

**United States Election Assistance Commission
Roundtable Discussion**

**Informing Change: A Review of Events and Issues of the 2012
Elections Cycle**

1225 New York Avenue, NW

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VERBATIM TRANSCRIPT

The following is the verbatim transcript of the United States Election Assistance Commission (EAC) Roundtable Discussion Informing Change: A Review of Events and Issues of the 2012 Elections Cycle that was held on Wednesday, January 9, 2013. The roundtable convened at 9:00 a.m., EDT and adjourned at 5:00 p.m., EDT.

ROUNDTABLE DISCUSSION

MS. MILLER:

Good morning everyone. My name is Alice Miller. I am the acting Executive Director and Chief Operating Officer of the U.S. Election Assistance Commission. I want to thank you all for being with us today. I especially want to thank our panelists who will be participating in our discussions throughout the day. We are hoping to have a substantive conversation around the 2012 elections, which I think with the group we've gathered here, we'll be able to accomplish quite easily.

I also want to recognize our audience watching us via the webcast and inform you that we have an active Twitterfall that will be able to respond to questions through social media, hashtag BReady 2012.

We're holding this roundtable as a part of our ongoing role to facilitate discussions on election administration in the United States. We have four panels assembled that represent the crossroads between Election Day workers, administrators, researchers, and advocates, as well as state and local election officials. In short, here to discuss the 2012 presidential election are observers of elections and those who monitor issues and process the operations associated with the election administration.

We are all aware of the challenge put forth by the President in his election night speech addressing the long lines, to what extent and how do we identify and correct the origins of the problem if, in fact, it is a problem. How do we move forward with the real and practical expectations with regard to Election Day operations? Interestingly enough, some may argue that Americans calmly wait in line for many things from the latest in technology to the newest and latest in footwear. So, we need to identify if waiting in line to vote is a problem, how long should we wait, is it a problem or not. I just throw that out for discussion to see what the group thinks about that. I have no opinion on it one way or another, but we just throw that out for discussion.

I think we have to recognize that as professionals tied to the election administration, professionals by many definitions, the presidential election is different from any other election. The needs are unique in an ever changing world of election administration. The expectations will be challenged with each election that is conducted.

So, having made those opening remarks, I want to now turn it over to our moderator for the day. He is, of course, no stranger to the election administration, and that is Merle King. Merle has continuously and willingly provided his expertise as moderator for all of our EAC roundtable discussions. Just a little bit about Merle. He is an Associate Professor of Information Systems and the Executive Director for the Center for Election Systems at Kennesaw State University in Kennesaw, Georgia. An active researcher in election administration, Professor King is the 2005 recipient of the

National Association of Secretary of States' Medallion Award for his work in Georgia elections. Together with his colleagues at the Center, he has developed -- he has led the development of one of the nation's best resources for election administration support. The Center for Election Systems provides voting systems technical support to Georgia's Office of Secretary of State and 159 county supervisors in Georgia. As a Professor of Information Systems, Professor King teaches graduate and undergraduate classes to legal and leadership issues in information technology.

So, without further ado, I'll turn it over to Merle, and he will begin by providing us with some logistical information, giving you the rules of the day, so to speak, as well as giving you his opening comments. So Merle, thank you very much, once again. We do appreciate -- I want to say that -- I've said this before and I'll say it again, he does this without any payment from us, at all. In fact, he even pays for his own travel. He won't even let us cover that. So, he's doing this freely and willingly out of the kindness of his heart. And as he says, he loves doing it. So, we appreciate it. Thank you so much.

DR. KING:

Thank you so much Alice. And it is a pleasure to be here. And for the panelists here this morning, thank you so much for setting this time aside and volunteering to come in and help us identify the issues, and then, buried within those issues, the opportunities for improvement in elections going forward, which, of course, is the mission of the EAC.

A couple of logistical issues this morning before we begin, the microphones, that are on the table, are on. They're being managed offstage, if you will, so there's no need to turn the mics on. They will adjust the volume. There are two sets of microphones. One is for a transcription service, but the taller microphone is the one that will be used to pick up amplification in the room.

When we start this morning, I'm going to ask our first panelist, Megan Dillon, to begin, doing something that I'll ask each of you to do, which is to briefly describe your election experience in the cycle. And that could be Election Day experience, it could be advanced voting, it could be post-election audit experience, whatever part of the election that you are engaged in, and talk about what your expectations were, talk about what you observed, and talk about your experience in the trench, as a poll worker, or as an observer of polls, or working in a call center; those individuals that are closest to the actual voter experience. Over -- and then, we'll move down the table, finish the introductions, and then, I'll engage you with a series of questions. But, at the very end of our session this morning, which will end at 10:30, I'll be asking each of you to kind of summarize your takeaway, so that you can share, not only with your colleagues here at the table, but with the folks who are joining us via the webcast, and election officials who may look at the transcript of this roundtable. You can talk about what you think are the significant takeaways. If you were going to give the election official in your jurisdiction, your state, advice on going forward with planning elections for the next cycle, what would you

advise them to do? So, in just a moment Megan, we'll start with you and we'll work down the chain.

Every election and every election cycle is unique. If you do a lot of them, as many of you in the room do, there are similarities in every election, but they are all unique. They all have distinct challenges. And when you reflect afterwards, there is usually a small number of items that distinguish that election experience in some way. And sometimes it's in predictable ways and sometimes it's in unpredictable ways. And, of course, it's the unpredictable ways that have the greatest persistence in our memory.

For much of the public, there is still an Election Day. And in this past cycle, November 6th was that Election Day. But for election officials we have a tendency to talk more about the election cycle and the election as being this four-month event that, in some cases, doesn't even culminate on Election Day. It's simply the most observable day. But it is certainly the day in which our planning is most observable, that the orchestration of all of the moving pieces that go into an election are under the greatest scrutiny, and so, it is appropriate for us to talk about Election Day. But it's also appropriate for us to talk about the advanced voting phenomena, the post-audit -- the post-election audit procedures.

On this past Election Day we had reports of long lines. I think that's probably one of the most prevalent observations. We also had reports of confusion about advanced voting dates, advanced voting locations, provisional ballot issues. And what we know in election administration is that those observations are really symptomatic of operational issues. And what we want to make

sure we do throughout today is not only identify those issues, but, more importantly, begin the process of identifying the underlying operational issues, so that as we go forward and learn from this experience we make sure, as we do with every election, that we fold into those experiences, into our planning, into our training, into our contingency plan. The November election was also singular in the impact of a freak storm on the Northeast section of the United States that had a tremendous impact on voter behavior and election official preparation and execution in that corridor, but actually impacted the entire country of absentee ballot implications related to Sandy. So, we want to talk about that today, as we go through, in terms of contingency planning.

So, election officials are charged with this awesome responsibility of running good elections. And, by good, we mean accurate elections, auditable elections, accessible elections. And we do that in an environment of diminished resources and high expectations. Throughout our panelists today we want to get the perspective of the stakeholders that would be represented here this morning; poll workers, poll managers, election observers. And, as we move throughout the day talking with election officials, with researchers, with advocacy groups, what we want to do is try to identify the attributes of this election, its challenges, and the things that went well.

So, with that as my opening remarks, I'd like to start with Megan, and then, we'll work down the table. Give us a brief introduction of the jurisdiction that you worked in, or you made your

observations in, your expectations, what you saw, what you took away from Election Day. Megan?

MS. DILLON:

Thank you, Merle. Again, my name is Megan Dillon, and this year I observed the polls in Arlington County, Virginia. I do have a technical background, so my expectations on Election Day were that all of the voting machines worked smoothly and that every voter was able to use them efficiently. So, my expectation was that if a voter had a question about, how do I use this machine, or how do I make sure that my vote counts, that each poll worker would be able to answer those questions and make sure that that voter was able to cast their vote.

What I had seen on Election Day was exactly what I had expected. I didn't see any issues with any voter leaving the polling place saying, I didn't get to cast my vote, I was confused and no one was able to help me. All of the poll workers that I had come into contact with knew the machines that they were working with. Each polling place that I had visited had the WINVote machines, which were the DREs. And this year they did something a little different and gave the option of having a paper ballot, which they use the Unisyn optical scan machine. And what I noticed was when there were long lines, some of the voters had the option to choose the paper ballot and they decided to wait in those lines so that they could use the DREs instead. In Arlington County, they are familiar with using the WINVotes, as they have been using them for a few years. So, I think they're used to those machines, and given

the option of the paper ballot, they wanted to stick with what they were comfortable with.

The wait time was long, earlier in the morning, throughout the afternoon. And, I think where some of the holdup was, was in the sign-in of the voters. Each polling place had two electronic poll books and if a voter wasn't registered, or was at the wrong precinct, or maybe had changed addresses but not updated their election officials, they got held up a little bit at the sign-in. So, there were times when there was no line to use the DREs or to use the paper ballots, but the line, instead, was held up at the electronic poll book. So, I did notice that. And later in the evening, at the polls that I was at, the lines had gone down a great deal.

And, all in all, I'd say my expectations for the machines from the technical perspective had been fulfilled.

DR. KING:

Okay, thank you Megan. Mary?

MS. HEINZE:

My name is Mary Heinze and I served on Election Day as an area representative in the District of Columbia. An area representative is someone who is given the responsibility of working with a number of precincts and -- from delivering the election equipment on the day before, to going and visiting the precincts throughout the day to make sure things are running smoothly. That's what I did. And then, of course, at the end of the day we see them through their closing, and we actually are responsible for taking the paper backup down to the headquarters.

So, it's from beginning to -- from soup to nuts, basically, is what we do.

There was, I think, throughout, with the exception of probably one of my precincts, I only had three in upper northwest Washington, but for two of them, there were tremendously long lines, two different long lines for people, first for check-in, and then, for actually receiving their paper ballot. A majority of the voters in Washington or in D.C. are more inclined to vote for a paper ballot. And, in Washington, a number of these precincts also had these separate ballots for certain areas of the District, because of the people running on city council, or the ANCs, or the lower level positions. So, in those cases there were two long lines for people to wait in, and there was a little frustration for that. And then again, this could be more of a local issue, but the grade of the paper was changed, and it jammed the -- it often jammed the M100, the ballot reader, so that was a frustration. And staffing, I think, was a big issue, in that, there was no real position designated for somebody to stand over this machine to help voters feed that in. And voters jamming it in, helped it jam even quicker. So, I encountered a number of occasions where it jammed, and in cases where the captains, themselves, had to man that machine. So, that was a little awkward. And then, equipment was an issue. I had to go back and get another -- some more voting booths in one of my precincts, because people stood in two lines, and had to stand in another line to actually cast their vote. So that was, again, created more frustration for the voter.

But, the people who were there were well trained and were able to, you know, facilitate their voting. It's just that there was just really no way to avoid the lines. And, I guess there was also a procedure that was introduced for this election that was introduced for efficiency in, actually, accounting for the ballots, but in this case, it was also responsible I think for holding up the lines because there was somebody who was designated as a tallier, who had to account for, I'm a voter for this district. So, they had to cross it off and then somebody else pulled the ballot. And it just seemed to create a little more confusion and a little more holdup for the voters, perhaps not that much.

Let's see, and -- but staffing, I think, was throughout, sort of a big issue. In one of my precincts there was no special ballot clerk who is the person who processes the provisional ballots. And, in the same -- this was the same precinct that also was an early voting site. So -- and that, in itself, created a number, a lot of confusion, in that, people who had voted early voting in the past, through a primary, through some other election, had it in their mind that's where I vote. And in that case they couldn't vote, but then they didn't want to go ahead and go to another precinct. And they had to be directed to our special -- the special ballot clerk. So, they were especially busy, in the fact there was no -- the person who was assigned to do that had an accident at the last minute and it was not -- the position was not filled from the board until late in the afternoon, until like three in the afternoon. So again, the assistant captain, who had done it in the past, had to do that, so they were really constrained with bodies who could help intervene.

But again, the people who were there were trained and who were able to fill in. It was just there was -- you just needed more bodies to help troubleshoot the lines and the confusion. And, in this case, in this same precinct there was also one occasion where the paper ballot reader, the M100 was down and jammed, and the touch screen was also -- the paper roll had jammed and we couldn't restart it, so, we had to call technical assistance. So, in that case, we had to rely on what they call the auxiliary, then, for voters to do it. So, it just looked extraordinarily disorganized, and it was as organized as it could be. And it just -- but again, that was -- you know, this is all very situational and very localized, and so, I'm not sure what broader implications can be drawn from that, because the technical people were there and responsive and were able to fix our jams in a timely basis. It just was unfortunate that it happened both at once.

And I guess -- let's see, so staffing, equipment, and there was, sort of, big issues on our case. And I guess the biggest thing that happened was that our folks started behind the curve that morning because the vote -- the voting books which are paper books, there's only one e-poll book that was used by the special ballot clerk, so, the check-in clerks all used the old fashioned paper books. And those were inaccurate. They didn't -- because the way it was supposed to work, of course, was that the names of early voters was supposed to be excluded from that, and that wasn't the case. And it was realized at a -- it was realized before the voting started but -- and we, the area representatives, presented the captains the names of the people who needed to be excluded. And

that was done, but in some cases there were hundreds of names that needed to be excluded. So, check-in clerks, in addition to greeting voters who were there ready to vote, first thing, as the polls opened, were busily crossing off names. So, there was some confusion there.

But, all in all I think, you know, that's just kind of why they have us do this work and try to ensure that the election process goes along, and as well as possible. And so, we did it. It just was a lot of work behind the scenes to make it happen.

DR. KING:

Thank you. I do think it's important to note that the folks who we have here this morning really, it's a great sample, but it's a very small sample size. With over 160, 170,000 precincts engaged in the election in November, it is sometimes challenging to generalize, as Mary points out. But, I think there are common themes. And some of the things Mary that, I think, you've touched on, which is not only poll worker training, but also voter training, the voter education and voter outreach, those are common themes. Issues of contingency planning are common themes. So, I don't want anybody to be discouraged because you think your experience is so unique. I think what we're going to see is there are lots of generalized themes that occurred throughout the country and certainly throughout the precincts here.

Clyde?

MR. DAVIS:

Well, thank you for allowing me to be here. And I think it's a good opportunity to give some viewpoints and to observe some of the things that happened on Election Day.

I serve as a chief judge in Prince George's County. I'm from Prince George's County. In Prince George's County, we have election judges, and then, we have two chief judges who oversee the operations of that particular polling place. I served as a chief judge for early voting, as well as on voting day. I also have the privilege of training election judges and chief judges, so, I see it from a couple different perspectives. I've done this for about four years now.

I think one of the things that sort of caught me off guard, especially during early voting, was the amount of individuals that came through with disabilities. And, in the State of Maryland, our policy is that we don't really treat those with disabilities any differently. And so, we had a lot of people that come through, and we had to try to deal with that. And unfortunately there are people in lines that think that we should not do anything special for those with disabilities. So, we had to deal with that, but we tried to bring them in, because our lines sometimes were as much as four hours wait. So, we wanted to make sure that we tried to treat those with disabilities compassionately, even though some people didn't think we should do that. We also -- like I said, we had long lines and of course, with it being cold out, that was a problem. We had individuals sometimes with young children that wanted to come in with special treatment. So, we had to deal with all those, and I wasn't quite prepared to do that.

I think our training was -- we had good training. And, I know as a trainer myself, and based on my experience as a chief judge, there were certain things that I would emphasize during training that I had experience in dealing with. And so, I think that was good, you know, that I had both sides -- both experiences, and so forth.

I think our Board of Elections were very responsive to the needs that we had. I don't think anyone anticipated that we would have quite as long lines as we had. So, what happened was that when they found out that the lines were real long, they responded by sending extra workers. So, I really applaud our Board of Elections for doing that.

And, I will sort of wait to give some other responses as we go along.

DR. KING:

Okay, thank you. Clyde has emphasized something that I think we're going to hear frequently throughout our discussion today, which is the long line phenomena. And for election officials there's a variety of reactions to long lines. One, it's an affirmation of the process. People are willing to engage in it. The queue management -- and I've already heard both Megan and Mary talk about the management of the queues -- is, there's clearly a science to it, and there's clearly an art to it. But, I'll throw out this observation. In retailing, there's a phenomena of queue management, obviously, where people will queue up to pay for product at checkout registers. And over the years, retail managers have noticed that when there are more than six individuals in line, people will begin to lay down merchandise and walk out of the

store. So, they have a different incentive, obviously, for management, there. But, I do wonder about how good we are at queue management in elections. And, often what you see is these unbalanced queues, where, at the check-in tables you have long queues, but over at the vote casting very short queues, and very long queues out the building.

And so, as we talk today, one of the things that the EAC is certainly doing is taking notes about what are the predominant issues? What are the things individuals are identifying, to see if we can identify existing best practices that we may be able to identify out of these jurisdictions, or share with other jurisdictions? So, thank you Clyde.

Lorena?

MS. BOW:

Good morning, my name is Lorena Bow, and I have been working with the voting process in Washington, D.C. for several years now, first as a former poll worker, a former precinct technician, also a former assistant captain. I'm currently an area rep. I did not -- I mean, I also did the post-election analysis. We were part of that. I was not part of the early voting, even though I was part of the instruction. And right now, I am also one of the instructors at the poll worker recruitment training division of the Board of Elections. This is my first time, however, working here with the EAC roundtable discussion. Thank you so much Ms. Miller for inviting me, I think, I'll talk to you later. So, I look forward to sharing my observations and listening to the observations of others.

But, I want to take my opening statement on another slant. I want to start with what I call the good news. The good news in Washington, D.C. is all our precincts opened on time. Most of our captains and election workers were there, present and prepared. Our voters were welcomed enthusiastically when the doors opened at seven o'clock, and some of our voters had been in line since six o'clock. Our training material was excellent. We developed something that we call an SOP, which is a standard operating procedure, which actually gives the voters -- the workers a step-by-step guide of exactly how to do their job, so that if they have to go on a break someone can sit in their seat and just follow the SOP. In addition to that we had -- we developed a poll worker advisory group, which came into our agency, we had a mock precinct -- a best practice -- we had a mock precinct there, and they actually tested our document, and then they made recommendations.

