



LOCAL BALLOT ISSUE ELECTION

Independence County Hand Marking and Counting Ballots Election

ELECTION DATE: Tuesday, Nov. 5, 2024

What is the proposal?

Voters in Independence County will see a citizen-initiated proposal on their Nov. 5, 2024 General Election ballot related to local elections.

If approved, this countywide ballot measure would create a county ordinance known as the Independence County Election Integrity Restoration and Preservation Ordinance.

The ordinance, or county law, would:

- Require all elections in Independence County to be conducted with secure paper ballots containing inherent security features. Voters would make their selections by hand using permanent ink (pens on paper).
- Require election workers to count votes by hand and verify votes using human intelligence. Certified election results would be solely based on these counts.
- Allow voters with disabilities to continue to use a voting machine if they choose to do so.
- Require the Independence County Quorum Court to budget money to pay for enacting the ordinance.
- Prevent the Quorum Court from passing any laws or rules that hamper, restrict or impair the intent of the ordinance without voter approval.

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QUICK LOOK: What does your vote mean?

FOR: A FOR vote means you are in favor of changing the method for casting and counting votes in Independence County, and requiring another vote of the people to make any changes to this process in the future. Voting would be done using ink and paper. Election workers would tally votes by hand.

AGAINST: An AGAINST vote means you are not in favor of changing the method of casting and counting votes in Independence County. The process would remain unchanged for the foreseeable future.

Exercising your voting privilege:

We live in a democratic society where voting is a privilege of citizenship. Democracy works best when informed citizens exercise their voting privilege. **Please exercise your right to vote on this issue.**

The following statements are examples of what supporters and opponents have made public either in media statements, campaign literature, on websites or interviews with Public Policy Center staff. The University of Arkansas System Division of Agriculture does not endorse or validate these statements.

What do supporters say?

- Machines scan barcodes, not the names voters select, making it impossible for voters to verify that their choices are being accurately recorded. With hand-marked paper ballots, voters can directly see and confirm their choices, ensuring that their vote is counted as they intended—transparently and in line with state law. Proprietary software in machines keeps the counting process hidden from public scrutiny, which isn't the case with hand-counted paper ballots.
- Paper ballots create a physical record that cannot be altered or hacked, unlike electronic systems that are vulnerable to interference. By adopting this method, we ensure that every vote is counted as cast, preserving trust in our democratic process.

What do opponents say?

- This initiative attempts to fix a nonexistent problem in Independence County. Current elections already use secure thermal paper ballots. Voters already mark their choices on secure paper ballots that's counted on a secure device eliminating human error of multiple hands and counts.
- Audits from other counties using the process outlined in this initiative shows voters were disenfranchised through human error in hand-counting. Audits from counties utilizing election voting equipment shows every vote counted with a 100% accuracy rating. The initiative could lead to voter fraud and through human error, in counting, some votes might not be counted.

When is the election?

The election is Tuesday, Nov. 5, 2024. Early voting starts Oct. 21, 2024.

Independence County voters can check their voter status or find out where they're supposed to vote on Election Day by calling the Independence County Clerk's Office at 870-793-8828. You can also check your voter registration status and voting location online at www.voterview.ar-nova.org.

How did this issue get on the ballot?

Using the citizen initiative process allowed under state law, Independence County resident Bryan Norris submitted a petition with signatures from registered voters in Independence County to place this proposal on the ballot.

The Independence County Clerk originally determined the petition to be insufficient because the ballot title was misleading. Norris filed a lawsuit in Independence County Circuit Court challenging the clerk's decision.

Circuit Court Judge Holly Meyer found the ballot title and popular name sufficient and ordered election officials to place this issue on the ballot for voters to decide. (See 32CV-24-271).

Who can vote on this local ballot issue?

People who live in Independence County and are registered to vote can vote on this local ballot issue.

What does "human intelligence" mean under this proposal?

The proposed ordinance attached to this ballot issue defines human intelligence as using human thought to process information instead of using a computer or artificial intelligence.

What does "secure paper ballots containing inherent security features" mean under this proposal?

The proposed ordinance defines inherent security features as watermarks or other features made up of unique or complex patterns, holograms and/or florescent ink. Secure paper ballots would have to contain these features designed to prevent unauthorized duplication or counterfeiting.



What is the county's current voting process on Election Day?

Since 2006, people in Independence County have used electronic voting machines, or ballot marking devices, to select their choices when voting in person on Election Day.

