NCSL : The Future of Elections
Tying it all Together

Williamsburg, VA
June 16, 2017
What’s on Your Mind?

• The overarching themes of this conference have been:
  • Security/Cybersecurity
  • Funding/resources for local election officials
  • Voting Equipment/VRDB
  • How do we Increase trust in technologies and outcomes
Election Security: What States Can Do

• Headlines on hacking
  – Public loss of faith
  – Perception vs. reality
  – Transparency vs. security
  – Security vs. accessibility

• The use of the term “hacking” has become so widespread we may not have a common definition. Is influencing an intrusion?
Election Security: What States Can Do

• Election tech not cutting edge, don’t try to get out in front of public acceptance of technology
• We must balance the need for security with the need for access to voting
Election Security: What States Can Do

• Security issue are not new for election officials, only specific types of cybersecurity.
• Will new and unknown vendors enter the arena?
• More use of EAC program? Other EAC resources...
• Have the ability to do independent research on innovations – UCONN as an example. Find out how systems are certified. Regional testing and research centers may be a solution.
Election Security: What States Can Do

• DHS= Integrity of 2016 election not in question! In the 2016 election, no evidence of voting systems being targeted, impacted, or votes being manipulated.

• DHS- election officials are mature risk managers. Need assistance with cybersecurity education.

• Numerous DHS resources. Free. Includes LEO – relevant topics like phishing. Use them!

• The DHS will not publically disclose vulnerabilities
Election Security: What States Can Do

• Biggest security risk are Leos and vendors.
• Tech and security practices outside the control of the State.
• Most LEOs ill equipped to repel sophisticated attacks.
• Delicate balance in communicating election security to voters.
• Funding!
• Hire contracted security experts.
• Operationalize security procedures.
Election Security: What States Can Do

- We should enhance security protocols for statewide VR Systems; we know they are being targeted
- Mandate cybersecurity awareness training for local election officials
- Update certification processes to account for new threat assessments
Election Security: What States Can Do

• State must allow access to systems, but compatibility and security practices of users and data partners are outside of state control

• Voting experience and security of elections becoming drastically different due to economic status of the jurisdiction

• We must provide information to election officials regarding state efforts to secure systems, in easily understood format, with roles and responsibilities clearly communicated.

• Resources – primarily money – is needed to address the issues
Election Security: What States Can Do

• Advice to legislators:
  • Engage in dialogue with state and local election officials
  • Ensure legal authority exists to share information between state agencies
  • Provide funding to maintain existing systems
  • Clarify audit requirements and fund
  • Make statutes and rules time, brand, and technology neutral
Election Security: What States Can Do

- Intuition is not always the best approach to solving problems in the election space.
- You can’t buy security – it is achieved through its practice
- Spend money wisely
  - Buy systems with good security features
  - Use security experts to help establish procedures
  - Don’t rush to spend available money
  - The question is not “is my system secure?”, but “how secure is my system?”
  - Confidence should not come from ignorance
- PA Dept. of State is seeking collaboration of security experts to establish new certification standards
Using Election Tech to Make Better Decisions

• Technology and the data that moves through the technology, combine with management and operational changes can do good things in the election space.

• The goal for improvement in line management in 2016 was to get wait lines under 30 minutes – a goal, by and large, met.
Using Election Tech to Make Better Decisions

• Process of PLAN-IMPLEMENT-ASSESS
• Technology and management changes can be used to propel improvements.
• Polling place hardest part of election experience to manage.
• Small changes to management practices & managing-by-data can work!
• “Elbow of Death!”
Clean Voter Lists

• Death and Change of residence most challenging.

• Limited Resources: State, SSA death index, ERIC, STEVE

• ERIC: Electronic Registration Information Center. ERIC ID’d 5 million voter records for update since 2016.

• ERIC- WA State: 4.3 mil reg voters. Over 600,000 update records ID’d in last 5 years.
Audits

- Risk Limiting Audits – In Colorado
- CO is characterized by mail ballots, same day voter registration, and vote centers
- 92-97% of ballots are mailed ballots, centrally counted
- Colorado currently does random audits that audits devices, not the election
- In Colorado, voted ballots are open records documents
- Starting in 2017, Colorado will implement RLA
- They are training county election officials now
- RLA procedures will enable counties to use a significantly smaller sample size than their current random audit procedure. This will save time and money and produce greater confidence in the outcome of the election.
Audits

Recounts

- Most states have some statutory authority to conduct recounts under varying circumstances and triggers. Exceptions Iowa and TN
- There are models for recount laws that are triggered by close margins or discrepancies in voting patterns.
- Who pays can vary by the circumstances – candidate/party, vendor, public
- Cost of statewide recounts vary – MN 15 cents per ballot. WA 30 cents per ballot.
- Most recounts are rescans.
- The number of jurisdictions doing electronic review on DREs has dropped from 31% to 25%
- A careful manual recount avoids the use of software, but takes longer.
- There should be good rules for interpreting voter intent – for consistency.
Audits

• Three ways to build confidence:
• Ban paperless DREs
• Conduct publicly financed RLA
• Make all races recountable for taxpayer funded recounts – recommended trigger of .25%

• Post election audits in MD
• Evaluated three different methods of auditing
• Chose method that utilizes independent automated software
• Audit results use to improve performance of elections, including pollworker training.
Clean Voter Lists

• KS Interstate Voter Registration Crosscheck Program.
• $0 cost to participate. Just prepare VRDB files for KS to process. MOU and 2 staff. Yearly conference calls.
• MD = adding records. Automatic VR (opt out)Bill last year almost passed legislature.
• Now contemplating move to election day reg.
Election Tech Procurement & Funding: State Perspective