Also, something else that we added, which I thought was a good news thing, as part of the staffing and making sure that your precinct has a very strong staff, there was a final exam administered at the end of each one of our classes. And each -- you should have seen the faces when we told people, you know, you're going to have a test at the end. And, we told them they had to get 90 percent accuracy in which to pass. That didn't help either. Plus, we said they had to have a hands-on demonstration of skills in which they actually had to show that they could do the job. We found out that if they could not demonstrate the skills then they were not recommended to be hired. Now, that was a nice way of saying we did not hire them if they could not do the job. I think our

staffing was good in most of our precincts. There was team work and there's an area rep. I had six precincts under me, and when I went around, I saw team work. I saw people working together, working hard, pitching in to help. I saw captains who, really, literally, got no breaks at all, because they allowed their workers to get a break. That was because of the strong staff and the strong leaders that we have.

Our machines were up and running. And I'm going to put a little tongue in cheek in there. We did have only one e-poll book. We should have had more. That's one of my suggestions, I think, the Ivotronic touch screen machine and the M100 scanner. Other staff members were completely operational, and I think it's called the -- what do you call it escalation policy -- problem escalation policy. Starting here, how far do you go up to get a problem solved? We had our roving technicians that would come around to help with the machines. We also had our warehouse workers who were up and ready to supply any of the needs that we had. All of the administration officials at BOE were ready on the phone at the drop of a hat to come and to help us out. We had the media representatives. We had our hotline call center where you could actually call in and they would divert your call to whoever needed to solve the problem.

Interagency cooperation was absolutely excellent. See, this is the good news. I'm letting you guys know. We'll get to the other part later. But the interagency -- I understand that we are -- that it takes a whole city, Washington, D.C., to put on the election. I only saw the -- I was only able to see the metropolitan police

department. And I want to really lift them up. They were right there at one phone call away and sometimes maybe just even a hand wave away. That was for, just in case we happened to have, maybe, one upset citizen we might need to help. But, more importantly, they would escort our paperwork and our electronics back down to headquarters for us. And as all of you know about our electioneers who move other people's signs, well, we were very happy that they cooperated during this. They were -- once they were reminded about the guidelines, they did do well. We are so good in Washington, D.C. that we had several international election organizations to come and to observe our procedures. And lastly, ladies and gentlemen, our voters, most of our 225,000 -- over 225,000 Election Day voters were very patient, they were very courteous, and they were very, very supportive.

I wanted to start with the good news. The Election Day was long, it was busy, and it was exhilarating. And, very quickly, just one part of what I saw, one of the things that I saw, and there was long lines and we talked about the long lines, but I have on my paper long lines versus long wait. A long line, if it's moving, is just a long line that's moving. That's fine. But the problem came in the wait in that line. And, there were a couple of things that I think contributed to the long wait in that line. Of course, one of them was our check-in process. Our check-in processes needs to be challenged. We have the alpha breaks. I think you know what those are where, you know, you can divide how big your precinct is. The only trouble with that, and I think I'm going to lose my voice, the only trouble with that is that you would have 20 people in this

line, two in this one and eight in this one. And then, the captain would have to go out in the line and call whoever's last name begins with such and such please come. Well, that didn't work very well. That didn't go very well with people walking past you while you've been in line for two hours and something just because of your last name.

The long ballot, our ballot, this time, was so long that it was on two sides. I understand that it's been years since Washington, D.C. has had a ballot that's on two sides. So, we had to train our ballot clerks to actually wave the ballot in front of our voters to remind them to vote on both sides of the ballot. This ballot has nine races, three opposed charter members and a special election. Well, you said, okay, it's just a paper ballot, but when you translate this, the length of this ballot into the touch screen machine, that required the touch screen machine to have several, several pages - - or several, several screens. Well, the voter had to push next and next and next. And when we say touch screen, you get the impression of your Smartphone or your tablet where you actually just literally touch the screen and it responds. That is not the case with the touch screen machines that we have. They actually have to press to make it respond. So, now you have people who are trying to do the tablet on the touch screen, it's not working, they become frustrated. So, now you have to go back and you have to press. Then they have page after next, next, next. That was another thing that kept the line -- made the line much, much, much longer. And, of course, you know, the resolution on the touch screen is never as sharp as the resolution on paper. The ballot

was difficult to read, very long, on both sides. And the font size on the ballot and especially on the touch screen for our seniors was very, very small especially for the proposal. The font size has to be considered.

Another thing, our voters were not ready, bless their hearts, our voters were not ready even though we had mailed a voter guide to every household in Washington, D.C. Many of our voters came to vote and they would -- they did not know the candidates, so you would literally see them reading and studying the ballot. This took a long time. And then when they looked on the back, many of them had no idea what the proposed amendments were and they would read them and read them and read them and study and study and study and study. It's good that they were reading, but it took a lot of time to do that. Most of our voters were aware of what presidential candidate they wanted, but that was it.

Last, the overwhelming number of special ballots, provisional ballots. We have in the District that's -- voters who can vote out of precinct and some of them vote anywhere they want to, wherever it's convenient for them to vote. Same day registration, there's a lot of new students, especially within precincts near the campuses, and area new residents, you know. The population in Washington, D.C. is growing at a rapid rate, so we had a lot of new residents with the new development -- condo developments and housing developments. I want to give you two examples. In 2008, precinct number two had four special ballots. That same precinct, precinct number two, in 2012 had 429 special ballots. Precinct number six, in 2008, had 50 special ballots. In 2012, that very same precinct

had 495 special ballots. That's the same area. Generally speaking, in 2008, we had a little over 10,000 special ballots. In 2012, we had over 34,000 special ballots.

This is a special ballot envelope. I know many of you are familiar with this. I don't know whether all the jurisdictions use something that looks like this. But, one of our captains in one of our roundtables that we had at the Board of Elections, said you almost have to have a mini interview for this. The voter fills out this side, then you give it to the special ballot clerk, they fill out part, why they're over there taking this special ballot in the first place. Then, they look them up in the e-poll book. And then, if they have to have ID, you got to get the ID, and then you have to write all that down. Then you have to make sure that you copy their address and everything correctly as it is here. Then you have to sign it. Then you give them -- then the special ballot clerk gets up and goes to the ballot clerk to get a ballot, because of all our ballots for accountability reasons are in one place. They get a ballot, they come back. You should be getting tired by now. That's times 34,000. That's times 34,000. And then they have to vote and you look them in the e-poll book, but you only had one, you really needed to have at least one for each special ballot clerk that was there, times 34,000.

I think I'll stop there and give somebody else a chance.

DR. KING

I appreciate two things, Lorena, in your introductory comment. First, I think everybody recognizes that many of the things that occurred in the election went very well. But the second

thing that you introduced is the notion, and it's been touched on in an indirect way by some of the other speakers, is challenges of scalability in election solutions; that often we will test concepts and we'll prototype and pilot systems on a very small scale and assume their scalability up through an infinite range. And provisional balloting, I think, is one of those issues that jurisdictions validate the process, but they don't validate the scalability and they don't look at the implications of moving, as you pointed out, from a handful of provisional ballots to hundreds and thousands of provisional ballots, and the implication for post-election clean-up of those events. So, I thank you for pointing those out.

Jess?

MS. MYERS:

Good morning. I had the opportunity to, basically, be an observer in Maricopa County this past November. And I actually also had the opportunity, because I arrived early, to go to their regional technical support, or rover training, the Saturday prior to the election. I spent Monday prior to the election watching the processing of absentee ballots and getting tours of the warehouse and having an opportunity to set up a polling place on a very isolated American Indian reservation in the county. Arizona does not allow observers, unless they're political observers with paperwork, in polling places on Election Day. So, the only people allowed in the polling place on Election Day are poll workers, the county technical support workers, voters and observers with documents. So, I was allowed to go to a polling place for setup in the morning prior to seven o'clock, and in the evening to watch

them take down the polling place, and to go to the regional collection centers, and to spend time at the county offices all day. So, what I spent my time during Election Day doing was watching the processing of the absentee ballots, sitting in on the two call centers that the county ran, one for voters and the general public, and one for poll workers and the rovers.

Most things went very, very -- I mean, it was the second largest county I've ever had the opportunity to witness an election in, and I continue to be amazed, because prior to working at the EAC I worked at the state, and watching all the counties in Pennsylvania run their elections. That was the largest operation I had seen up until that point, and seeing some of these really large counties in the United States run their elections is almost like watching it from the state level, for me.

But the biggest problems or issues that came up on Election Day in Maricopa, one of the largest, actually, has to do with the provisional ballots. A lot of people that had requested early or absentee ballots did not cast their ballots, because there was a news report saying that they would not all be counted. So, instead of casting their early or absentee ballot, they showed up at a polling place on Election Day and demanded a provisional ballot. And when I talked with the election officials in Maricopa County prior to Election Day, they were excited and optimistic that they would have fewer provisionals, because over the last several elections they have been able to get their provisionals down under 100,000, and so, they were excited to keep dropping that number. And this year I think -- this past November, I think their number was up around

120,000. I'll have to double check, and I know they have it on their website. That was the last I heard. So, they had a significant increase in provisional ballots.

There was quite a bit of misinformation flying around from political parties, and putting fliers in people's doors saying go to this polling place and they would have the wrong neighborhood. So, lines would become long because people were getting home from work, going to the wrong polling place because their house had been flied, and have to leave there and try to get to their correct polling place. So, that was one of the line issues. It didn't happen everywhere and it was a handful of places, but enough so that we got a lot of calls about it.

One of the other issues that happened that I found really interestingly, because I kept -- I was, you know, listening to what was happening everywhere else in the country too, we heard about lines, but there were some strange things happening with lines, because we were getting calls from the rovers saying there's a really long line at this place, but nobody was complaining about it and it wasn't the complaint that we were getting on the voter hotline or the one -- the connections from the media hotline. Nobody -- you know, so the places that had these really long lines weren't usually the ones we were getting calls from the media about. So, it was a little confusing to figure out which ones were actually long lines, and it comes to your point of long lines versus long waits, and we were trying to address some of that.

And, there were a hand -- the only other machine related issue, that there were a handful of places where a disabled voter

would show up in the middle – mid-afternoon, early evening, and the touch screen machine was not set up. And, you know, I sat in on the rover training, and they -- the county election officials went through -- went over that point again and again and again, in the training, opening the polls, all the machines that are provided to you are set up. So, I know they covered it in the training. It was only a handful of polling places that still had this problem. And I know it's something that the county is aware of and really brings up in their poll worker training, in their rover training, again and again and again. But, it still sometimes happens that people aren't setting up that machine because they feel like they don't get that many of those voters, so they don't need to set it up. And so, it's -- those are the biggest issues.

Things generally were very, very smooth. Again, I continue to be amazed at all the election officials that I've gotten to witness, but especially these really large scale operations that just seem to run without any real major issues. It's really amazing.

DR. KING:

Jess brings up a point that I hope we can come back and touch on, with the panelists, that deals with the importance of training and the challenges of training, and that very often because of limited time, limited budgets, we have a tendency to train our poll workers and train individuals engaged in elections on how to do the correct things in a very narrow and constrained way that often assumes a very uncomplicated deployment environment. What we often fail to do is to provide training that assists individuals in recognizing when systems are out of control, because often what

you will see is an incorrect procedure being routinely implemented over and over and over again, and the individual has not had the training to recognize that that process is out of control. And so, issues like training rovers, those are the very individuals that have to be able to recognize when a process is out of control, but often, their training really mirrors that perfect deployment environment that we often construct within our training. So, hopefully we can come back on touch on that.

The other thing is please make sure -- we talked about Maricopa County Arizona. For the rest of the world, that's Phoenix. But, make sure that you help our guests here and those following on the webcast to understand just where your spot is in the United States.

So, Steven we'll go to you.

MR. GRAHAM:

Good morning, my name is Steven Graham. I serve as an area representative in the District of Columbia. I've been doing that for about the past five elections. I was promoted from a special ballot clerk on the same day that I actually started working the election, so I've been doing that ever since. I oversee six precincts in upper northwest Washington, D.C. Unlike some of the other folks, I don't have any of those problems in the precincts that I represent. A couple of paper jams, everyone knows their job, it always goes smooth.

The problems that I do see, where it's mostly high school -- from elementary to high school, people are complaining about why don't we hold the elections on days where the kids are not in

school. And I hear this over and over and over again. You can see, when I walk into the precincts kids are all over the place. One principal in particular, he's upset because he wants the voters to pass through a metal detector. Voters feel they don't -- they shouldn't have to, you know, on Election Day go through a metal detector. But I understand what he's saying. He wants to protect his kids in the school. So, he set it up in the sense where he's personally standing there watching the voters come in to vote. And at that time I'm standing there with him and I'm saying, what you need to do is you need to call downtown and try to find out a way how we can fix this, you know, or maybe the kids can be off on Election Day. So, until that happens, every Tuesday, every Election Day the kids are still in school, they're running back and forth, they're stepping all over the voters' feet, so to speak, and a lot of people are upset with that.

Other than that, the voters, themselves, they're having problem with touch screen machines that are sitting over in a corner and no one is using them. They want to know why people are able to come from other wards or other precincts and voting in their precinct when we have a couple of machines here that aren't being used. And I can understand that also. You may have a couple of machines that aren't used for maybe an hour or two, but people are still standing in these long lines and they want to know what's wrong with those machines over there. Why can't we use these machines over here? Okay, they're set up for people outside of those wards. Maybe what we can do is put one or two extra

machines in the precinct so, you know, they won't have to talk about it.

Also people -- with the technology we have today, people are, you know, they're taking their cell phones, although you have it posted no cells phones inside the precinct. I've seen a couple of people with their cell phone that actually walked up to the touch screen and are taking pictures of the machine. How do we get around that? Do you tell people -- the first thing we say is, well, why can't I use my phone? Why can't I take a picture of my ballot, you know? It's posted right there, no cells phones inside the precinct. Then you have a big argument with them, so you just let them go ahead and do what they need to do, and then you put them outside.

As far as breakdown of the machines, like I said, maybe a couple of paper jams, you know. I'm there to fix it. One of the rovers are there to fix it. The captains, they know exactly what they're supposed to do. There's been a couple incidents where I had to actually train a couple of people, myself, right then and there, when we did have a paper jam, that doesn't happen that often, start from the beginning, open, close, pull the paper, whatever. So, area reps pretty much not only just oversee, but they're also there to train and help, to make sure that everything goes smoothly.

Other than that, my precincts are fine.

DR. KING:

Okay, thank you. Steven raises a couple of points that I think are excellent conversation starters for the election officials

who will be on the panel later today, but also, for those who are joining us on the webcast. The first is the future of schools as polling places. I think there is already a national trend away from them. Certainly, they have been great locations for vote centers, because we know they are accessible. We know there's parking, we know that the power is on, all the things that make for good precincts. But, we know nationally that school administrators have expressed their concerns about any non-students on their campuses. And, I think the takeaway for election officials across the country is to continue to have open dialogue with all precinct building managers, but particularly, the schools, and see if things are changing in that environment.

The second thing that you pointed out which is the practice of having multiple precincts in a vote center which requires splitting lines which aggravates your check-in process, aggravates your use of electronic poll books, et cetera. That's really another question for election administrators. But, for the voter who does not understand that the decision, the irrevocable decision to implement the election in that format was made months, if not years, prior. And if you're -- as in my state, if you're under supervision of the DOJ for changes in polling places, your ability to make those changes quickly is diminished. So, I think you raise two really good issues that maybe we can come back and touch on. Thank you, Steven.

Sharmili?

MS. EDWARDS:

I'm Sharmili Edwards and I work here at the EAC. And I had the opportunity to spend Election Day down in Richmond, in Virginia, to observe what the state does on Election Day. And it was really interesting for me because I didn't really have actual expectations, because I did not know what to expect. My goal was to learn what the state does in Virginia. I've lived here for several years now, and it was going to be the first time that I would get to see the operations at that level. And so, I feel like I had a really great experience in terms of seeing the coordination between the State of Virginia, and almost the lengths that they would go to, to try and figure out, when complaints are coming in, what the precise problem is to figure out the best way to address it and to work with the local election officials to handle it, because one of the key things is, with the state level, is you have to rely on your local election officials to be able to handle a lot of these problems. They're the ones that are there, and they're the ones who have the manpower, because sitting in Richmond, you can't send someone to Fairfax County, up in northern Virginia, very easily.

And so, it was really interesting to see how the state would take calls. They had a phone bank. They had a policy shop that was also working the phones to answer questions that voters would have, that election officials would have, at the local level. And they also had the opportunity for the campaigns to provide people at the state offices. And so, as campaigns are getting complaints coming in and relaying them, you know, you have the secretary of the Board of Elections, his deputy and all of their staff sitting there trying to figure out precisely which precinct, because that's also

something that was very confusing, at times, trying to figure out exactly where the problem was. There was, I think, a call that had come in later in the evening about curbside voting at a specific precinct, and it was confusing for the state to try and figure out what was going on, because the poll worker at the precinct was saying that the precinct was located on one street, whereas, the precinct was listed in every documentation as the cross street, because the address was on the other street. And so, that took a few minutes to figure out precisely what was happening. And part of the issue, if I remember correctly, turned out to be that the voter in question was on the wrong side of the building. And so, that -- something like that makes a difference, and trying to figure out exactly what the problem is allows you to solve it without necessarily trying to, you know, blame anybody or anything like that, because as, you know, I heard repeatedly during the day, the goal is to get as many people as, you know, who are registered and wanting to go vote that day, to actually be able to vote.

And you know, there were, you know, reports coming in of long lines in certain -- in some places, you know, for instance, in Richmond itself, and, you know, the questions kind of walk you through. Where is the line? Is the line at check-in? Is the line beyond check-in? Okay, how many e-poll books do you have if the line is at check-in? Do you have additional poll books that you can send there? Sometimes the state would get a complaint about a certain precinct and they weren't hearing anything from the local level, and it turned out, it was something that hadn't even been brought to the attention of the local election official. And it was

great, because then the state could actually talk directly to the local election official and say, these are the reports that we're hearing. You need to send somebody to check that out, and then call us back and let us know what's happened, you know, what you did and that way we can monitor the situation throughout the day. And I thought that kind of interaction was actually a really great way of trying to handle things because, you know, the local election officials, like I said before, they're the ones who are there seeing what's happening. And, you know, providing them the opportunity to fix the situation, I think, helps things move smoother. And, you know, definitely as Lorena mentioned before, the long lines versus the long waits, that is a huge difference. And, you know, there would be complaints that there's a line and, you know, for instance, Arlington County, which is where actually I live, I would have friends who would, you know, text me or call during the day saying, oh, the line was an hour long. And I said, well, an hour long line is actually not bad, at all, compared to what you, you know, hear on the media from other places.

