<i>Aram Thomasian</i>
<i>Justine Hume</i>	<i>Connie Voss</i>

And welcome back, *Emma Davis*.

- *Jinky Gardner*, Membership Chair

## DONATIONS in August To the General Fund

<i>Jane Bergen</i>	<i>Ruthann &amp; Clyde</i>
<i>Karen Carlson-Olson</i>	<i>Taylor</i>
<i>Doris Fine</i>	<i>Elsa Tranter</i>
<i>Patricia Spear</i>	<i>Mary Wallman</i>

### To the LWVB Foundation

<i>Wilma Jordan</i>	<i>Rosalind Singer</i>
	- <i>Evelyn Light</i>

## ENVIRONMENTAL CONCERNS

**Lawrence Berkeley National Laboratory (LBNL) Plans New Six Story Building**

On **Monday, October 13, 2003**, at **7:30 p.m.**, we will host a presentation about the proposed new building on the LBNL site. A representative from the laboratory will present and discuss the proposed new 6-story office building and its Draft Environmental Impact Report (DEIR), and will be prepared to answer questions. The DEIR is expected to be published well ahead of our meeting and to be posted at: [www.lbl.gov/community/env-rev-docs.html](http://www.lbl.gov/community/env-rev-docs.html). So please take a look at the document and bring your comments and questions to the meeting for discussion.

**The meeting will be held, as usual, at 1340 Arch St. (corner of Rose), in Berkeley. It is an open meeting. Contact person is Carol Stone e-mail: [seastone11@hotmail.com](mailto:seastone11@hotmail.com) , 549-0959.**

## NEW MEMBER WELCOME AND ORIENTATION

Calling All New Members and all those who have missed a chance to attend an Orientation meeting! Come to the **League office at 7:30 pm on Monday, Sept. 29**, and find out what we do, how we do it, and how you can join in the work and the fun.

The office is upstairs of Andronico's Market at the corner of University Ave. and Acton St. Come to the parking lot at the rear of the store, to the door on the right of the store entrance. Buzz the LWVBAE pad on the wall for admittance.

There will be light refreshments and some of our active members to meet.

Do you have questions? Call *Jinky Gardner*, Membership Chair, at 548-5292.

## MAKING SURE OUR VOTES COUNT

The League's attention and the hard work of many Leaguers this month is to make sure as many folks as possible are registered, understand their ballot, get to the polls and have their ballot accepted and properly recorded and counted.

After the problems in the Florida presidential tally, LWVUS worked hard with others to pass the Help America Vote Act (HAVA) to correct the problems that emerged in Florida and elsewhere, particularly those associated with paper voting systems of various kinds. But in fixing known problems, the League and the Congress may not have given enough attention to the potential problems of the new electronic systems.

**Are there sufficient safeguards for electronic votes? Is a paper print-out of your ballot the answer?** Public questions have been raised in recent months about the potential risks of "Direct Recording Electronic" voting machines. For example: can they be tampered with? Do election officials have access to the software and hardware or are they proprietary to private companies? In the article on page 5, you can read part of the mid-June statement issued by LWVUS, arguing that a paper printout would not necessarily assure that votes were properly recorded and counted. Although the LWVUS statement doesn't address all concerns, I'd like to call your attention to points 4, 5 and 6, particularly 5, which states that government officials should have copies of the source code that operates the machines.

These points are a good start toward a policy that would protect every citizen's vote in electronic voting systems. I will be in touch with LWVUS and with other Leagues around the country to find out what LWVUS is doing to encourage enforcement of 4, 5, and 6 and in developing a more detailed policy. I will report back to you on what I learn.

Meanwhile, I encourage you to participate as a poll worker at the October 7 election and to attend the meeting on October 16, when you as poll workers and voters can report on and discuss any problems and concerns you noted. We'll gather pertinent criticism and questions to pass on to the Registrar, the Secretary of State or the LWVC and LWVUS. Our fall meeting speaker John Elwood and our October 27 speaker Henry Brady are only two of the outstanding array of speakers on election-related issues that we expect to schedule this year.

**Make sure the League can do its useful election work.** To help us continue our election work, we will be asking you, our members and our community, for more financial support in the coming months. Since the ASUC has decided to run its own elections — electronically — the League's work and income from this source has been reduced by about \$10,000. During the past and current budget year, we have been drawing on savings to balance our operating budget, but we can't continue to do this. So when we call you, please respond generously. Thank you.