- Nebraska: Original concept = State will pay cost of equipment.
- Price of corn dropped so.... No money.
- Alternatives now are leasing or cost sharing. (Counties cannot afford it themselves......)
- Utah: RFP closed. How to keep unified voting system without enough funds? $10 mil for new system. Legislature only $275,000
Election Tech Procurement & Funding: State Perspective

• Starting RFP now. Full face ballot requirement!
• EAC may assist with RFP. (Masterson not writing...!)
• Rhode Island: Just purchased. Community-based Task Force (2 TF types: Community/voter based & LEO/ Govt. based)
• 1 year process & a pilot project with e-pollbooks!
Election Tech Procurement & Funding: State Perspective

• MD: Centralized system. Cost split between State/counties based on population.
• Required paper based system.
• Accessibility Review required! Before purchase. $28 mil lease.
Election Tech Innovation

• Denver: “Elections are a customer service issue.” Looked at customer experience and the use of multiple data elements.

• Dev. “Ballot Trace” = Confirmation of when mail ballot processed. 1/3 of voters used.

• LA: CA = incremental policy innovation over several years. New on-line VR shifts burden of manual processing to automated processing. CA voter behavior led to reforms such as permanent vote-by-mail.

• Re-thinking of single-day vote experience. Moved to 10 day period with increased use of vote centers.
Election Tech Procurement & Funding: State Perspective

• Design new voting system with the voter experience foremost consideration.

• Balancing accessibility with security and other factors.

• Cook: Using data (lines as ex.) to track decision making.

• Dev. “Running for Office” tool. Using street address files, for candidates & lower barrier for candidates. (Fewer lawyers)
Election Tech Procurement & Funding: State Perspective

• Hash sample set of voting system at various times during election & compare with certified version.

• Advice to Legislators:
  – Allow room for changing circumstances.
  – Trust election officials.
  – Specificity can inhibit innovation.

• Cost savings thru innovation: Denver = $5 mil over last 5 years.
Election Tech Procurement & Funding: State & County Perspective

• LA encountering challenges with old & inflexible procurement process.
• Innovation is not a destination. Don’t stop innovating.
• Innovation can be process as well as technology.
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Election Tech Procurement & Funding: State & County Perspective

- Use real-time data from pollbooks to track queuing issues
- Running for office tool that automates and ensures completeness of candidate qualification paperwork
- Superhash images of systems used in the election
- Leverage ERIC data matching features to update electors list
Election Tech Procurement & Funding: State & County Perspective

Attributes of Sustainable Technology

• Agility
• Modularity
• Innovation is potentially a usability issue – design goals need to transition from election officials to voters
• Modular certification needed to permit needed updates and refresh of technology
• Explore COTS solutions to move away from proprietary hardware
• Utilize pro-active red team attacks to find vulnerabilities
• Emphasize interoperability in design and manufacturing
Election Tech Procurement & Funding: State & County Perspective

Legislative innovations

• Paper and pen in VR systems has vulnerabilities

• Pop-up mobile vote centers can be responsive to bursts in demand

• Plain language vs. legalise on the ballot

• Innovation is not a destination, but a process
Vendor Perspectives

Trends in procurement processes

• Greater emphasis on security
• RFPs more complex with insufficient time to respond – 8 weeks would be sufficient
• Should be seeing more accessibility requirements
Vendor Perspectives

Other issues:

• Great diversity in state law regarding ballot design – adds complexity to systems

• If used and incorporated into the RFP, the RFI can be useful, but are time and resource consuming to vendors if not used.

• Open source can increase trust, but small number of developers in the space

• Financing and leasing is an increasingly popular service of vendors
Election Modernization

• NM is implementing vote centers and will end up with their VR DB having 90% of registered voters’ photos – derived from DMV
• Ranked Choice Voting or Instant Runoff Voting project in Maine. Adopted in Portland in 2014.
• RCV changes the behavior of candidates and campaigns – negative campaigns can backfire
Election Modernization

- No majority winner in Governor’s race in 9 of 11 elections since 1966
- RCV has been piloted in San Francisco, Oakland, Berkeley, San Leandro, Minneapolis, Cambridge, St. Paul
- Used in multiple runoff states to address UOCAVA ballot deadlines
Election Modernization

- AVR – an idea that has merit for people on both sides of the political aisle
- Define a process to identify qualified agencies to participate – must meet the standards for REAL ID
- Permit opt-out at the point of initiation
- Compatible with OVR subsystem
- Implementation by July 1, 2018
Election Modernization

- Identify opportunities to increase turnout in younger voter demographic groups.
- Changing the precinct residency requirement dropped provisional ballots from 10K to hundreds.
- Customer service models can be adapted to election services
- Use targeted digital media strategies
Election Modernization

• Future focus
  – Denver esign – digital candidate qualification petitions with
  – Mobile vote center
Election Modernization

• Voter Information Project implemented in 44 states plus DC
• 123 million impressions in 2016
• Retooling for 2018 with mobile emphasis
Where the Rubber Meets the Road: State Statutes and the Certification Process
Increasing Access for Military and Overseas Voters

• MD – legislative change to permit the last four of the SSN to function as “signature”.
• Standard Mail has 3-10 day delivery.
• Some states permit alternative delivery methods to address potential mail delays.
Increasing Access for Military and Overseas Voters

• Council of State Gov’ts overseas voting initiative has identified recommended best practices to ensure effective participation of overseas voters

• A website for military and overseas voters

• Social media strategies are effective in reaching these voters

• Improve the EAVS survey
Increasing Access for Military and Overseas Voters

• Goal is to get the ballot from the MPO to the local election office within 7 days
• FVAP, CSG and USPS are exploring new products using parcel tracking technology to improve customer service to military voters.