But, another, I think, thing that was -- there was some confusion, and this goes back to D.C., having long ballots. With Virginia, I think a lot of people were spending more time in the precinct, itself, looking at the ballots, because there were two constitutional amendments. And then, on top of that I know, in Arlington, we had four referendums on, you know, raising bonds or taxes, or whatever it was, to raise money for projects. And so, I think there were people who weren't expecting the ballot to have as much information on it as they had originally anticipated. And so, I

think that also when we were hearing about lines at the booths, themselves, some of that led to that. And that was why it was important for the state to find out, is this a check-in issue, or is this, you know, a booth issue? And then, even within the booth issue, the question is, is it because the machine itself is down, or is it because voters are physically taking more time? And that, you know, is also something to think about, because it's really easy to say, oh, just throw another machine out there. But, some jurisdictions don't have the luxury of throwing in another machine or two, because this happens to be the election that people are spending more time in the booth. And so, I think that was something that -- I remember one of the representatives from one of the campaigns had asked about that, and it was kind of, I think, neat, for him to learn a little bit about how the election administration aspect works, because learning that you can't just throw another machine or that, you know, once you've sent all of your extra poll workers out, you've got nobody else, you have to work within the constraints that you have. And I think that was really one of the things that was neat about Virginia, because they were trying to work with the local election officials within what they already had, because, like I said, I mean, things do arise on Election Day, and it's kind of a big matter of prioritizing what's a necessity right now and what's something that, you know, we would like to do. Is it a long line? Is it a long wait? And so, I thought that was really neat.

And I think one thing that I definitely do want give kudos to, you had mentioned Hurricane Sandy, and a lot of workers in

Virginia had gone up along the -- further up the East Coast to help out in jurisdictions, be it, you know, firefighters or police officers or, you know, line workers. And so, the state working in conjunction with the local election officials and the state troopers really pushed to try and get absentee ballots back from the people who are up there on account of Sandy. And it was really heartwarming to see the state troopers really focused on that to the extent that a couple of them said that they were a little disappointed that they were assigned to the State House that day, as opposed to being out there trying to help with making sure people's ballots were coming in in time to be counted.

So, I don't really know what else, but I just -- I learned a lot and it was really great to see the interaction between the local and the state level.

DR. KING:

Thank you. Sharmili has raised two issues that I'd also like to kind of put onto our agenda for further discussion today. And the first is the challenges of expanding capacity in real time in elections. Not only is it an issue of finding qualified and trained individuals, but the security procedures that surround elections often preclude the redeployment of equipment just for that reason. And so, it's often poorly understood of how inflexible jurisdictions are in terms of expanding capacity on short notice in elections.

The second has to do with the effervescent nature of problems in elections, in that, you have events that are occurring that are only observed by the voter, that then must somehow be interpreted by the poll worker, which is then further synthesized into

some problem escalation, and by the time it gets to the rover, or it gets to the state office, the ability to actually understand what happened, in a meaningful way, to take causative action is diminished. A part of that has to do with the privacy of the ballot. Another part of it has to do with the design of the systems that we use that don't make it easy for people to report problems back up. So, you have individuals trying to explain what they saw on a touch screen, or describe the display on the optical scanner at the precinct level. And so, those two issues, I think, really, in part, define the challenge of election officials of monitoring real time problems and addressing them, the effervescent nature of the problems themselves, but then, just the inability to expand capacity on short notice. Thank you.

Alisha.

MS. ALEXANDER:

Yes, hi, my name is Alisha Alexander and I am the election director for Prince George's County Maryland. As the election director, unfortunately, I was unable to get out to the polls on the November 6th Election Day, but I did make it a point to get to all of our early voting sites. And one of the things that I can say that I found interesting and did not anticipate was that voters began forming lines as early as three hours before the polls opened. At one particular early voting site, in Prince George's County, what I can say is that I personally went up and down the lines encouraging people to be supportive. And they were very, very energetic, very motivated to stand in line. And, you know, we did a major

advertisement encouraging people to vote early, so I thought that the actual early voting participation was wonderful.

Now, what I can say is that we do know that in many early voting sites there were the lines -- in terms of a wait, and again, as Lorena said, long lines versus long waits, we do know that during peak times that voters could have waited as long as four hours. And, we were trying to -- we attempted to remedy that issue by adding additional voting units where we could, adding additional electronic poll books as we could, and adding human resources. But, in two particular polling places, we did that and still noticed that the lines were maybe reduced by a half hour, 45 minutes. So, where -- why are we not reducing the lines if we're adding additional voting equipment and human resources?

In actually assessing the issue, I made a determination that in -- two of our early voting sites are in libraries. Very -- maybe the community room in a public library and, relatively speaking, they are small. And so, we know that, you know, when you have lines wrapped around the building three and four times, the actual library, and then, going through the hallways, people lined up through the hallways to get to this community room, there was a bottleneck. And it was very, very difficult for our election judges to perform any line management functions. And so, having said that, we -- you know, one of the things that we know, at least in Prince George's County Maryland, is that for a presidential election libraries are not suitable because of the space limitations, parking is inadequate. And we have, in two of our early voting -- in addition to two of our early voting sites,0 they are in gyms of a community center, very

large basketball gyms, and we voted the same number of people but in less time. And again, you know, I attribute that to the space. There's just so much more space, so you can kind of move people around in an orderly fashion. And what I will say is that that was one of the biggest things that stood out for me as an administrative issue.

In Prince George's County Maryland, the election overall went very well. And, again, I was very pleased that the voters were not discouraged at all. Now, the one thing that we don't know is how many people opted not to vote early because of the long lines. But, fortunately, they still had Election Day and many, you know, obviously, based on the turnout many people took advantage of that opportunity.

Another thing that is an issue, in Prince George's County Maryland, is the number of provisional ballots that we received, and several colleagues here mentioned that. As we were going through processing the provisional ballots, we noticed that -- and we know that in Prince George's County many of the voters are -- and/or residents are very transient, and for whatever reason, you know, don't update their address, and which, as a result, when they go to the polls that is not their actual polling place, they have to vote provisionally. But, with the advent of early voting, for lack of a better term, we notice that more and more people just seem to be purposely going to any polling place, and we expect that that would continue to expand as we move forward in future elections.

So, those are two major points that I wanted to bring up.

DR. KING:

Thank you. I think Alisha raises two important points. The first is the last, the one that the unintended consequences of changes in election procedures. We almost always get what we think we're going to get, but then, there's always something else that follows on. And one is the behavior of voters with an expectation, particularly in an era of e-government, why shouldn't my records and ballots be available wherever I choose to go?

The second thing, in military installations if you want to improve the chow halls, the generals eat there. Always makes food better. And one of the things that I think is interesting with election officials is how many of us vote on Election Day? How many of us experience that line, that wait, that queue? And the answer is, most of us vote absentee because of our responsibilities. And so, one of the things that I've tried to do over the years is, I go in advance voting now. I go and I stand in line, and I learn a lot. I learn a lot by listening to people. But, that may be something as a professional goal, for each of us is to experience the line, experience the wait, experience the location.

All right, Lorenza?

MR. McCANN:

My name is Lorenza McCann and I have almost ten month's experience in this election process. I'm pretty new to it. I worked as a trainer with the D.C. Board of Elections. I also helped out in the help desk for the April primary and the May special election. And for the November election, I worked as a trainer and very reluctantly as an area rep. The area rep job, however, took me out

of my Ivory Tower of training and let me see what really happens out in the wild. So, it was really good experience that way

One of things I observed is that the -- I thought the -- that we had a never ending supply of voters all day in D.C. They were much more orderly than I expected. They were frustrated, of course, with being in line for a very long time. But the precincts that I visited they were very orderly.

Another thing I observed is, even though we did, in D.C., I think, a very good job of predicting the volume of voters through the day, there were a couple of issues. And you mentioned scalability a little bit. I think there were a couple of issues with scalability that we did not anticipate. One is what I call a convenience factor. This is one of the first elections where we had out-of-precinct voting where you could vote in any precinct you want, with certain consequences. For instance, one of our precincts is an office building and a lot of people in that building just came downstairs and voted and went back up to work because it was so convenient. But, for that precinct, they went from 68 special ballots in 2008, to 256 for this election.

Another factor is what I call the student factor. We have several precincts that are near American University, George Washington, and Howard, and I have no idea why but -- and we have something called same day registration, where you can actually show up at the polls on Election Day, register and vote. And almost all of our students decided to wait until that day to come down register and vote. And that caused -- we had one precinct that's across the street from Howard University, and they went from

56 special ballots in 2008, to 330 this year, partially because of that student factor, I think. So, those things I don't think we quite anticipated. We had a total I think of a 328 percent increase in special ballots over 2008.

Another thing, when I first started working elections, one of the things I was told is that people in D.C. tend to want to vote paper as opposed to electronic, I think, because they trust the paper more. But one of the things I observed is that there's, I think, a change in demographics in D.C. where people want to use the touch screen more. Even, in one precinct I was in, there was nobody at the paper ballot booth, and yet, there was a line with the touch screen. I had no idea why people were standing there, but there was no line there for paper. They were standing there for the touch screen.

Also, unfortunately for D.C. we really don't have the touch screens there for the masses, so much. It's really there for the convenience of those who may have a disability, particularly those who may be blind, because they had an audio component to it. So, we only have one touch screen in most of our precincts. A few of them may have two in the larger precincts. So, they have long waits there.

Another thing I think that was hard to predict, we have something in D.C. called curbside voting, where people can actually -- it's mostly for the disabled or the elderly. They can actually drive up to the precinct, and we have people called voter assistant clerks and -- actually trained voter assistant clerks. They will go out, take their information, come back in, go through check-in, get them a

ballot, take it back out to them, they vote and they bring it back in. But there was a rate increase in the number of curbside voting this time. And the only issue with that is, curbside takes a long time because of the factors I just mentioned; you have to go out, get their information, come back in, go to check-in, get a ballot, come back out, have them vote and bring it back in. So, that took a lot -- a long time as well.

I'm doing some of the post election analysis now, as well, and in that capacity, I got to read a lot of the captain's notes. And, while I'm sure, in a lot of elections, you have certain election workers who don't show up or some who are ineffective, I think because of the great volume of voters this time I think that had a much greater impact. We had one voter that didn't show up. Somebody mentioned a -- I think you mentioned a special ballot clerk that wasn't there. I think it had a much greater impact this time than it would in 2008 or 2010, that and also certain ineffective workers as well.

My overall experience with this is it was a great day, overall. It was very hectic. Some of our precincts which closed at eight were still processing special ballots at nine or 9:30. So, it was a very long day, a very hectic day, but overall a great experience.

DR. KING:

Okay, thank you. Well, I'm keeping on an eye on the clock and we do have some hard deadlines this morning, and so, I do need to end this right at 10:30.

I want to ask you now, and Lorenza, I'm going to start with you, and kind of work back around and end with Megan this time,

after every election, election officials do some kind of post-mortem. We go through lessons learned. We go through what worked well, where our failures were, where our vulnerabilities were and, in some cases, where we dodged the bullet, where things went right accidentally. And, one of the perspectives that this group uniquely brings to this roundtable discussion is that of the poll worker, the poll manager in the trench, people who are observing the behavior of voters, observing the manifestation of the training, manifestation of the planning. And what I'd like you to do, is, kind of summarize what advice that you would give to your election official, in the case of the poll workers. In the case of a county election official, Alisha, perhaps what you would give to your colleagues or give to the state, and what advice you would give to the voters, going forward. And we're not looking for a broad list from you, because we think that if we can identify just one or two really relevant, high priority things, that gives us guidance in going forward on developing research agenda and best practices.

So, if I could start with Lorenza. And please, everybody keep your comments to about one minute, so that we can wind up on time.

MR. McCANN:

Two quick things, we -- one, I already alluded to this, is just noticing the impact of the two things that we added since 2008. That's the out-of-precinct voting and the same day registration. They're great things to have, they're great conveniences, but they do impact the process greatly.

The second thing is having to do with somebody mentioned the queue earlier. I think we need to have more training for our captains, in terms of dealing with that queue, because some precincts were very orderly, usually the bigger precincts, but some of the smaller ones they looked visually chaotic, so just training our captains to deal with that queue.

DR. KING:

Okay, thank you. Alisha?

MS. ALEXANDER:

Okay, I think if I were to give a piece of advice, actually two pieces of advice to my colleagues, what I would say is that in elections one size does not fit all. And we need to understand that each jurisdiction has its unique challenges in terms of politics, demographics, and that what works in one county may not work in another.

In addition to that, I'd like to say that -- I'd like for us to focus more on training, and maybe, look at thinking outside of the box, and instead of conducting training maybe, you know, three, four months before the election is to maybe have a continuous stream of training every year for those who may be interested. And I think that that may resolve a lot of issues.

DR. KING:

Thank you. Sharmili?

MS. EDWARDS:

One of the things I briefly want to touch on is just that this year, in Virginia, the numbers for provisional ballots was actually lower than it has been in the past. So, whatever they did with

regards to training the poll workers and educating the voters, that was, you know, definitely a good, you know, sign -- step in the right direction. And then, on that same hand though, there are probably things that could be improved for voter education. One was, Megan kind of touched on, the preference of voters. But, I think in some instances voters don't realize that either machine, be it an op-scan or a DRE, both will record your ballot. It's not one is, you know -- they sit there because they're meant to be used, not because one is just for show. And then, also the other thing with voters is sometimes issues would come in -- reported, but they're not actually things that anything can actually be done about it. As Lorena mentioned, with the touch screens, you know, sometimes people would say, oh, the machine is broken. It's not actually broken, but you do need to press down on the screen, and so, that gets reported as a machine problem when, in reality, it's a user error.

DR. KING:

Okay, thank you. Steven?

MR. GRAHAM:

Okay. What I would suggest is, especially during the early voting, as opposed to just having touch screen machines inside the precincts also paper ballots. We find a lot of our senior citizens and disabled that are familiar with the touch screen they come into the precinct they're asking for paper. Not only that, I think that if there were paper ballots in the precincts that would make the process move a little quicker. Also, to the officials, the city officials that I

think that it would be a good thing to give the children Election Day off from school. That also will help the process move faster.

DR. KING:

Okay, thank you Steven. Jess?

MS. MYERS:

I guess the biggest thing that, you know, created problems, and I know that Maricopa works extensively with media, community groups, political parties, all of that, and I would urge them to continue doing so, but one of the things I would say, on the other side of it, is that for all voter interest groups, community groups, political parties, media outlets, bloggers if you're a blogger, contact your local election official now before we get to the next rounds of the federal election, the presidential elections or elections even this year, and try to work out something with them to get the accurate information out to your voters, because that's the local election official's goal is to get all voters the information that they need. And they need it to be accurate as much as you want it to be accurate. And I guess that was one of the most significant problems that happened in Maricopa was a news report that was inaccurate that had this ripple effect throughout the county that caused huge problems throughout the election and after the election. And so, I just urge everyone involved, all stakeholders to start working those relationships out now, and work out ways to get information that the counties are making. They have lots and lots and lots of information available for voters, for media, for everyone. Just build those relationships now.

DR. KING:

Okay, thank you Jess. Lorena?

MS. BOW:

I want to slow down a little bit and take a personal liberty here. And I hope when I get back to work I'm not in trouble for this, but I want to talk a little bit about -- the message that I want to get is how we treat our senior citizens. I saw some things that were not very comfortable. I know we have absentee ballots. I know we have curbside ballot voting. But some of our senior citizens wanted to come into the precinct and experience the entire voting process. But these were citizens that were 70, 80 and 90 years old walking with walkers and canes, holding on desperately to their grandchildren and great grandchildren. They wanted to fully participate in the voting process, and we had no where for them to go and to sit. Some of the captains were going to get them out of line and bring them up to the front of the line, and some of the people complained about that, why would you bring them up? And so, what I'm saying, and my personal point on this is, these people were the people that fought so that I could walk into any precinct and vote, and you're telling me we have no place for them to sit and wait. I don't think that's good. We could have something like what I call an SVS, a senior voting section. Maybe that would be a section off to the side where our seniors could go. I know we want to address all populations, but I'm talking about our senior citizens because it is upon their shoulders that we stand.

DR. KING:

Okay, thank you, Lorena. Clyde?

MR. DAVIS:

I've got several things that I would like to see. Number one, I think that we should have final exam for our election judges and I think we need a longer training time for our chief judges, who are really the ones who supervise the polling places on Election Day.

Number two, I think we need a better policy to handle those with disabilities and senior citizens. I think we need a better policy for that.

And third, to the voter, I think that the voter needs to be prepared. One of the things that we found out was that there were long lines at the voting unit, and that was because we had about, I think, eight ballot issues plus bond issues. A lot of voters stood up there reading that while they were at the polling -- at the booth. If they look and read those and be familiar with that before they get to the voting unit that would cut down on the amount of time.

DR. KING:

Okay, thank you Clyde. Mary?

MS. HEINZE:

I think my theme is going to be similar to others that have been mentioned. I think perhaps better voter education about the tools that are out there to help them determine where they need to vote, more staffing at the polling places where a captain or the assistant captain could actually go through the frontline, the initial check-in line to interface with the voters and say, does anyone have any questions? Do you know if you're in the right place or not? I can check for you and maybe help with that. And provisional voters, too, that has become a real issue with all the precincts that we've come to. So, voter education might be part of it. And I think

early voting has lulled a lot of voters into thinking, I can vote anywhere, and the only races they care about will be counted. In some cases, the lower level races they might be a little bit upset about, but that will end up being like a shrug for them saying, oh well, but at least I get to cast this vote. And so, I think some of the other lower races and some of the ballot initiatives -- or not ballot initiatives, but the more localized issues might get ignored and might -- and that might be a real problem in the end. So that's...