- Nancy Bickel, President

## Poll Workers and Voters Invited to Report on October 7 Election

When you vote on October 7 or work at the polls, please note any problems and give the League your comments at **South Berkeley Library meeting room on Thursday, October 16, from 6:45-8:45.**

The Library is on the corner of MLK Jr. Way and Russell St. League members and non-members are welcome.

- Were poll workers well-trained?
- Did the voting go smoothly?
- What problems, if any, did you observe?
- What questions would you like LWVBAE to take to the Registrar, the Secretary of State or the national League?

## LWVUS ADVOCACY UPDATE: TITLE IX VICTORY

On Friday, July 11, 2003, the Department of Education affirmed its support for Title IX in a "Dear Colleague" letter sent to schools across the country. Title IX is the federal law that prohibits gender discrimination in all aspects of education and is best known for creating opportunities for women and girls in athletics. In response to proposed changes that would have weakened Title IX, concerned citizens applied grassroots pressure that helped secure this victory for full participation of women and girls in athletics.

Title IX has a demonstrated record of success over the past thirty years. In 1972, at the college level, fewer than 30,000 women participated in intercollegiate sports programs sanctioned by the NCAA. By 2000, nearly 151,000 women were NCAA athletes. At the high school level, the number of female athletes increased from 294,000 to nearly 2.8 million during the same time period.

In January 2002, Secretary of Education

Roderick R. Paige appointed a "Commission on Opportunity in Athletics" to examine the impact of Title IX on athletics and to make suggestions for "improvements" in administration of the law.

At its meeting in late January 2003, the Commission approved several proposals to change Title IX that would reduce sports participation opportunities and scholarships to which women and girls are entitled under existing regulations.

On July 11, instead of weakening Title IX protections, the Department of Education stated support for Title IX standards and announced that they would aggressively enforce Title IX protocols. In its letter, the Department of Education Office of Civil Rights stated that their "fact-finding process" found very broad support throughout the country for the goals and spirit of Title IX. The "broad support" for Title IX was demonstrated, in part, by the countless e-mails and phone calls generated to Congress, Secretary of Education Paige and President Bush.

If you made a call, sent an e-mail, forwarded an action alert to a friend or wrote a letter, this is your victory! Congratulations!

### ACTION NEEDED

More action is needed on other important issues. To take action now, click on <http://interactive.lwv.org/>.

Urge your friends and family to sign up for the Grassroots Lobby Corps to receive important legislative updates and ways to take action. Ask them to click on <http://interactive.lwv.org/Team/Member.cfm> and to click the "Join the Grassroots Lobby Corps and Lobby Congress" box in the "Additional Information" section. More members of the Grassroots Lobby Corps will help the League achieve more victories like Title IX.

For additional information, contact [lobbying@lwv.org](mailto:lobbying@lwv.org).

## DIRECT RECORDING ELECTRONIC (DRE) VOTING MACHINES

The LWVUS does support an individual audit capacity for the purposes of recounts and authentication of elections for all voting systems, including, but not limited to, Direct Recording Electronic Voting Machines (DREs). The LWVUS does not believe that an individual paper confirmation for each ballot is required to achieve those goals. An individual paper confirmation for each ballot would undermine disability access requirements, raise costs, and slow down the purchase or lease of machines that might be needed to replace machines that don't work. The experts that we have consulted say that there are many safeguards other than an individual ballot paper confirmation that can protect the sanctity of the ballot and that other issues are far more important in safeguarding our election systems.

The legitimacy of elections depends not only on the ability to verify results if they are in question but also on having good systems that protect the individual's right to vote in the first place. This means putting appropriate policies and processes in place that would:

1. stop individuals from being purged from voter lists unless there is an exact match of voter information;
2. protect the rights of voters who are unintentionally at the wrong polling place due to such things as a last minute change in polling place assignment;
3. provide poll workers with the necessary training and tools to administer elections, thereby reducing the number of people who leave the polls without voting due to frustration or long lines;
4. give election officials - not the DRE manufacturers - control over ballot creation;
5. at the appropriate level of government, obtain a copy of the source code that operates the machines;
6. ensure that the DRE records information submitted by voter;
7. ensure that the DRE stores multiple copies of the information;

8. mandate that voting systems are randomly tested as they come off the assembly lines, upon delivery, prior to opening the polls, during election day and after the election;
9. ensure that voter ID requirements are adhered to in a uniform and non-discriminatory fashion; and
10. alert voters if they have over-voted or under-voted for an office and give them the opportunity to "fix" their ballot prior to casting the ballot.