1. Currently, the voting process starts with election officials giving voters a blank paper ballot that voters then insert into the voting machine. The ballot marking machines are pre-programmed to show candidates and ballot issues on the screen. Choices that appear may differ for voters based on where they live because of city ward lines, county quorum court districts, and state senate and representative boundaries.
2. After making their selections and reviewing their choices on the touch screen, voters push a button to print and release their paper ballot.
3. Voters then insert their ballot into a nearby tabulator, or a machine that scans the choices listed on the paper ballot and adds them to a larger tally of votes that election workers review after the polls close. Independence County uses a DS200 Tabulator.

Neither the Election Systems & Software ExpressVote units used in Independence County nor the DS200 Tabulators are connected to the internet. State law requires the county to keep all ballots and tallies for two years.

What is the county's current process for counting votes?

Voters cast their ballot in several ways – in person, by absentee ballot, and through provisional ballots that are later reviewed to ensure the person is registered to vote.

These various ways of voting require multiple methods of counting ballots.

- In-person votes on electronic voting machines – Ballot choices are counted by electronic vote tabulation devices.
- Absentee votes – Paper absentee ballots are counted using electronic vote tabulation devices.
- Overseas or military votes – Voters overseas are emailed a ballot that they print and mail to the county clerk. These ballots must be received no later than 10 days after the election. Election workers count these ballots by hand.

Election workers send the county's preliminary results to the Secretary of State's Office and share them with the public.

Election commissioners are then required to meet and officially certify election results within 10 days of the election. The numbers certified at the public meeting are considered the official results and may differ from preliminary numbers released on Election night because of overseas, military, and absentee votes arriving in the mail.

How do county election officials verify the machines work?

County election officials meet to test each electronic voting machine before Election Day. They also test the tabulators. The meetings are open to the public where people can watch the testing.

How would this proposal affect absentee voting?

Under this proposal, election officials would have to count absentee ballots by hand, the same as in person votes.

How many counties in Arkansas hand mark and hand count ballots?

Searcy County is the only county in Arkansas where voters use ink pens to mark paper ballots and election officials count all votes by hand. The Searcy County Quorum Court approved in 2023 an ordinance similar to the proposal in front of Independence County voters.

How many people are registered to vote in Independence County?

The County Clerk's Office reported there were 20,828 registered voters in Independence County as of Sept. 11, 2024.

For the 2020 General Election, just under 67% of the county's voters cast ballots. According to the Secretary of State's Office, 14,547 Independence County residents voted in the November 2020 election. In November 2022, nearly 50% of county voters turned out with 10,646 people casting votes.

How much money does the county spend on elections?

Independence County spent \$183,990 in 2020 and \$190,836 in 2022 from its election budget.

The Arkansas Secretary of State's Office pays the costs of maintaining county election machines.

How much would this proposal cost to enact?

The county does not currently have an estimate on the cost of switching voting and counting methods.

Under Act 350 of 2023, counties that use paper ballots over electronic voting machines and tabulators are responsible for the cost of the paper ballots and any devices needed for the printing and tallying of paper ballots. The act also

requires paper ballots to be compatible with electronic vote tabulation devices set by the Secretary of State. Election officials must run ballots through an electronic vote tabulation device before undertaking a hand count. As a result, the county would continue to incur tabulation device costs.



What would happen voters reject the proposal?

The county's election process would remain the same. In person and absentee ballots would continue to be counted by tabulation devices. Military and overseas ballots would continue to be counted by hand.

When would this proposal take effect?

If approved, this ordinance would take effect Nov. 18, 2024.

The following is the official wording for the local option question as it will appear on the ballot.

Popular Name

The Hand Marked, Hand Counted Paper Ballot Ordinance of 2024

BALLOT TITLE

An Ordinance that requires all elections in this County, except for only those voters with disabilities who may continue to use a voting machine, be conducted with secure paper ballots containing inherent security features designed to prevent unauthorized duplication; with vote selections marked by hand using permanent ink placed directly on the ballot by the voter in a manner which continues to both insure and ensure the secrecy of the votes cast on the ballot and the anonymity of the voter casting the ballot; requiring that the certification of all elections be based on a hand count of the votes performed and verified by human intelligence; and directing the Quorum Court to allocate funding to effectuate and implement the terms of this Ordinance.

FOR

AGAINST

#ARballot



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uaex.uada.edu/ppc

Conflict of interest: This fact sheet was prepared to provide the citizens of Independence County with information to help them in making an informed choice on Election Day. An effort has been made to ensure the information is presented in a fair and balanced way that best represents the facts associated with this ballot issue. As part of this effort, we are obligated to divulge potential conflicts of interest and to recognize their influence on the educational programs and matter we produce. The University of Arkansas System Division of Agriculture and Independence County Cooperative Extension Service are partially funded by state and county general funds. As such, any laws affecting revenues of the state or county has the potential to affect the Independence County Extension Office.