DR KING:

Okay, thank you Mary. Megan?

MS. DILLON:

Okay, I have a few things that have been touched on by almost everybody here. Just to the voters about being prepared, I know in Arlington County you can go on the website, type in your name and information and it tells you exactly where to go, exactly what's going to be on your ballot. And I think if we get that information out there to voters that we can make the process speed up a little bit if they show up at the right precincts and are prepared to fill out the ballot in a quicker time. And for poll workers, just to keep coming back. And I saw in Arlington County that the poll workers that have been at a few elections knew how to handle the situations and how to deal with the voters and shared that information with new poll workers. And I'd just encourage those new poll workers to keep coming back year after year and take in experiences and share those with new poll workers to come after them.

DR. KING:

Okay, thank you so much. Alice?

MS. MILLER:

Let me again thank everyone. These things happen because you're willing to do and -- to come in and to participate with us. We couldn't do it without you. What we will do is obviously take this information and start to develop best practices and get out some guidance to our election officials that may help -- hopefully help with putting on, I won't say better elections, but, different elections, so that they go smooth and it continues to be the process that we all want it to be.

And, I will say, I think one recurring theme here is voter responsibility. So, just as our election officials are responsible, voters also have to take on the responsibility and the knowledge base that they need to make their day go as well as they want it to go, too. Thank you.

DR. KING:

Thank you, Alice. And on behalf of the EAC and your election colleagues around the country, I thank each of you for coming today, coming prepared today, and sharing with us your perceptions of this past election, and your advice, as we prepare for good elections in the following years.

Again thank you, safe travels. And we're going to take about a 15-minute break and reload the tables, thank you.

[The Roundtable Panel recessed at 10:29 a.m. and reconvened at 10:45 a.m.]

MS. MILLER:

All right, welcome back everyone. This is the EAC's continuation of our roundtable Informing Change: A Review of Events and Issues of the 2012 Election Cycle. We have just finished up with our first panel, and that was our panel of Election Day workers and individuals observing the election, as they actually worked the Election Day process. We're now going onto our second panel which is our panel of advocates, academics, researchers, and the media. Again, we're reviewing our processes for the 2012 election. I want to once again thank our panelists who have willingly agreed to be here and to participate in this roundtable. We could not do this without their willingness to do it, and on behalf of the EAC, we are so grateful to you for your expertise and lending us your time.

And again, I'll turn it over to Merle, who will be our moderator for this panel and for the rest of the day. Merle?

DR. KING:

Thank you, Alice. And again, for the panelists that are here, welcome. Thank you so much for joining us this morning, and for those of you joining by webcast, thank you for either returning from this morning's session or joining us here.

As Alice said, the purpose of our discussion this morning and throughout the day is to reflect back on the 2012 election cycle, which, of course, includes the November 6th election, but also includes the run up to it, the primaries that preceded it, because, as election officials, election planners, and election researchers, we realize that these operations are constant and ongoing and overlapping. So, today's discussion will really probably focus in

many ways on the November 6th election, but I am sure it will expand beyond that and talk about the surrounding issues leading up to the election. And then, most importantly, for the EAC and for our election colleagues, is the identification of the go-forward issues, the issues that need to be identified for subsequent research and ultimately for subsequent action.

And we have, with the panel today, really, a broad range of researchers, advocates, practitioners. And what we're hoping is that your viewpoint, your unique perspective on the election will become a part of the mosaic of all of the input that we're soliciting today, and will be used then, by the EAC, to help guide them through the development of best practices, identification of policy issues, but also, at the local and state level, comparable strategies for improving the election operation.

I was joking a little bit with Mike, before the panel, this morning, about our experience as faculty members and the often challenge that faculty members have in self-regulating their time when they speak. And, I do want to remind everybody on the panel that we have a hard deadline of 12:15, and we would like everybody to kind of self-regulate their comments, or at least, look at me from time to time, to see if you're running up on top of your deadline.

What I'd like to do, and Don, I'd like to start with you this morning, and we'll do what we traditionally do, here at the EAC, which is, we ask individuals to introduce themselves briefly, and identify, from your perspective, what the issues that arose in your arena, in the sphere in which you work in elections, what you saw,

any observations that you have of the distinction between the cause and effect. And, we heard this morning, with our poll workers, about long election lines. And I think they did a great job of kind of digging down into the causation factors, but also, kind of slicing the salami pretty thin, in terms of waiting lines and working lines, so to speak.

So, if you would, opening comments, your observations. We'll work around the table and we'll end up with Dorothy. And then, at the very end I'd like to do a similar thing beginning with Dorothy, which is, what is your advice, what are your takeaways, what would you advise election officials, what would you advise fellow researchers, fellow advocates, to identify, as their priorities, in going forward?

So, with that, Don, we'll start with you.

MR. REHILL:

Thanks Merle. Thank you, Alice. I'm Don Rehill, Director of Election Research and Tabulations for the Associated Press. I started with -- started in this business, I guess you would say, in 1983, as a researcher for news election service at the time, and have been pretty much continually involved in research in election night tabulation for the media, I guess you would say, since then. and with Associated Press since 2003. So, AP I think, has a unique vantage point on this election.

We had a very busy year. Before the election night it's about 174 different election events and caucuses that we tabulated, but November 6th, obviously, was the big enchilada. And we have this huge news network with bureaus. We're the world's largest news

network, so we have bureaus collecting news in the early voting period and the run-up to the election. We have a huge election night operation. We're the only source for nationwide election results, unofficial results on election night, and in many states, the only source. And as part of that operation we have stringers in virtually every reporting unit in the country, as we call them, counties in most places, towns and cities in New England. We have hundreds of people in vote entry centers. We have analysts looking at the data. And we have our news network out in the field. So, we have a pretty good facility for seeing issues and problems and trends, I guess, you would say. We do have sort of a bias in that we're looking for things that are going to cause us problems, more than might interest other folks on the panel. We're interested in things particularly that might delay the count, specifically, or affect the count, the accuracy of the count. And, we generally make a rule of expecting and preparing for the worst, which was not hard to do as we were getting ready for this election, because we had the redistricting year, number one, about ten states, I think, in the run-up to the election that were considered presidential tossups, which makes everybody nervous, because a narrow margin makes everyone nervous, some news laws regarding voter ID, changes to some early voting periods shorter, longer in a couple of cases, a lot of new state and county election night reporting systems, either websites or whatever, a lot of long ballots, which has been alluded to before, and a huge debilitating hurricane, which hit right before the election and debilitated large parts of the Mid Atlantic.

So, as a matter of fact, the AP headquarters is in midtown on the west side, and looking downtown the day before the election, nothing but blackout in all of Manhattan, large parts of the borough. I was looking across the Hudson River, nothing -- no lights, no power in large parts of Hudson County. So, it was kind of a daunting and crazy feeling to think that elections were even going to be held and pulled off in some of those jurisdictions the next day. So -- and I just want to throw out there, you know, huge kudos to New York City, New York State, and New Jersey election officials, especially, who did, in fact, administer elections successfully in what was sort of like a war zone. It was a disaster recovery -- in the middle of a disaster recovery they pulled off an actual election administration, which is remarkable. And we do work a lot with state and county election officials extensively all over the country, pre-election and on election night, and we really do value and respect them a lot.

On the bright side, going into election night, we knew that there was very little voting equipment change, which is different from 2004, 2006, 2008, when everybody was very worried about all the changes in voting equipment. There were very few places that had changes in their major -- their primary voting equipment type going into the November 6th general election. So, that boded well, we thought, for technical problems. I think there was only about 150 reporting units, as we call them, where they changed the main voting equipment type, most from one type of optical scan to another.

So we -- our methods for tracking problems improve I think every cycle. And, as I say, we do have a bias for looking at things that are going to affect us more than things that are of academic interest, perhaps. But we did note, of course, that a couple of states had delayed counts and extended voting, delayed poll closing, if you will, because of long lines and/or problems, a good smattering of counties and towns that had long lines, a few voting equipment problems. I think we document those better, but I think are less of them than there were in previous cycles, actually. A lot of Election Day registration delays we sort of noted. Somebody did allude to the voter's lack of preparation and we've heard that a number of times, because people -- it is available on the web what polling place you should be going to. It's not the voter's fault in a majority of cases, I don't think, when there are problems and delays, but in some cases the voters show up at the wrong polling place, even though it's readily available on a database provided by the state and the county what polling place they're supposed to go to. So, that's a factor I think.

But, we didn't see any huge systematic issues, I guess, is the headline. It was much better than the worst case scenario. I'd be happy to pop in where we did observe issues, where topics come up. Part of the problem is, and Paul and I were just discussing how, you know, here it is it's weeks later and we're still digesting information about advanced voting and provisional voting. So, we can't even really conclusively make a lot of official declarations about, this happened, this was up, this was down, this was the cause of that problem, we want to look a lot more closely at

provisional voting data as it becomes more available. We did note a couple of states where provisional ballots cast went up, trying to figure out why, can't make any conclusions yet. Maybe in one state it had to do with the new voter ID law, but the state doesn't think so. So, I'm not going to say anything yet. So, unfortunately a lot of the data is still not available for full analysis. But we did anecdotally note a lot of instances of long lines. And I think, Merle, you might have hit on something there about queue management, too, might be part of the reason for the proliferation of the phenomenon, I guess you would say, this election.

But that's -- I guess the main point I wanted to make is that we didn't see any huge worst case scenario, any systemic problems. We saw lots of, as we do every election, we see a smattering of problems popping up all over the place. Some states had sort of statewide issues. Other states everything went great except for one or two counties where everything was horrible.

So, I'd be happy to pop in, when germane, as the discussion merits here.

DR. KING:

Okay, thank you. I do want to comment on one thing that Don brought up, and that is the performance of voting systems, per se, I think generally is perceived as very good in this past election cycle. But it's important to note that voting systems, although very well tested, and very well understood, legacy technology for vote capture and vote tabulation is now only one of many, many systems that are used in elections. And often, the challenge is in this deployment of new election systems, whether it's in election

night reporting, VR systems, voter identification systems, et cetera. And I think, for both the media and the voter to distinguish between what is a voting system versus what is an election system, and the implications. In the panel prior to this I think we heard a lot of discussion about a type of election system; a voter check-in, an electronic poll book, which, technically is not a part of the voting system, and yet, from the voter's perception it is the gateway to that system and, therefore, is a part of that system. But I do agree with you, Don, that the voting systems did perform very well, but some of the other systems that have proliferated some of their performance is still being analyzed.

Elisabeth?

MS. MacNAMARA:

I'm Elisabeth MacNamara. I'm the national president of the League of Women Voters. And, for any of you all who are not aware, the League of Women Voters arose directly out of the fight to give women the right to vote.

I really appreciate being here and having an opportunity to lend our observations to this discussion, because, historically one of the first things that the newly founded League of Women Voters did in 1920, after 1920, when women got the right to vote, was inventory state election laws, and look for the ways that -- to let all of these millions of women who had just receive the right to vote, get them the information that they needed to actually access the process. And that is something that the League has been doing for the last 92 years. So, we are a federated organization, which

means we are -- do have affiliates in every state. And we were observing this election from that perspective.

We take on two roles during an election and during a major election cycle. The first is that we advocate for reform of the process. We do that either at the national level, or we do that at the state level, and often do that by working with our local election officials where we have local leagues, in order to improve the process. The second major, major role that we play, during an election, is to inform and empower voters to access the process, to have the information they need. On the last panel I was struck by the comments at the end of the round discussing the need for voters to take more responsibility to get themselves informed to be better prepared when they actually enter the polling place. And that is a role that the League has taken on, over the last many, many years, not only for our own members, and not just for women, but for all voters. And we were -- we engaged in an unprecedented level of activity over the last couple of years leading up to the 2012 election, because, as Don has mentioned, there have been many, many changes to election law. Not so much, perhaps, the machines we vote on, or the way we actually gain access to the polls, but through the processes that voters are also familiar with, you know, how they register, who they can register with, whether they can register to vote on the same day as they vote, whether they have to register 30 days before, whether they can register with an organization like the League, whether they have to take time off work to go to a registrar's office to actually register, what they need to produce in order to be allowed to register, what they need to

bring with them to the polls in order to be able to be checked off that electronic poll book. A lot of those laws were examined over the last couple of years. The League was very much involved at the state level in discussing those laws with our state representatives.

And, I think one point that I want to make, both going forward and then coming back around, is that one of the concerns that we had in advocating for reform of the process, or in dealing with that aspect of the voting process, was the number of laws that were enacted across the country, based not on the kind of information that we're hearing here from actual poll workers or from state election officials, professional state election officials, but really, on assumptions. And since we are an organization that believes in facts, we advocate from facts, that was extremely disturbing. We also -- and we were concerned because, as I think we're discussing here, the big enchilada was November the 6th. There are a lot of elections that led up to November the 6th particularly, and in some states more than others. Primary elections, in Wisconsin, I believe they were going to vote about every two or three weeks there for awhile. And so, as these election laws were being implemented we were having an opportunity because we do -- a lot of our members work as poll workers, we do have observers in the polls, we are very much interested, as a group of volunteers, that this works for -- these processes work for citizens.

We were anticipating and we were concerned that there was going to be a great deal of confusion when we got to the polls, on the part of voters, on the part of poll workers, on the part of election

officials. We were actually seeing instances in which, you know, election officials were not posting the correct information on their websites, because it was changing so much. All of that culminates in what the voter's experience is on Election Day. It all has a ripple effect. It all has implications for what the voter experiences on Election Day. Now, whether that is the reason why we -- those are the changes that we saw in election law, or the reasons that we had long lines, whether they are the reasons that we had as many provisional ballots, we had an uptick in provisional ballots, as I'm hearing in some states, whether that's the case, we don't -- we honestly don't know. And we need to know, and so, we appreciate the opportunity to have these discussions and make sure that as we are moving forward to continue to reform the process, and as we continue to talk to the decision makers on a lot of what it is that voters experience on Election Day, that we have an opportunity to have the actual facts, that we can, you know, not assume that just because a voter presents some form of government issued voter ID that is going to solve all the administrative problems that exist in our elections. And we were really reaching the point, by the time we got down to Election Day, where, from what we were hearing, that that was a lot of the assumptions that were being made.

As I'm going around the country and talking to folks I'll be hearing -- you know, I'll hear well, you know, if only people would show an ID. Well, I mean, clearly, when we're talking about the issues with Hurricane Sandy, or we're talking about the issues -- a lot of issues that actually came up with long lines, none of that has anything to do with some of the laws that were being passed. And

so, I think getting facts out there and getting folks to understand what this process is all about, the distinctions and your actual access to the process, versus the machine you vote on, versus the systems surrounding, making sure that you're in the right polling place, making sure that you get the ballot that you're entitled to, and you're voting for the people that are actually going to represent you, those are things that I think need to -- we need to continue to talk about. And certainly, we are, as an organization, continuing to gather data ourselves on what our members experienced on Election Day, what we observed as poll observers. But, what we are, at least, hearing in the media, what we are hearing anecdotally is certainly what we would have expected given the lead-up to this election.

So, we appreciate the opportunity to contribute in any way we can to making sure that decisions we make going forward are fact based.

DR. KING:

Okay, thank you Elisabeth. Paul?

DR. GRONKE:

Thanks Merle, and thanks to Alice, the EAC, and particularly to Emily Jones, who has made my life actually run quite smoothly.

My name is Paul Gronke. I'm a Professor of Political Science at Reed College. I'm the founder and Director of the Early Voting Information Center, a non-partisan policy and research center focusing on early and absentee voting. And I have been -- I've actually known Karen Lynn-Dyson, it turns out, for more decades than either of us I think like to admit. We overlap many,

many years ago at the University of Chicago. So, I've been studying elections, election administration, and research methods for about 30 years at this point.

I want to talk about a few things. I want to respond very, very briefly, and I will keep my time -- I'm cognizant of the time -- very briefly, to two comments from the previous panel. One comment was made on ongoing poll worker training. You know, the hot new thing, now, in the academy, are these things called MOOCs, these massive online learning center -- massive online courses. And I'd urge election officials to look at some of these companies, not because you can do what billion dollar companies can do, but the technology to produce really video-based training has gotten easily accessible, inexpensive. And so, if you're looking for ongoing training, that might be one place to go.

The second thing is this sense of no cell phones. And I have to react to that, because I noticed virtually everyone in this room is ignoring the no cell phone admonition that was on the sign as we walked in here. I understand that you can't take a picture of your ballot, but to ban a cell phone is what most people use for information, including a long ballot. So, that's just odd. And I think legislators may want to look at that.

My brief comments will focus, primarily I'll talk about early voting, because I think that's what most people expect to hear from me. And I'll have two very brief comments on the academy. I'll leave most of that, I suspect, to my colleague and friend Michael Alvarez, sitting across from me.

Many look to EVIC to help understand what I used to call the quiet revolution in early voting which first emerged on many radars in 2008, but has really been quietly growing for the last quarter century, so one thing about 2012 is that it's obviously not quiet anymore. Virtually any elected official, election official, candidate, and citizen knows when early voting starts, and that it's ongoing. It really has substantially altered the dynamics of American elections. So, what changed in 2012? One is that the calendar, the early voting calendar, if you think of when early voting starts and ends on Election Day, was longer in 2012, in general, than it has been in previous elections. And I think the reason for that is the unanticipated impact of the MOVE Act which standardized the transmission time for military and overseas ballots, and many states chose to -- and local jurisdictions chose to mail their domestic absentee ballots at the same time, 45 days. Now, there are concerns about absentee voting that you can see expressed quite commonly, and the recommendation that I've made before and I will repeat again, here, is that state and local election officials try to break that link. There's simply no reason to mail a ballot across the globe at the same time that you need to mail one across the county.

The second change -- not really a change in 2012, but if you track early voting since 2000, it had been increasing about 50 percent in each federal cycle. That rate has now plateaued. Don and I were chatting a bit before the session about what our current estimates are of the percent of ballots that came in early. It's somewhere between 30 and 35 percent is where we're going to

end up. That is approximately what we saw in 2008. That contrasts with, again, you know, the 50 percent increase that we were seeing. We don't quite know why this is the case, why it has plateaued. I have some thoughts on that that I can share with people afterwards if we have Q&A. But that is something to think about in the future for any election official. You can't keep planning for this number to go up to 50, 75 percent, though, in some jurisdictions it is doing that.