(Source: LWVUS electronic bulletin "Where We Stand," June 2003. For the complete statement, see: [www.lwv.org/where/promoting/votingrights\\_hava\\_drevm.html](http://www.lwv.org/where/promoting/votingrights_hava_drevm.html))

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(Re: Oct. 7 Election – Continued from Page 1)

### **VOTE NO on PROPOSITION 54: Bans Data on Race, Ethnicity, Color and National Origin.**

This constitutional amendment would ban state and local governments from using information essential to public health, education reforms, crime prevention, and civil rights enforcement – even though much of this data would still have to be collected to meet Federal mandates.

The medical "exemption" is poorly written, would invite litigation and could jeopardize the use of information important in fighting cancer, heart disease, diabetes and the spread of infectious diseases and other illnesses. The California Medical Association and more than 40 other health organizations agree that Proposition 54 is bad medicine for all Californians.

(Source: LWVC)

 Berkeley addresses unless otherwise indicated 

## CALENDAR

### September

- |    |        |         |  |                    |
|----|--------|---------|--|--------------------|
| 22 | Mon.   | 5-8 pm  | FALL GENERAL MEETING: "California After the Recall"<br>Northbrae Community Church, 941 The Alameda | Brubeck, 526-5139  |
| 22 | Mon.   |         | LAST DAY TO REGISTER FOR OCT. 7 SPECIAL ELECTION   | Watts, 525-6614    |
| 25 | Thurs. | 7:30 pm | Action Committee 1419 Grant (Watts)  | W.Jordan, 526-6299 |
| 29 | Mon.   | 7:30 pm | Orientation for New Members LWVBAE Office  | Gardner, 548-5292  |

### October

- |    |        |            |   |                     |
|----|--------|------------|---|---------------------|
| 3  | Fri.   | Noon       | Deadline for November VOTER   | Safir, 524-9088     |
| 7  | Tues.  | 7a-8p      | SPECIAL ELECTION  | Watts, 525-6614     |
| 9  | Thurs. | Noon       | Speaker Series: Polly Armstrong - "Wheelchairs for Iran"<br>Albany Library, Edith Stone Room, 1247 Marin Ave. | Mendell, 843-8824   |
| 9  | Thurs. | 6 pm       | Board Meeting LWVBAE Office   | Bickel, 526-4055    |
| 13 | Mon.   | 2-4 pm     | Education Committee LWVBAE Office   | Gardner, 548-5292   |
| 13 | Mon.   | 7:30pm     | Environmental Concerns 1340 Arch St. (Bansner)  | Stone, 549-0959     |
| 16 | Thurs. | 6:45-8:45p | Report on Oct. 7 Election Problems<br>South Berkeley Library, MLK Jr. Way & Russell St.                       | Brubeck, 526-5139   |
| 23 | Thurs. | 7:30pm     | Action Committee 1419 Grant (Watts)   | Henderson, 704-8797 |
| 27 | Mon.   | 6:30-8:30p | Prof. Henry Brady on "The Integrity of Elections"<br>Berkeley Central Library, Shattuck & Kittredge Avenues   | Brubeck, 526-5139   |

### November

- |   |       |        |                                   |                   |
|---|-------|--------|-----------------------------------|-------------------|
| 3 | Mon.  | 2-4 pm | Education Committee LWVBAE Office | Gardner, 548-5292 |
| 4 | Tues. | 7a-8p  | LOCAL ELECTION in Emeryville      | Watts, 525-6614   |



### IT'S EASY TO JOIN THE LEAGUE OF WOMEN VOTERS

*Just fill in the blanks below, clip and mail this information to us with your check for  \$55*

LWVBAE

1414 University Avenue, Suite D  
Berkeley, CA 94702-1509

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. Day: \_\_\_\_\_ Eve: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

*Joining the local level makes you a member at all levels: LWVBAE, Bay Area, State and National. Dues and contributions to the League are not tax deductible. Contributions to the LWVB Foundation are deductible to the extent allowed by law.*

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