The third thing I'll say for 2012, with respect to the lines, is that I've already been contacted by a number of states and jurisdictions about we can fix the lines by putting in early voting. The problem is that data in 2008 collected by Michael and Charles Stewart, in a partnership with the Pew Center on the States, is that the average early voter waited longer in line than the Election Day voter. To repeat, the early voters waited longer than the Election Day voters. So, you cannot implement early voting as a solution to lines. There's a capacity issue here. And so it's capacity. It's queuing. It's not necessarily early voting.

Two other very brief comments, one really reflects on HAVA. We're now ten years out from HAVA, and there's been a substantial amount of activity in the academic world after the 2000 election, and really in response to HAVA. And I want to comment briefly on that. Many of you know that there was a lot of academic work that came out after the 2000 election to try to understand what happened in that election. You may be less familiar with the second wave of research, which is really appearing now. And on the academic calendar, that's about the right time. We've got

enough data, we've got enough information. There are a number of monographs that are coming out by Mike Alvarez and his colleagues. There's a recent book by Rick Hassen, Martha Croft and David Kimball, a number of articles. So, I know you don't want to spend a lot of your time reading academic work, but there's another wave of, I think, very good policy-oriented work coming out. And really, a new generation of scholars have been produced, you know. The graduate students of 2000 and 2004 are now becoming the Ph.D.s and the scholars of the future. So, I think the future is bright for continued good work in this field.

The second closing comment is, please don't end the Election Day survey. That -- the Election Day survey, census, whatever we want to call it, is an absolutely vital piece of information. It's really the only consistent, reliable national source of comparative information that we have about election performance in the United States. I know Secretaries of States and local officials don't like to respond to this survey, but I think processes and procedures have been put in place. We have a consistent set of questions. This is an absolutely vital piece of information and must continue to be funded.

In addition, I hope we can continue to have funding for the research wing of the EAC. I hope the research agenda is not set through the legislative process but, rather, more autonomy is given to the EAC and their research staff to identify, to put out calls for proposals. I think the research agenda must continue. I hope we don't stop but we continue forward. We didn't have a meltdown in 2012, good news, but let's not assume that we won't have another

one. And if we give up on the scholarship, I think we're going to potentially see another one in the future.

Thank you.

DR. KING:

Okay, thank you Paul.

UNIDENTIFIED SPEAKER:

Can we cut to commercial break?

[Laughter]

DR. KING:

Thank you, Barbara.

MS. ARNWINE:

Hi, good morning everyone. I'm Barbara Arnwine. I'm the executive director and president of the Lawyers' Committee for Civil Rights Under Law, which runs the Election Protection coalition. The Election Protection coalition was founded roughly right after the election debacle in 2000, in Florida, and we've been operating Election Protection as a program ever since. And, really, our first operation was in 2001. We are composed of 150 nationwide, statewide, local grassroots organizations, that are supplemented by the resources of 200 law firms. We -- this last election we operated 28 call-in centers. We had on-the-ground operations in over 80 jurisdictions. We had 5,300 legal volunteers and roughly 2,300 grassroots volunteers.

This -- as you can imagine, I'm very grateful for this opportunity to comment on the recent 2012 elections. The Lawyers' Committee will actually be issuing, for Election Protection, a major report this month. So, in two weeks you should be able to

access our analysis based on the roughly, you know, 190,000 calls we received, the grassroots reports from these 80 jurisdictions, and everything else.

Our basic conclusion may be different than what you heard in the first panel, because what we saw was that this election, in 2012, demonstrated yet again that Americans, the American voters are willing to overcome barriers to make sure their voice is heard on Election Day. The voting rights community prior to November 6th fought huge battles over photo ID, early voting cuts, voter purges, mass challenges, deceptive practices, voter intimidation, and limitations to voter registration opportunities. So, it's not difficult to understand why the voting community was suspecting the bottom would fall out on Election Day.

Fortunately, on Election Day the majority of the challenges we saw were recurrent. They were the chronic problems that haunt our election system. They have to do, as we've heard, with voter registration. You know, the long lines is a result of so many problems, but one of the biggest problems that we think, and what troubles us the most, is that so many of the problems are preventable, because one of the biggest problems is the misallocation of resources and voting equipment, under-trained poll workers and understaffed polling places, malfunctioning machines or, you know, people not even turning on the machines. Problems with absentee ballots not being received by voters, that probably was one of the most heartbreaking set of calls that we received repeatedly, mismanaged polling locations. However, these chronic problems that voters deal with every election cycle, which we have

now documented over ten years, through Election Protection, were exacerbated this cycle because of the nationwide effort by partisan lawmakers and election officials to manipulate the rules by which voters were able to cast their ballots. Thus, photo ID laws, cuts to early voting, voter registration restrictions, and other obstacles, all negatively impacted how long voters have to stand in line, poll worker ability to navigate this myriad of confusing rules, and the frequency of provisional ballots being issued. Again, we believe most of these are preventable problems, these recurring problems. We think, you know, obviously, these legislative battles had a lot to do with the problems. We are really troubled by the, you know, poll worker training problems. In fact, we have states that don't even require it, like Pennsylvania and others. Thus, there was so much widespread confusion across states. I could go through, you know, a number of instances. I'm not going to.

But, I will say, here's what we saw as the major problems, misapplication of voter ID, especially in Michigan and Ohio. And, what we saw was, you know, just the problems of poll workers refusing to issue the affidavit in Michigan, because they just didn't understand how it was to apply. And then, they wouldn't issue provisional ballots. We saw one of the most reported problems out of Ohio was the misapplication of the state's voter ID rule. Poll workers in several counties were reportedly rejecting IDs and voters were being forced to cast provisional ballots, because they would not accept, you know, the outdated Ohio driver's license with an outdated address.

The other problem we saw was the impact on communities of color. I mean, you know, we can talk about all the voters in the world, but communities of color, people with disabilities, seniors and students are bearing the brunt of these issues, our redistricting battle in Texas, the voter ID battle that we waged in the Courts in Texas, who were impacted? African-Americans, Latinos and as the Court itself said, in finding these laws racially discriminatory on purpose, said that it was the poor and low income voters. Early voting in Ohio, we've done a study that I would recommend to you, on Cuyahoga County, just showing how much people of color rely on early voting, so when there are restrictions on it, it really has a horrible impact.

The other thing that we saw that was really troubling for us, again, because it's something that's been talked about uniformly across, you know, all these years, is the lack of uniform standards. Still having, you know, various counties in the same states applying laws quite differently. We saw that problem with the Florida purge, where we have to sue again, because of the misapplication of the law by, you know, different jurisdictions, the citizens checkbox and, you know, the Michigan primary, the South Carolina photo ID law, where they had this "new standard" called reasonable impediment as an exception, and nobody knew what that meant, because the law was not defined and everybody applied a different concept of reasonable impediment.

Resources and planning, we still say resources are central. What we really were worried about was the instances where we saw, in planning, where people -- where there was one jurisdiction

where we saw that this jurisdiction had a dozen machines at one polling place. But guess what? Half of them weren't being used because there were only two poll workers. So, that's the mismatch of the allocation of resources.

In Florida, we saw there was a single voting machine, and also, we get this report out of, you know, Wisconsin too, serving hundreds of people that showed up to vote. Ohio, we saw all kinds of issues. But we were very pleased, however, that a lot of the issues that we saw in other jurisdictions we didn't see in Ohio because they do a better job of planning. And we think that people ought to look at some of their planning, that is a result of a lawsuit from the League of Women Voters and the Lawyers' Committee and others, that we filed in 2004, and we actually saw the real benefits of those -- of that planning, and would recommend that more states talk about it.

One thing we wish the EAC would definitely bring to the attention of states and governors and ask them to really come up with some new standards and laws on, is how to help first responders, you know. We talk a lot about the realities of people who were impacted negatively by Hurricane Sandy, who were displaced, you know, the tragedy that families went through. But, one of the most troubling calls we received for the Election Protection hotline, was a call from a captain of a unit of 8,000 out-of-state workers. And they came from all 50 states and none of them, because they were deployed at the last minute, had done absentee ballots. And they all were disenfranchised because they went -- they helped their fellow Americans, but there were no

provisions for them to vote. You know, the governors of those states did what they could for their own internal state first responders, but think about the thousands of out-of-state responders. And we did write, at the last minute, to a lot of these governors in the various states. We wrote to all 50 states and said please do something; absentee ballots, emergency process, you know, implement your overseas ballot process for these out-of-state workers. But I think that, you know, the response was not -- was definitely less than desirable.

So, with that, I'm going to stop, and when we come back on the recommendations I got a whole lot to say there. Thank you so much.

DR. KING:

I hope it's a whole lot in one minute.

[Laughter]

MS. ARNWINE:

Yes, it will be.

DR. KING:

Thank you, Barbara. Jim?

MR. DICKSON:

I'm Jim Dickson. I have over 30 years experience with non-partisan voter registration, education, and accessibility for those of us with disabilities.

I want to commend theEAC for this hearing, and I want to echo something that was mentioned by Don and Lee. There's a lot of data that we still do not have. I think it's extremely important that this session is happening early after the election, but I would

encourage you to look at an additional session when we have much more hard data. In the case of people with disabilities, the data that we do not yet have are, Rutgers University did a poll of 3,000 voters comparing disabled voters with able-bodied voters, looking at both their expectations for how the election would go and their actual experiences. The National Council on Disability, which advises Congress, will be doing a report later this year. They collected many stories, anecdotal stories of actual experiences. I want to commend the Election Protection organization. There are over 400 specific disability issues in the database. And lastly, the U.S. Census will be releasing, later in the year, data on how many people with disabilities actually voted. It will be broken down by category and by types of disabilities. And, in the cases of the larger jurisdictions, there will even be data. There were 14,700,000 people with disabilities who voted in 2008. That's still a seven percent gap between the disabled and able-bodied in terms of voter participation.

Poll worker training is extremely important. Some of the problems that we saw, not only in this election but in previous elections, that link back to poor poll worker training, are the machines aren't turned on, poll workers don't know how to turn on the accessible machine, the poll workers pressure people not to use the accessible machine, poll workers, quite inappropriately, looking at a person with a disability and saying you're not competent to vote. This happens over and over again. That is illegal, it is morally offensive, and it happens lots of times in every election and lots of places.

I want to commend the District because they used testing after training for poll workers. I think that's essential. And, it's not just to gauge what the poll work knows, but it's to teach election officials what points the training is doing well on, and what points the training is falling down on. I also think that the -- as complicated as these elections are -- and God bless poll workers for volunteering, they're the guardian angels of our democracy -- but this is such a complex process that the idea that you can train somebody to run it efficiently in a couple of hours when the last time they did this was a year ago, it's just -- it's a dysfunctional notion. We need testing to see what is being absorbed by poll workers and we need longer training periods.

A problem that came up through the Election Protection data, and which we have seen in other elections, there is need for a best practices on how to help people who are unexpectedly in the hospital on Election Day to vote. In St. Louis County, the Election Protection coalition has tried to meet with the county officials for nine months prior to the election to shake out what the rules would be to assist people who are in the hospital on Election Day. In the case of just one woman who found out on Monday she had to be in the -- go to a hospital for emergency surgery on Tuesday, this voter called the Board of Elections on Monday, called on Tuesday morning. It took six additional calls to get someone to bring a ballot out to her in the hospital. When one of the Election Protection volunteers called at two o'clock in the afternoon, that volunteer was told by the county, we've had so many requests for assistance to vote in hospitals that we are no longer accepting those requests.

In spite of these problems, it was a remarkably smooth election. People with disabilities have a particular concern about the long lines. Many people with disabilities physically cannot stand in lines. Their bodies will not let them do it. We need a best practice on how that should be handled.

I want to conclude by pointing out some recent research that's been done at Clemson, where they've actually taken ballots and conducted time trials to see how long it takes a voter to vote given a particular ballot, given different systems. And there's a couple of very interesting things. This needs more study, so I want to reinforce Paul's point about hard research. Let's make decisions about elections based on fact, not on ideology. But, in the case of the Broward County ballot, it took -- a paper ballot, it took five minutes for an individual to vote. Using an experimental technology, it took less than a minute. I think that we can use actual scientific methods to address and test not only poll worker training, but also, the whole problem with the queues and the whole problem of moving to scale.

Thank you very much.

DR. KING:

Okay, thank you, Jim. Jennie?

MS. BOWSER:

Good morning, I'm Jennie Bowser. I direct election programs at the National Conference of State Legislatures. For those of you who aren't familiar with NCSL, we are, sort of, a part professional organization. We support legislators and staff in all 50 states, and we're also a non-partisan think tank. We do a lot of

research on just about any issue that might come before a state legislature.

In the area of elections, probably the most common information request I get is a legislator or a staffer calling and saying I'm thinking of introducing a bill to do "X." What do the other 49 states do? So, we gather a lot of data and information on state election laws, and also, since 2001, on election legislation in the states. Before 2000, before Florida, Bush v. Gore, we didn't really do a lot with election administration at NCSL. We did a lot with initiative and referendum and campaign finance. But election administration was pretty quiet, and that's because we weren't really asked about it very much. That all changed overnight. The day after the election I sort of started collecting press clips on, you know, Senator so and so is going to introduce a bill to do or representative so and so is going to do that, and the next thing I know the folder of press clips is this thick. So, I dumped it in a spreadsheet, and the next thing I know the spreadsheet is a hundred pages long. And now, fast forward to 2013, I have a very robust database that has, I would guess, between 35,000 and 40,000 bills in it that are introduced in state legislatures to address elections administration, in just about every way you can think of. So, that's a pretty nice set of data, and it goes back for 12 plus years, now. And it allows me to sort of make comparisons how things happened this year, how they've happened in the past.

One thing I'll say about this election and the legislation in the biennium leading up to this election that might surprise you is that actually the volume of legislation was lower than it normally is. The

second lowest total number of bills passed in a biennium since I started tracking legislation on this topic, and the total number of bills passed in 2012, which is, in a lot of ways, a really bad time to pass election reform legislation, the lowest ever. So, in spite of this increasing attention that we have seen on elections since 2000, the vast increase in litigation, litigation has doubled since *Bush v. Gore*, and has stayed that high, in spite of all that and in spite of all the media attention and this sort of voter suppression versus election integrity debate that we read so much about over the past two years, actually less happened than in a normal year.

So, some of the things that did happen, though, were much more highly politicized than they have been in the past, and this is something that I think has been growing gradually over the past decade or so, the politicization of election administration. So, we saw voter ID laws enacted in 11 states during the biennium preceding the 2012 election. We saw early voting periods rolled back in about half a dozen states. And, some of these happened very late in the process. Passing a major election administration change, like voter ID, with just a few months before the election, is I imagine, I'm not a local election official, but I imagine it's probably quite a nightmare to see that happen. And then, we had the litigation that followed so many of these changes. Some of that wasn't settled until immediately before the election. And that leads to a lot of uncertainty on the part of election officials at the state and local level, and also voters. And that leads to confusion. It makes planning very difficult to do. And I think even though we saw less legislation enacted this biennium than we typically do, it was more

controversial, it was more politically polarizing, and it was later in the game than it usually is.

So, having said that though, there were some things that states did that sort of flew under the radar this year, you know. When I talked to the media over the last couple of years about election administration, all anybody wanted to talk about was voter ID, early voting, and voter registration drives. But there were actually a lot of things going on in states around the country that ran contrary to this voter suppression versus election integrity debate that was set up for us. A big one I want to point out is online voter registration. Seven states adopted online voter registration during 2011 and 2012. And I think this is one of the big trends that we have picked out for the upcoming biennium, too. I'm expecting to see a lot of legislation on this. Vote centers, half a dozen states adopted new legislation dealing with vote centers. Registration list maintenance, at least 16 states made dramatic improvements to their list maintenance procedures. Post-election audits, three states adopted major post-election audit procedures including the new risk limiting audits. 36 states, and that's in at least, probably more did something to facilitate voting by overseas and military citizens. Two states have adopted Election Day registration, not in place for 2012 but going forward.

So these are election administration changes that can address many of the problems that we have heard about from so many people already today. Vote centers might help to reduce the number of provisional ballots, improving your registration list maintenance procedure is another thing that can help dramatically

with reducing the number of provisional ballots. Post-election audits can give people confidence that they may lack going into the election with all of these changes at the last minute. At least we can trust the results that we're getting.

So, you know, some of the issues that we're looking for in 2013 I mentioned already, electronic voter registration. There's already voter ID legislation pending in a dozen states this year. Some of the states that tried to pass voter ID over the past biennium were not able to because of partisanship. Maybe they had a governor of the opposite party or one chamber of the legislature was the opposite party. And that has changed this year, so expect voter ID in some of the states that were not able to pass it last biennium. I think there will be a lot more attention to early voting periods. Some of the states that shortened it in the past two years are looking at going back, adding back, in particular, that last weekend the Sunday before Election Day. I think that in view of the storm that hit us just a few days before the election, a lot of states will be looking at contingency planning and how to handle elections in the event of an emergency or a disaster. More on audits, there will be a lot of legislation on the Electoral College. None of it will pass.

[Laughter]

MS. BOWSER:

This is an ongoing game that we play. Every year after a presidential election everybody introduces a bill to change the Electoral College, and nothing ever happens.

But the big one, the really big issue that we're paying the most attention to and really preparing ourselves to support legislation on, is voting equipment. Everybody is going to need to buy new voting equipment in the next few years, and the question of what to buy, and how to pay for it, is going to be a big deal in state legislatures going forward.

DR. KING:

All right, I wish I knew everything that you know about what's coming down the pipeline.

[Laughter]

DR. KING:

I often say that the only law that governs elections is the law of unintended consequence, and how many of those bills that you referenced, in the thousands, produced only the effect that was desired would be interesting research.

Mike?

DR. ALVAREZ:

Thank you, and thanks for inviting me. I wanted to thank the EAC, and in particular, I wanted to also echo Paul's thanks to Emily, who did a wonderful job making my life very easy, in terms of getting here.

Like Paul, I have been studying elections for not quite as long as Paul. He's a little greyer than me, as you noticed.

[Laughter]

DR. ALVAREZ:

He's two or three years older than me. I count my years studying elections at about 25 years, about a quarter of a decade,

which, when I say that, makes me feel pretty old, but quite a lot of experience studying elections across the board and across the world, as well. I've been studying the specific issue about technology and administration since about 1998. And since 2000, I've been involved with the Caltech/MIT Voting Technology Project, which, for the last few years or so, Charles Stewart, my colleague at MIT, and I have co-directed.

I assume most of you are familiar with our project. One of the four presentations that I prepared on the flight yesterday deals with the Voting Technology Project, but I won't give that one. I'll just refer folks to our website, which is votingtechnologyproject.org, where we have a report that we issued in the fall of 2012, right before the election, that summarizes our work, a lot of the academic work, summarizes a lot of our perceptions and research as to what changed since the Bush/Gore election and the litigation surrounding it in 2000, and the 2012 election.

What I'm going to focus on today is, I guess, I will give this presentation again. I do have four presentations open on my desktop here, but what I am going to talk about, and I think it echoes what many have talked about on the panel so far, is really moving towards a really data-driven process of studying, evaluating and managing elections. I think that that, from our perspective, is where the future lies and really moving towards a very data driven process, I think is very important. But, of course, I'm slightly biased in saying that because that's certainly what I do.

And I just did publish a book, as Paul talked about. It's called [Evaluating Elections](#). There's a copy of it sitting here. I'm

not going to flash it, because that would be a little too weird, I think. But it's coauthored with Thad Hall, who has written a lot of -- done a research with myself and Lonna Atkeson, a professor at the University of Mexico. And, in that book we talk a lot about data driven evaluative processes for election administration, and go through a whole variety of different sources of data. And some of those have been talked about today. For example, we talk a lot about how election officials and advocates and academics alike can take better advantage of readily available data, of which there's an enormous amount these days given the web. Many jurisdictions like -- I happen to be in Los Angeles County, which is where Los Angeles is. And my election official, Dean Logan, is here and Dean, in particular, has done a lot of work in association with us in collecting voter and poll worker surveys, which we think has been an incredibly valuable resource in helping Dean and his team try to evaluate their process and think forward through the voting systems -- his voting systems assessment project as to what the future of elections is going to look like in Los Angeles County. We've done those kinds of surveys nationally, as well, as the data that Charles collected in 2010, Charles Stewart. And he -- we have a new round of that data that will be, I think, available sometime in February, in terms of the written evaluation.

Election observation, in the previous panel someone discussed in-person election observation, of which, I find, as an academic, to be one of the most valuable things that we can do, which is to go and actually stand in the polling place and watch people vote, understand the process as it actually occurs, see what

poll workers actually do, see the problems that people face on Election Day. It's been an amazing opportunity for myself.

Election forensics, we can talk about that later if anyone is interested. There's a growing research area in the study of election fraud and methods to try to detect election fraud. And I'm happy to talk about that.

And post-election auditing, we actually just published a book, as well, on post-election auditing. There's a lot of innovation in that area and many election jurisdictions are adopting post-election audits. And that's an amazing source of information for trying to understand how elections are being conducted in a jurisdiction and learning more about how elections can be improved in that jurisdiction.

Now, in terms of some issues that I just wanted to put on the table, issues that can be studied, one has already been discussed litigation and legislation. 2012, in some ways, was this period of stability, legislatively, which I thought was really quite interesting. But, it was also a period where there was an enormous amount of litigation. And, in the pre-election period, the effect of that litigation, I think, is a big unknown. How does it affect voters? Does it affect their confidence in the process? How does it affect poll workers and their confidence? How does it affect the uncertainty that election officials have about implementing elections? Those are many things that we just don't know, and I do think that's something that probably more on the academic side needs to be better understood.

There was this massive -- there's been this massive movement over the last decade towards convenience; that's convenience voting, that's convenience registration, more in-person early voting, all of those different types of reforms. And I think those trends are ones that we're getting data on and I think we really do need to better understand those.

Interestingly enough, it's been mentioned, despite some of these trends towards convenience, we saw, in certain places, long lines. And we do have data on that. Charles Stewart presented some at a Pew event in December, you know. There are certain -- in certain jurisdictions, they seem to be long lines, and why that is, we'll have more information on probably later on.

Provisional balloting has been also mentioned, and I'm not going to steal Dean's thunder because I know he has some data on this, but when I was out in polls on Election Day, in Los Angeles County, with some of my students, we were just amazed to see, in Los Angeles County, just how widespread the use of provisional balloting was. My back of the envelope estimate was that we thought that maybe ten percent or 15 percent of voters in Los Angeles County, where there's a relatively high rate of voting by mail, were using provisional ballots. And better understanding that, I think, is something that's very important. And, again, Dean, I think, might talk about that later on today.

And finally, there's Hurricane Sandy, and there's been some mention of that. And I will return to that in a few minutes.

The convenience voting piece, we need lots of information on convenience voting. We need election officials to report election

returns by voting mode. That is, we need election officials to tell us how many votes are cast at the precinct level, if possible, at the county level, certainly in particular, by voting mode. It's surprising how difficult that information is to get, and as the rise of voting in person and voting by mail continues, it makes a lot of the kind of research that we've all been doing for the last decade, for example, residual vote analyses, increasingly difficult. It would be interesting to know more about the demographics by voting mode. And we have some data on that from CPS and the Pew studies, but we need to know who is voting in different ways. I think that tells us a lot about how, in particular, election officials can improve service by voting mode.

Online registration, I agree, is one of the, sort of, next big things that's not really being talked a lot about. It came into fruition in California this cycle. Dean might speak a little bit about that. Who's registering online? When are they registering online? And, in particular, what effects is this online registration having for the logistics of administering an election? Is that data more accurate than data on paper? Is it less accurate? And with the flood of what I think are last-minute applications coming in online, again, what effects does that have for administering elections?

And then, there's a new trend, which I had the opportunity to study with my colleague Lonna in Bernalillo County, which is Albuquerque, New Mexico, of anywhere voting, you know, voting kind of on demand anywhere in a jurisdiction. It's an interesting trend. It's convenience voting. And I think better understanding

that is something that we would really, really need to know because I do think that's going to be on the agenda in many states.

Long lines, we absolutely need to move away from anecdotes about lines and to quantify lines. We need to understand what the lengths of wait times are. We need to understand who's waiting in line. We need to understand where they're waiting in line. The surveys that Charles has been conducting I think gives us some of that information. But we need a lot more data about that. We also need to understand what happens when people wait in line. Do they turn away? Do they have an inferior voting experience? Does it affect residual vote rates? There's a lot of research questions that we really need data on to understand lines. But really, we need to understand why they arise. We have lots of different hypotheses for why they arise. Is it voting machines? Is it queuing because of registration problems? There's lots of different hypotheses, and I think we do need to understand those better, so that we can better understand how to resolve those kinds of problems.

Provisional ballots, again, this was something I actually tried vainly over the last couple of days to get some information on provisional ballots in 2012. It's very difficult to obtain. States are, I think, not providing the information that we need on the numbers of provisional cast at the county level, and particularly, why they're being cast, what's happening to them, how many are included in the tabulation, how many aren't, and the reasons for the ballots that aren't included in the tabulation, for why they're not being tabulated. We need to understand who the people are who are casting

provisional ballots. We need to understand better all those different aspects of the provisional balloting process, because it's a very important component of election administration today, and it's being used heavily in some states and in some counties.

Hurricane Sandy, I think Hurricane Sandy is a really interesting case study that I really don't have a good handle on right now, for, how, as an academic, we would go about studying it, but I think it's something that we really need to better understand. And I don't know what data is going to be available. I think that the EAC could probably reach out to those election officials to make sure that whatever information they have about the contingencies that they put in place is being kept and made available for research. But I will remind everyone that this is not the first time this has happened. We had Hurricane Katrina. We had Hurricane Rita. We've had a variety of different types of disasters strike during elections. And, as I was watching the Hurricane Sandy events unfold and, of course, fielding you know, all these phone calls from reporters as to what the implications of this were, I was sort of struck by the lack of research and facts that I could point to for a better understanding of how election officials in the past have responded to these contingencies. So, I would urge research there, in particular, on how election officials responded and how that affected voters and poll workers and the process, in general, regarding Hurricane Sandy. And I'd also, you know, point out that there are other similar natural disasters that occurred recently, where there probably is also data that could be used to analyze the

problems and provide some insight as to what contingency plans ought to be put in place by election officials.

Finally -- and I will stop, as a professor, I will stop -- just a couple of quick things just to throw on the table. Jim talked about accessibility. That is an area where there is now, finally, some really good research coming out. And I think we'll see more of that over the coming years, and I really would like to highlight that as an area that really does need some serious focus.

UOCAVA voters, I don't think UOCAVA voters have been mentioned yet today. We still don't know as much as we need to know about who they are, where they are, how they're voting, what their experiences are. We need more information about UOCAVA voters.

Technology was just mentioned. Counties and states throughout the country are going to have to replace their voting systems in coming years. I think we've all forgotten, kind of, that that's going to be an issue very soon. So, I do think that another round of research on what the existing technologies are, pros and cons, the same sorts of things we were doing after 2000 is called for at this point.

Finally, I think that it would be nice for more information about election auditing. Who's doing what kinds of audits? I'm wondering if there's a role someone could play as a clearinghouse for that kind of information. Also, in terms of what the results of these audits are, and how they're being used to improve performance.

So that's it, thank you.

DR. KING:

Okay, thank you Mike. And Dorothy.

MS. BRIZILL:

Good afternoon, my name is Dorothy Brizill, and I run a good government organization in the District of Columbia known as DCWatch. Rather than repeat a number of the issues that have been raised today, I'd like to try to enlighten people as regards my experience on Election Day, and add a perspective as regards to what went on in the District of Columbia.

As Alice well knows, since she served previously as the Executive Director to the D.C. Board of Elections, on Election Day, I regularly go to anywhere between 40 and 50 precincts. And during early voting, I not only visit the eight early voting centers in the District of Columbia, but I visit them multiple times of the day. So, my observations are my own.

In the District of Columbia, we saw it all, we saw the problems with long lines. We had the issue with machines that jammed or didn't function, machines that were used and not used, and staffing that caused problems in terms of opening up some polls. Despite what was said earlier, all the polls did not open in the District of Columbia on time. And indeed, in the District, rightly so, the Board of Elections has a reservoir of poll workers which they had to rapidly dispatch in order to open certain polls. And there was also a problem with opening certain polls because the buildings were not open.

But let me add something new as opposed to something -- some other things. In the District of Columbia, the nation's capital, I

think it's important to focus on what our experiences were. And first and foremost you need to know that the November election occurred with the backdrop that it was the first election that was being planned by a new executive director of the Board of Election, who had been there less than a year, and a new three member Board of Election, who were all political appointees of the mayor. So, I want to paint the scenario that you have, the planning for a presidential election, which everybody anticipates is going to have a high voter turnout, and you have the people who are overseeing that process, both the three member board and the executive director, who are doing it for the first time.

Now, with regard to the District of Columbia there are a couple of things that I think that were unique in the District, and I don't know if it's true elsewhere, for example, the size of our precincts. You're assigned a precinct and you go to a precinct, but in the District of Columbia some precincts are as small as having 763 registered voters, and in the same ward you have a precinct that has more than 7,000 registered voters. So, can you anticipate certain lines at certain precincts? In addition, in the District of Columbia we have polling precincts that have been there for 30 years. They are not the right size. They're not in the right location. They have no bathroom facilities. They're not accessible. But they've been there for 30 years. I have asked the Board of Election, as part of its audit and review post-election, to look at changing the locations. But, also I think the big problem that I observed, and I think that has been alluded to already, is the layout of the precinct. Again, you have precinct captains. You have poll

workers who have been assigned a certain precinct for 30 years. That precinct has been laid out a certain way 30 years ago. It is laid out a certain way today. It did not -- in many instances, did not accommodate long lines. And, indeed, I think the worst situation I encountered were at the libraries, where lines literally snaked through the library up and down as well as went outside the front door. I think every precinct that I went to could use better signage. Signage is terrible at our precincts. You arrived at the precinct polling sites and there were long lines, but you didn't know what line to be on. If you needed to cast a special ballot, there was a separate line for that. There was no signage. If you had registered online, you had a separate situation you needed to be in a different line.

I think most importantly I would suggest the following. We have had a way of doing elections in the District of Columbia and, indeed, I think across the country, for a number of years in a number of ways. In the District of Columbia when you arrive at a polling site, you have to go to a desk, you have to identify yourself, they have to find you in the poll book. Then, you have to step into another line for someone to determine whether or not you're qualified or you can get a ballot. Every step along the way is a different line and a different process. I think that Dr. Alvarez and others are doing innovative work as regards looking at our election process, not doing a kneejerk reaction, and I think that we need to find a way to make it a more pleasant experience.

Let me end by saying this. I believe that elections are very much like a trip to the DMV. You don't go there often, but it has to

be a pleasant experience. My concern is is that, what will voters walk away with, with regard to their experience in November? We already know and are terribly concerned about the low voter turnout in the United States. If -- especially first-time voters, if that hard to reach welfare mother in Anacostia came out and voted but had to wait four hours in line, when we go and ask her to come out and vote the next time, is she going to do it? I don't know. I'm terribly concerned about that. So, while it might seem to be an academic exercise or, you know, we got rid of that one in November, you know, let's put it off until the next presidential, this happens every election, more so during a presidential election, and I welcome the opportunity for organizations such as this to say, look, let's put everything under a microscope. What worked? What didn't work? What can we fix? And we certainly have the minds here at this table and around the country that can do a better job.

Thank you.

DR. KING:

Okay, thank you Dorothy. I want to answer a question that came in via a blog, and then, I have a question about auditing and research for the group. And that will put us about ten minutes away from our summary statements. And Dorothy, we'll start with you, and we'll work back around the table in just a moment.

The question that came in was, clarify the difference between election systems and voting systems in terms of testing standards. Voting systems are fairly narrowly defined as vote capture, vote tabulation systems. And the conformance requirements for those systems are articulated at the federal level

in a document called the VVSG, the Voluntary Voting System Guidelines. At state level, they're articulated, sometimes in statute, but most often in rules and regs. Those are very well documented. Most of the standards are conformance standards and most of them are quantitative in some way, shape or form.

When you get to election systems, those are the systems that kind of surround elections. That could include online VR systems. The testing done there is done by the vendor for the most part, and the jurisdiction at some implementation/rollout/prototype event. Those standards are -- there is no consensus on those standards. Those standards are often not documented. They're not distributed. And so, we have this lack of symmetry in the testing of our election systems in which the voting systems are very rigorously tested. But, in fact, these election systems are typically much less so. And the consequence for that I think is, in current and future elections, is that, very well performing voting systems may be in fact judged as poorly performing because of the interface and the dependency between the election systems and the voting system. So, long answer to that question.

But, here's the question I have about research and data. A colleague, Beth White in Marion County, said something about elections that really caught my attention mostly because she was quoting Tolstoy, out of Anna Karenina, which was that, "Happy families are happy all in the same way, but unhappy families are unhappy in different ways." And her observation is that good elections all look the same. They really do. They all conform to the

requirements. They're highly predictable. But unsuccessful elections are unsuccessful in all different ways.

And the question that I have -- and really, Jennie, your comment about all of the audit requirements that are coming out -- it always strikes me as odd, that as an auditor, that the scope of the audit, the scale of the audit, the subject of the audit, could be predetermined before the event that triggers the need for the audit. And often what we see in election auditing is really -- it's a euphemism for recounting in a different way, when, in fact, the controls that are in place that ensure the correctness of the audit, the controls that should be the target of the audit are not even considered frequently.

So, my question to the researchers is, how could we better align this interest in election auditing with, first, good auditing procedures, conventional auditing procedures, but also make them sufficiently adaptive to the actual events that trigger their need? I'll throw that out to Mike and Paul and Jennie and anybody else.

DR. GRONKE:

I think Mike is the expert. What I would -- I'm not going to challenge an auditor about audits, but I will note that there is, I think, a superb top to bottom election audit report that was done in partnership with Lonna Atkeson, again, in the State of New Mexico. I think, often, audits are thought of fairly narrowly as a recount, but in fact, this report demonstrates the benefit that can be gained from a top to bottom system audit. So, I would simply point anyone to that report and the number of improvements in procedures in New Mexico. The more narrow audit, I think, can be a flag to investigate

more thoroughly processes and procedures, I think. So, I would urge people not to think of an audit narrowly. Even though the trigger may be narrow, I think the audit, itself, is really a top to bottom procedure. You were part of that report I think, Mike.

MS. BOWSER:

Well, I'm an inch deep and a mile wide on this subject, so I'll be very brief. A couple things, one, we did an article in our elections newsletter, maybe, about three months ago, on post-election audits. It's a good resource for people like me who are not auditors, who don't really understand this in depth. And it talks about, not only auditing the election result, but, as Paul said, auditing the procedures and the systems used to implement the election, because those are -- it's taking that step back, after the fact, I think, is a piece that's missing very often.

And my second point would be that this is something that legislatures have not traditionally delved too deeply into because there is that line between, I think, what is appropriate for legislation and what is maybe more appropriate for regulation. And this might be one of those things that needs to be a little bit more flexible and adaptable to the situation, so that the things that we see coming out of legislatures tends to be a bit broader, perhaps, than what's actually happening on the ground.

DR. KING:

Okay, Michael?

DR. ALVAREZ:

I'll try to be real brief about this. You know, in all my conversations with election officials, I think they do a lot of this kind

of auditing, it's just very informal. It's the sense of, we sit around with our staff and maybe some of the local advocates or people who are poll workers, or we just talk about what happened in the election. We have a post-mortem, and that's great, because I think that provides feedback into the process and it goes back towards improving their procedures. With the push towards, I think, more rigorous forms of post-election ballot auditing, and then, other forms of auditing, like auditing registration systems and auditing the procedures, is to try to regularize that and to really make that information available to the public and, you know, interested researchers, so they can also have some part in providing that sort of post-election feedback. But, I think that there's a very big difference between what we talk about when we talk about post-election ballot audits, and what a real auditor talks about when they talk about audits. And, I think that bridging that gap in the next year or two, I think, would be really important for election administrators.

MS. LYNN-DYSON:

Merle, if I might say, I'm pleased with this auditing conversation to note that the EAC, in its statutory overview, which for those of you who aren't familiar with it, it's a compendium piece that we developed a couple of years ago to accompany the Election Administration and Voting Survey, the thinking being that people really wanted a sense of what was going on statutorily in states, so they could actually look at the data in the election -- the EAVS survey, and interpret it better, accurately; case in point, early versus absentee. We, this year, added a question on auditing and -- at the request of a number of academics, advocates out there. And it is

very – I, just this week, was looking at the results, because our contractor has just compiled this stuff. So, stay tuned for that research. That’s something that will be available, probably in about six weeks. And it is a real mix, in terms of the informality, the formality, the procedures, or lack of procedures around this very topic.

DR. KING:

Okay, thank you. Well, we’re going to wrap up now, and if you could limit your comments to about 30 seconds, or so. What advice would you give to your colleagues? What advice would you give to election officials? What do you see as the priorities, as we go forward with assessing this election and planning for the next?

Dorothy?

MS. BRIZILL:

I think the watch word I would -- two watch words is change and flexibility. I think that most election officials and Boards of Elections abhor change. As I said earlier, if it’s been done for 20 years they’re happy to keep doing it the same way. I think everything should be able to be under a microscope and be revisited. And I think that -- I also don’t think you need to make change for changes sake, but I think that they should not abhor change, I think that there needs to be flexibility. I think that the Hurricane Sandy issue raises the issue, that in many states and jurisdictions, our election laws and processes and procedures are very rigid and it cannot accommodate a Sandy, or cannot accommodate a change, and it cannot turn around very quickly.

So, I would suggest change and flexibility need to be the watch words.

DR. KING:

Okay, thank you Dorothy. Mike?

DR. ALVAREZ:

I would say, minimally, certainly the EAC at the federal level needs to keep doing what they're doing, in terms of collecting all of the existing data elements for -- that have been collected in the past election cycles and moving forward.

I would say that some of the other topical areas are ones that I talked about and others have talked about are ones that require study.

And third, I would just like to point out to election officials throughout the country that, probably, in every state there are people who can help them from their universities and colleges. And if anybody ever needs help figuring out who those people are, they can contact people like Paul and I, and we're happy to put you in touch with folks who can assist in those kinds of studies.

DR. KING:

Okay, thank you Mike. Jennie?

MS. BOWSER:

I'm going to echo the call from several others for more data. And there are two particular pieces of data that I would love to have every election, and one is data on provisional ballots. I want to know why provisional ballots are cast. And I want to know whether or not they're counted by category, and if they're not counted, why not. That's information that a surprising number of states don't

even gather. We tried, earlier a couple years ago, to figure out how many provisional ballots were cast for lack of ID, and found that nobody is asking or nobody is quantifying that. When a provisional ballot gets cast, that is, in some ways, an indication of a glitch in the system. It's, you know, somebody's registration is not updated. Somebody who is, otherwise, a valid voter, didn't have ID. Somebody is at the wrong polling place, whatever. And if you can identify the glitches, you can fix them.

The second piece of data that I'd like to see more of is the cost of elections. And this is one that we've been trying for more than a decade to look in to and it is surprisingly difficult, largely because elections are so decentralized. It's a big piece for legislatures in the current economic environment as they consider things that might make elections more efficient and more effective, better run. The cost is a big piece.

DR. KING:

Okay, thank you Jennie. Jim?

MR. DICKSON:

Poll worker training, following up on what Mike just said, you know, maybe election officials should look at local universities where they teach people how to teach. And there's a wealth of data there, on what works, and how to measure what's effective. And you know, we need to take a real hard look at how to train the poll workers, because this is a very complicated thing we're asking them to do, and it's only going to get more complicated.

DR. KING:

Okay, thank you Jim. Barbara?

MS. ARNWINE:

Yes, I think, be creative, encourage partnerships with high schools, law schools, colleges, local businesses, or government agencies, to really improve and diversify the poll worker workforce. I think that's just imperative.

And I want to point out to everyone that New York City and New York State, when the Sandy disaster happened, wrote every law firm in the state and said, please, send us lawyers. And they did. Cuyahoga County used a process this year where they recruited 60 attorneys from all over the country to come in and help them to monitor, troubleshoot, assist poll workers and voters, so more of that. Written plans by all of these, you know, election administration officers, so that we know and have, you know, procedures in place for contingencies, resource allocation, poll worker recruitment, voter education and poll worker training. I just want to say, you know, Hampton Roads, fifth time in a row, we're watching that they have the same identical problems, same identical problems with poll worker misallocation, wrong machines, all kind of problems. And it's identical, so there's no excuse for it. I mean, there has to be some accountability on some of these problems.

Last, I would say that this, EAC needs to come out and support automatic voter registration. Voter modernization administration is the only answer, really, to all of these election registration problems, and it will change dramatically what is happening here, and I think would make it so better for voters.

And then, I would conclude by saying that these voter ID laws people are going to keep trying to bring them up, pass them, et cetera. It's going to be imperative that the EAC work with the states to make sure that where they do pass this voter laws and they survive litigation we bring against them, that they are, in fact, training -- giving people the opportunity to actually get an ID for free, and when I say actually, really making sure that there's some accessibility to the voter ID, because that's a big problem for too many places. And that there's better -- one of the problems, everybody talked about this election was how bad the voter ID information to people with Spanish, who are Spanish speaking, or who had English that's not their first language was. And we just got to get better at that.

DR. KING:

Okay. Paul?

DR. GRONKE:

Three nails and three hammers, the nail number one, you already heard from Mike. There's a lot of call for more data. Academics are very talented at writing scripts and programs that can convert information that state and local officials already have, essentially, the output from your election machines. And we can help you convert that into transparent interoperable data formats that we can use and others can use. So, please contact both of us. This takes advantage of things that academics want to do and they'll do it for free.

Nail number two is, some sort of floor or standardization of access to early voting in your state or jurisdiction. We would not

accept variation in access to the ballots by gender, race, income, education on Election Day, yet we accept it for early voting. Your hammer there is Jennie and the NCSL. There are states that have very good codes in place to put some sort of standardization and have formulas in place for satellite early voting. So, if you're considering that, go to Jennie, talk to your colleagues in other states.

The third nail is the EAC survey, the hammer is me, or other state agencies. And Alice, I have a memo I can send you, but the EAC survey should be issued on a four-year basis, on an ongoing rolling basis, and it probably should be housed at an academic institution, not contracted out the way it is now. I'll talk about that later. But there are examples of federal agencies, such as the DOJ, the Department of Education, Health Statistics that are done this way. There are many, many advantages for doing this. I hope Congress will let the EAC do this.

DR. KING:

Okay, thank you Paul. Elisabeth?

MS. MacNAMARA:

Well, I want to agree with everything that has been recommended here so far, as we're moving around the table. And what I want to add is the observation that although, you know, we're getting trends towards convenience voting, our machines are coming into the -- slowly into the 21st Century, our attitudes towards the system are not, necessarily. In an awful lot of the processes, the legal processes that are still surrounding our voting systems are very 19th Century. To change that we're going -- the public is going

to need to be involved, because legislators respond to their constituents. So, outreach in as many forms as we can with as much information, as much data as we can to make people understand that there is a difference between the politics that happens with one party disputing an election, and the actual process of going to the polls and making your choice is going to be imperative as we move forward.

DR. KING:

Okay, thank you Elisabeth. And Don?

MR. REHILL:

Okay, four or five quick bullet points, I guess. First, I would say keep ballots a manageable length. 11 ballot measures in some states, on top of another 15 statewide races, on top of local races, it's crazy, in some states, the length of the ballot and how long it takes to fill it out. And it has a lot to do with the lines in those states. A lot of it has to do with the proliferation of ballot measures, questions, et cetera, especially in some of the western states.

Change laws allowing mail ballots to be -- arrive "X" days after Election Day. There's 11 states that allow the ballots to be received the day after, up to two weeks after. This, essentially, creates, not an election night, where the tallying takes place by the election officials and us, coincidentally, but an election week, an election two-week period, which I think erodes public confidence and interest and creates a lot of confusion.

Third, follow best practices of some states that seamlessly handle the tallying -- the unofficial tallying of early and absentee

votes on election night. I would mention states like South Dakota, Texas, especially.

Rethink voting centers. I think they only save money, there's probably a lot of data on this, but I think they only save money if there are only a few of them in a county. But, if there are only a few of them in a county, it requires long drives, creates long lines, and creates a lot of confusion, and requires that you have super poll workers who are familiar with everything in the whole county. So -- but then, if you distribute them much more widely, almost as widely as regular polling places, you've sort of defeated the purpose and no way you'll have enough qualified polling place workers.

Lastly, I think early voting, absentee voting, even some Election Day voting for our seniors were mentioned a number of times. And this is going to become, with the country getting older, more and more people are going to be voting from or at nursing homes. I think we need some best practices and some looks -- some close look at the phenomenon, and at ballot security in those facilities and best practices. I don't even know if there's any research on that, at all, except for anecdotal notes that are a little bit worrisome.

DR. KING:

Okay, thank you Don. Alice?

MS. MILLER:

I'll be quick because I know we're running over. Again, let me thank each of you for lending your expertise, your comments, your recommendations. We will take this information, review this

over, and use them for best practices and, as I said, guidance to put out to election officials.

I will just comment briefly on a few of the things that you all said. Jim, with respect to the incidents at the hospital, I personally had that problem with a niece of mine who went into labor the day before Election Day. Needless to say, her challenge to vote on Election Day was one that she needed to figure out how to do. We didn't quite get that taken care of. Even after she called me, it didn't happen. So, that is something that we definitely need to look at.

Also, the idea of seniors, we need to be cognizant of our seniors and how we treat them. The nursing homes certainly do need to get the attention they deserve because those are, you know, in large part, how we got to where we are today. Your history is based on folks who got us where we are, so we need to certainly recognize that they have a place and need to continue to be able to cast their votes.

So, I'm going to stop. My voice is kind of not well. I've been sick for the past two weeks. But, Merle again -- and I want you all to please -- we're going to take a break. We're going to come back with our election officials, both state and local. We've talked about New Jersey and New York. We have representatives here from those jurisdictions and they can obviously lend their expertise to what they experienced with Hurricane Sandy, and how they were able to get through Election Day, even in light of everything that they had to face. So please, we'll start back up again at 1:30.

Merle, if you have any closing comments.

DR. KING:

Well, I just want to thank everybody, not only for your preparation and participation here, but really, for this group particularly, is your willingness and your ability to reach out and reach across boundaries. That's what really distinguishes this group, is your willingness to work with election officials, to share your insights, and to listen to election officials. And I thank you for that, and I look forward to working with all of you in the future.

Thank you.

[The EAC Roundtable Panel recessed at 12:22 p.m. and reconvened at 1:32 p.m.]

MS. MILLER:

All right, good afternoon everyone. I'd like to welcome you back to our roundtable discussion Informing Change and Review of the Events and Issues Surrounding the 2012 Election Cycle. This morning we had a panel of election workers and administrators, as well as researchers, advocates, and media individuals, on two separate panels. And I think we had a pretty lively discussion on that. We're going to continue this afternoon with our state and local election officials. We have requested and gathered officials from the United States, and hoping that they will be able to share, I'm sure they will, their experiences as what they went through in the 2012 election. I mentioned, earlier in the morning session, that we did have officials here from New York and New Jersey, and we all know that they had a very substantive challenge with Hurricane

Sandy that kicked in, not to mention the other challenges that our officials had with changes to their law, to the redistricting and, of course, the lines.

So, we're going to start our discussion. I'm going to again turn it over to Merle King. Merle has led these discussions for us, and he knows how to do this and do it well, so we'll leave it to his expertise and he will give you his logistics on how we want to continue this afternoon, as we did this morning, and begin with an opening statement.

So again, thank you to the panelists. We couldn't do this without you. I say it and I mean it. These are your hearings. They help us to do what we need to do, and get a list, get our issues together for the next round of roundtables, as well as producing best practices.

So, Merle?

DR. KING:

Okay, thank you Alice. And welcome to those joining us by the webcast. And to the panelists here at the table, welcome and thank you for attending.

Earlier this morning, as Alice pointed out, we heard from poll workers, poll managers, researchers, advocacy groups, about their perception of issues that occurred in the election, causation factors and then, perhaps most importantly, recommendations for resolution in going forward. At the end of today we hope to summarize all of those viewpoints and attempt to maybe even prioritize those things that the EAC and states and locals should be looking at, in terms of going forward.

So, many of the topics, for example, poll worker training have been touched on this morning, but it was poll worker training from the perspective of the poll workers themselves. So, many of the issues we will probably touch on again. But what's important about this session is we want to look at these issues from the perspective of the local election official; that is, that office that's in between the development of the legislation and the policy and the voter and the ballot. And you all serve a unique and important and a complicated function in the election process. And we want to make sure that we bring that to the table today, to make sure that we understand these issues, not just from the voter or the poll worker's perspective, but from the perspective of those individuals that are responsible for defining the procedures, implementing those procedures, and then evaluating those procedures.

So, in our hour-and-a-half session, how I'd like to progress is we'll start with Pat. We'll ask, if you would, introduce yourself and talk about those issues that your jurisdiction experienced in the 2012 cycle. And, as we said earlier this morning, we want to talk about, not just Election Day, although that's obviously very important, but we want to talk about any of the preceding elections; the primaries, or specials, anything that impacted this election cycle in a way that's relevant to your jurisdiction. And once we kind of come down through the table, maybe take four or five minutes each to do that, at the very end, starting with Mark, I'll ask you, then, to kind of summarize what you heard here today. Help your colleagues and help those here in attendance to identify, from your perspective, what are the priorities, what are the things that need to

be done better, how can they be done better and what are the things that were done right that we need to institutionalize, make sure that we don't forget how to do those things, in going forward.

So with that, Pat I'll ask you to open and ask you to make your opening comments.

MR. McDONALD:

Great thank you, it's good to be here. It's an honor to be in front of such an esteemed group and being able to discuss some of the issues that we all relate to and have experienced in our particular roles.

My name is Pat McDonald. I am the Interim Director for the Cuyahoga County Board of Elections. I've been the deputy director there for the last five years, so, I've been through presidential elections. And so, we've had our lessons learned from 2008, and we tried to execute better election administration in 2012.

A little about Cuyahoga County, we are the largest county in the State of Ohio, and we're the 15th largest voting jurisdiction in the country. The biggest city in Cuyahoga County is Cleveland. We have within the county 59 municipalities. We have approximately 930,000 registered voters and of those 60 percent are Democrats, 36 percent are Republicans, and the remaining are unaffiliated.

In the 2012 election, we had a 70 percent voter turnout, in which approximately 45 -- 41 percent of them voted either by mail or in person, and four percent voted provisionally. Our vote by mail has been a strong program of ours for over the last five years, where we've executed a great response from the public within the county that now they expect it. And with some Court orders and

some directive changes, it's been a struggle to continue the program throughout the last few years. But, there was a new policy by the Secretary of State this year, that they sent out vote by mail applications to all registered voters within the State of Ohio. It was to provide uniformity and consistency among the various counties. Although Cuyahoga County, in the past, has always done those, some people say it's unfair, because their county doesn't do those, and we have overlapping jurisdictions and many elected officials and school districts and particular local issues.

With that said, I just want to go over a few of the major issues that we had that, maybe we haven't dealt with in the past that was emulated, based off of, you know, such a heightened 2012 media frenzy with the State of Ohio, Cuyahoga County, specifically. That was something that, I guess, we did not expect. We did not expect what was the cause and the effect of being such a heightened state, and being, you know, the state that was focused to make or break the election for the President, or elect a new President. It appeared, and it was factual that we had a President, a vice presidential candidate, or a surrogate in there almost every other day in the last 30 days, 45 days. It caused, you know, caused many concerns and many issues that we had to deal with, especially when they were up in our neck of the woods from, you know, voter turnout to coming down to the board to vote, to the heightened scrutiny. National media was constantly at the Board of Elections asking us questions. That would be the topic for the day, in terms of, on their channel. If it was provisional voting, it was scrubbing the roles, if it was in person voting and so forth. So that

did have an effect on how we were going to administer the election. And I think, you know, that the lessons learned in that particular one, we could have been a little more prepared of knowing what the outcome would have been, in terms of the national scrutiny. I was many times asked to be on -- interviewed by Fox News, and my counterpart, MSNBC, she was on there, so they wanted our perspective on many issues, which caused more local scrutiny of the Board, and more hype in terms of in-house voting.

Another issue that we weren't particularly addressed in, and weren't prepared for, was the third-party interest groups. Besides, you know, the normal political parties and the Tea Party, you had the advocacy groups, you had the voting rights groups. And then, of course, you had the campaigns. And they were all wanting something for their self-interest, you know, at the Board and throughout the county, if it was extending early voting hours or restricting early voting hours, or having weekend hours or not having weekend hours, no Sunday voting. So, everybody had an agenda that they were trying to project to us.

Another issue that I think is important to bring up, here, is that we weren't prepared for, or that caught our attention, is on-going litigation. It was constantly -- election administration was constantly being battled in the Courts. Federal Courts would intervene. The State Supreme Court would have to make an emergency decision. The Secretary of State would decide whether to appeal the decision. So, it caused a lot of inconsistency and uneasiness and unpreparedness going into the election, not knowing how our provisional ballot will be counted, not knowing if

it's the poll worker's responsibility, or if it's the voter's responsibility to fill out the provisional envelope, or not knowing if we're going to have extended hours or weekend hours. So, preparing all of that transcended into our budget, transcended into issues of, you know, do we have additional parking, do we go and get more temporaries, do we open more in-house voting stations. All was contingent on the turnout that would be at the Board, based off of Court decisions and litigation outcome by the Secretary of State and other interested parties.

Early voting became a hot button issue in Ohio. And that's one of the recommendations, I would say as an election administrator, is the need for consistent and uniformity across the state. We witnessed that through many of our issues and through many of the counties, like I just mentioned, as well as vote by mail. There needs to be some consistency and outline of legislation that tells an election official how to administer the vote by mail, the early voting, and extended hours.

Another issue that I want to mention is the length of the ballot that caused us a lot of problems here in the county. It's not just the cost from an additional page, but it's all the other effects it has. It's closing up that evening at the polls, reconciling the three pages versus two pages, and six sheets of tabulation. It is gathering all those ballots up and putting them in the bags and bringing them down to the Board of Elections. Then, what do you do with them? Just that extra page caused us to have to go out and get another supply bag per precinct per location. We have 1,063 precincts in the county and 423 locations, by the way. The

length of the ballot, you know, is very expensive. And then, to mail that out with a robust vote by mail program that was, you know, difficult and a challenge for us not only to send that out and to put it in an envelope and place it appropriately in an envelope that it has an appeal and can get to the voter in a way that they can fill it out and send it back, but it's an additional cost, then, for the voter to have to send back their ballot. But that was one of the challenges that we faced.

And then, I'll close with two of our biggest challenges that I think -- and this is, maybe, in the -- when I'm speaking next on the lessons learned and advice and things that we need to improve upon, is, I think two of the biggest areas is managing the polling location, as well as having the right polling location for the precincts within there. We have -- Cuyahoga County, we have multiple precincts within the locations, and it's very difficult to pass on information from one precinct to the other and to make sure you're consistent in getting it right. So, I think it's important that we do have one individual that can manage that location, if it's a coordinator, or if it's a manager of the location that can have basically a checklist and make sure everything is being done properly and every precinct within that location is correctly fulfilling their obligations and following the law and the regulations that are established.

And lastly, I think it's the physical layout has to be revisited. There has to be a maximum number of precincts that a location can only hold. And I think to add on with that is that the -- you have to be prepared to increase the size of the staff and the machines and

your processes. It's being able to scale up for the more larger locations that you might have. So, I think that's important and that's one of the areas that we need to address, too, as looking at, one size doesn't fit all, and we don't look at one system and process for every location. We need to make sure that we look at the size of the location, as well as the management of the precincts within the location.

Thank you.

DR. KING:

I think one thing I'd like you to be considering in the closing statement is advice that you would give to other jurisdictions that find themselves as a battleground state. And I think earlier today we heard that there were ten states that were identified as meeting that criteria. For some, perhaps like Ohio and Pennsylvania, that's kind of plowed ground, in many ways, but there were some states that for the first time found themselves under that scrutiny that you referred to, and particularly, the third party interest group engagement. And so, maybe one of the things that you could talk about in the closing statement is advice that you would give to other jurisdictions that find themselves with that designation as a battleground state for the first time around, thank you.

Betty?

MS. WEIMER:

Hi I'm Betty Weimer. I'm with the General Registrar of Prince William County Virginia. I'd like to Pat's statements, ditto.

But, presidential elections, we've known through the years, are very, very busy. They're busy for the staff. They're busy for

election officers. And being a swing state and a swing county, we knew we were going to have the scrutiny also.

So, to begin with, we planned to do additional training for our election officers. We set up summer classes. They are great election officers. They came in on a volunteer basis. They learned how to refresh their skills with voting equipment, electronic poll books, the statement of results, the forms that we have to use. They came to get prepared because they knew Election Day was going to be extremely busy. Then they came again for additional training. We saw our officers multiple times over the summer and fall, and we appreciated all the time they gave us to take the responsibility to be able to give good service to our citizens.

Several things that occurred prior to the Election Day caused some administration snags. We had some processes changed on us, through the State Board of Elections trying to assist our voters, and we had to realign how we did business to accommodate additional hours for in-person voting. We also had, and willingly, very willingly, changed our processes to help the citizens who were going to help the folks who were involved in Hurricane Sandy. I can say I'm sorry that it happened to our neighbors to the north, but we were in that line at one point in time and I'm going, thank you, we didn't have to deal with that. But we wanted to do whatever we could to help the folks that came up to help you all get through that. So, that changed our process a little bit. I apologize, I have laryngitis. So, the processes changed a little bit. We managed by changing how we administered our daily work.

As Pat said, one of the things that we dealt with were the different interest groups that wanted to make sure that our citizens were able to register and get their absentee ballots. Two of those processes, we encountered the -- we were at a satellite site that one of the special interest groups, that had not come to us for training, set up outside and it was confusion to our voters because the folks would sign up at the table for voter registration, and then they didn't -- when they would call us because they had not received their notification of registration, we said we hadn't received their applications yet. And we have so many, the helpful groups, that they could get them to us, instead of going to a central area, and then coming back to us. That would cut the time down, so we could process the applications and notify our voters that they had been registered.

The absentee applications that went out to the voters in the mail by the parties and by special interest groups, some of them had their return envelopes, went back to a central location instead of coming directly back to the registrar's office of that locality. Again, we are grateful for the assistance, but we also -- having it go through that type of process, delays the office getting the applications and getting them back to the -- getting the ballots to the voters. So, we'd like to work on that process a little bit with the folks out there who are helping our citizens with registration and with absentee voting.

One of the things that we encountered on Election Day that was a huge surprise, and I've heard mentioned today, was curbside voting. We, typically, in a general election, and even in a

presidential election, have less than 200 voters at the outside polls. This time, we had probably four times that, and that takes away from the staffing inside the precinct because we have to accommodate the voter outside. And we learned that we're going to have to in the future provide for that service more than we have in the past.

So, we have some things that we've learned about what we need to look at for the future. We are going to look at equipment and election officers in the precincts. By statistics, historical statistics, you figure out how many voters you have and what their voting record has been, and if you need to put more equipment and more people in a precinct. Well, we're going to add another dimension to this, and we're going to start adding the demographics for our voters. We found, in doing testing after the election, by going back and doing tests on our -- running tapes on our voting machines, that some of our precincts that are more established and they have a good steady voting record, that they move through the voting equipment, between one and two minutes a voter. The folks that are in a more transient area that did not use our equipment very often, we found that it was taking them between two and four minutes to go through the ballot and process through. So, we need to look at both that type of demographics to be able to better serve our citizens.

Thank you.

DR. KING:

Okay, thank you Betty. Lance.

MR. GOUGH:

Yes, good afternoon. I'd like to thank the EAC for the invitation to speak here today. My name is Lance Gough. I'm the Executive Director of the Chicago Board of Election. I've been the Executive Director for 24 years.

Some of the items that we – positive items for this last election was over 75 percent of our registered voters voted. About 28 percent of those voted early, used 51 of our early voting sites. We had very, very minimal lines in the evening. It was in the morning, something that happened -- that's happened a couple elections, between six in the morning and 11 in the afternoon -- or early morning, we had about 60 percent vote, which was a huge turnout. Could you imagine a poll worker setting up the equipment, opening up the doors and a flood of people coming in? In the past, it's always been a steady stream, big hit in the morning, lull in the afternoon, big hit in the evening. This was a big hit first thing in the morning and it kind of surprised a lot of our poll workers.

Some of the other items that was -- impacted on our election was redistricting. Redistricting is usually completed by December of 2011. We didn't get our results or information until July of 2012. So, we were already behind. In fact, Kim Brace from Election Data Services spent about two months in my office. We were working doing this redistricting. It was quite intense, and we just barely got it done before we started doing our mailing to all 1,400,000 registered voters to let them know what polling -- what Congressional, legislative representative, precinct ward, and polling place where they'd be going to vote. So, that was a big impact.

Another item was that we were charged with reducing our budget. It's funny, you know. The city, as a lot of municipalities around the United States, got hit with a deficit and we had to reduce our budget, so, one of the ways of reducing our budget was eliminating precincts. So, we went from 2,538 precincts to 2,034 precincts. So, we eliminated over 500 precincts, which put a strain on us because that made that the other precincts just that larger. But luckily we were able to handle that.

Another item was that for the primary election. Since the President of the United States, who is from Chicago, didn't have any opposition, so our primary election our turnout was about -- 28 percent was our turnout. And most election officials know that the primary is a test for the general election. Well, we had all these people who had not voted in over four years, didn't vote in the primary, and they show up on November 6th and wanted to vote, and have moved twice already. So, these are some items that impact heavily on, you know, conducting an election.

And the last one was our political leaders from different parties wanted us to extend the appointment of election judges. According to our state statute, the Democratic Party and Republican Party appoint our poll workers, what we call judges of election. They wanted to extend -- one party wanted to extend that. What made it that much harder for us, to train 11,000 judges in a four-week period. So, we were having classes going, about ten or 15 classes a day for a three-week period. So, that impacted on us.

But overall, like I said, we made it through this one.

DR. KING:

Thank you, Lance. Dean?

MR. LOGAN:

Good afternoon, I'm Dean Logan. I'm the Registrar-Recorder County Clerk for Los Angeles County. And, I too want to thank the EAC and Alice for putting this together, and especially for putting it together so quickly after the November election. I think it's really important to have these kinds of discussions when everything is still fresh on our mind. And already, this morning it's just been a wealth of information, much of it echoed by my colleagues on this panel, and I will try not to repeat too much of that. Obviously, each of our states and each of our jurisdictions have different characteristics, and the nature of the election impacts that, as well.

In Los Angeles County, and more broadly in California, this presidential election cycle was characterized, from my perspective, by four major impacts. First, which has been mentioned, was redistricting. So, we had voters seeing incumbents who either were familiar to them or not familiar to them on the ballot, or in some cases, two incumbents both familiar to them on the ballot in the same contest. We had, in California for the first time around, a top two primary election, so our primary election had fundamentally changed. So, in addition to having new incumbents on the ballots, we also had contests where we had, in the general election, two candidates of the same political party on the ballot, which was new for voters the first time.

We also had the expansion of our language requirements, based on the Census data, so LA County went from eight additional languages, other than English, to 11 languages, other than English,

in written form, and actually about 12 or 13, in terms of verbal assistance, in terms of bilingual poll workers. So -- and that was an interesting challenge because the two new languages that were added for us were actually language categories rather than specific languages. So, we basically were given the category of Asian other not specified and Asian-Indian which, if you begin to do some research on that, that's really literally hundreds of different languages, so trying to do the demographic analysis to figure out which languages and where to target those in the county was certainly a challenge.

And then, the final impact in California, was, we transitioned to online voter registration, but we did that, literally, within a month-and-a-half of the November election. So, the state went live with our online voter registration application in mid September, prior to the November election. And I think there's some really interesting data from that for those were saying on the earlier panels about the desire for data. We have really good data to, I think, demonstrate that, what I think we've all believed about online voter registration, is, if you build it, they will come. We did a relatively low profile rollout of that in California, and literally, from the time that it was turned on, the switch went on, until the cutoff for the voter registration deadline, we were just swamped by applications. And it was highly successful but, obviously, that close to the election, a lot of impacts. It also serves the demographic that in presidential years we all talk about, and that's trying to get to the 18 to 29 year old voters. It was very clear in our statistics that the online voter registration application significantly impacted their participation and

their ability to get engaged in the process. So, we were pleased with that.

What we didn't expect from that, and you heard some of this, again, on the earlier panels, is, we did see an increase in provisional ballots in our county and in the State of California. We have a very, compared to the rest of the county, a very liberal policy about provisional ballots. And so, they are a form of convenience voting in California, in addition to being a failsafe method. So, we had a lot of voters that when they registered to vote online or updated their voter registration online they checked the box on the online application to become a permanent vote by mail voter, another option that's available to all voters in California. So, there were two impacts of that. One was the timeframe. We started this in September, which is also the time when we're mailing out the vote-by mail ballots for the election. So, now voters have updated their voter registration or become a new registered voter and indicated that they want to be a permanent vote by mail voter. So, when they show up on Election Day, if they have not received the vote by mail ballot the roster shows them as a vote by mail voter, and unless they have that ballot to surrender at the polling place, then they must vote a provisional ballot to make sure that we do that crosscheck. So, we had a significant number of voters who either did not understand that they had requested to be a vote by mail voter on the online application, or had registered on or just before the deadline, so there was not time for them to receive that vote by mail packet. So, that drove up our provisional ballot count.

The good side of that story is, while we had a historically high number of provisional ballots, 85 percent of those provisional ballots were deemed to be valid ballots and counted in the final election. So, I think that's something that we always emphasize, in California, is that provisional ballots are, in fact, a positive thing in terms of the way they're administered in California because we count the vast majority of those ballots. That leads to the point that the AP made in the earlier panel. We also have a long period of time to certify our election, and if there are close contests that means that it takes a long time to get definitive results in California. We, typically, have a third of the vote remaining to be counted after Election Day in LA County, and that does extend through a 28-day canvas period. So, that was a phenomenon, both in California and in neighboring states, that seemed to get more attention in this election cycle. It's somewhat interesting because the media seemed to treat that like it was a new phenomenon. It actually is that way in every election, but it seemed to get more attention in this particular election cycle.

So, I think that the story of this election from the perspective in LA County and in California was that we had a successful election. And I think it was an example of election administrators collaborating with interest groups and stakeholders to try and address a lot of issues that hit us, some expected, some unexpected. And I think we successfully navigated those in ways that we haven't always been successful at, in the past.

I think the kind of in-game story of this election cycle is, there are still a lot of issues out there on the table, issues that were

identified four years ago, six years ago, that we have still not adequately resolved. So, we have not stabilized the voting systems and the election equipment. There's been a lot of discussion this morning about the need to replace voting systems and the need to have funding for that. Part of that dialogue has to be that even with the funding there aren't viable and scalable systems out there to replace the current systems with. And what is available out there isn't, from my perspective, trending with the voter behavior that we've heard about this morning; the desire, the expectation for there to be convenience and options for voting. All of those are symptoms. We did a pretty good job, I think, in 2012, of addressing those symptoms and getting through the election cycle. I think the expectation, now, that we're hearing is that you need to do more than just work around those, you need to systematically be prepared for those expectations before we get into another presidential election cycle.

DR. KING:

Okay, Dean, I want to follow-up with a question. You raised the criteria of convenience as an attribute of a voting system, and I think I've heard that term mentioned at least three times in prior groups today. What strikes me is that with the last large rollout of voting equipment, we heard in many cases for the first time, security of voting systems. And then, we've heard transparency and auditability of voting systems. And we're now taking a fresh look at accessibility of voting systems, particularly in dealing with things like cognitive disability. Do you see convenience, and I don't

mean that in a pejorative way at all, but do you see convenience as moving into that set of criteria for selection of voting systems?

MR. LOGAN:

I do. Maybe more so than convenience, I would say options. I think that if we are to maintain and even increase participation in elections, we need to be consistent with the way in which our voting public participates in other activities in their lives. And that is dominated by options. And that goes to the issue that was raised earlier today about what is the voting period? Is it on a single day, or is it over a certain period of time, and what are the expectations of that? But, I also think that it's important to look at that in terms of -- on the voter's side in terms of our customer service delivery, it's about options and convenience. On our end it's about administrative efficiency and cost effectiveness. And the reality is the way we're conducting elections today and the way we conducted them on November 6th is not administratively efficient, and it's not cost effective. It may be effective in a broader term. We had an effective election, a successful election, but down to many -- again, many of the symptoms we heard about today, the need for poll worker training to be clearer, and voters to be better educated, those, from my perspective, are symptoms of a system that's not designed for those kinds of things. We're asking poll workers to do more today than was ever contemplated when the idea of having community poll workers was conceived. In my jurisdiction, trying to serve 12 different languages across, you know, 4,800 different polling place on Election Day it's not a model that's sustainable.

DR. KING:

And one last comment before I move on to Dawn. And I think it's very valuable, Dean, to have individuals like yourself who are both an election official, but also a county clerk, engaged in the discussion about the next generation of voting systems. For those of us that deal exclusively with voting systems, we're a bit myopic, at times, I think, about where we see e-government solutions going. County clerks, on the other hand, their offices are filled with applications that provide the kinds of services, at a level, at a cost point, that their constituents are looking for, beyond just voting systems. So, I really like that perspective that you bring. And, as I said earlier, many of us are following what you're doing out there with potential system development and, in part, it's because of the insights that county clerks bring to that process beyond just the voting perspective. So, thank you.

Dawn?

MS. SANDOW:

I would like to thank the EAC for inviting New York City here today. We're excited to give testimony. My name is Dawn Sandow and I'm the Deputy Executive Director of the New York City Board of Elections.

I know everybody wants to hear about the contingency plan for Superstorm Sandy, so I'm going to start there. Upon learning of the approaching storm, the board developed and implemented a contingency plan. All poll sites in Zone "A's" were identified and their locations were reported in advance to Con Edison and the Long Island Power Authority, so that any power outages at

designated poll sites could be addressed prior to the election. The planned delivery of equipment and poll worker training classes all had to be rescheduled in anticipation of losing access to critical computer files. Senior staff made copies of all pertinent documents essential to the election operation, such as poll site lists, poll worker contact information, and delivery schedules. Backup files for essential computer services like the voter database were brought to the disaster recovery location at our Queens office. A backup email system was established to ensure internal communications could be maintained. Aware of the potential for severe flooding at our Staten Island facility, we sought and received permission from the State of New York to move all voting equipment out of the facility into the armory, which was quite a feat. We were on the phone, I think, from nine p.m. to seven a.m. waiting for approval to move the equipment out.

The storm hit the Sunday -- the storm hit, I'm sorry, the city on Monday evening October 29th and continued into Tuesday, October 30th, one week before the general election. The electrical power and telecommunications capability were lost at the executive office disabling our main computer service and restricting access to critical data. The Manhattan borough office was similarly affected. The dedicated members of our staff reported to whatever borough office or voting machine facility they were able to get to, allowing the agency to resume some operations on Wednesday morning, October 31st. Board staff immediately began the process of confirming that each poll site could still be used for the election. This proved to be quite difficult. Initially, we learned that there was

120 poll sites that may have to be relocated due to damage, loss of power, other issues that made them unsafe or otherwise unsuitable. During this time, we worked very closely with Mayor Bloomberg's office and governor staff. The board sought alternative sites, which enabled the voters to exercise their right to vote, thank God. In the end, we moved 61 poll sites. We rescheduled deliveries, reassigned poll workers, notified voters, all within less than a week of the election. The poll site locator was updated, newspaper advertisements were placed, and we notified community groups and media outlets in an effort to inform the voters of these emergency poll site changes. In addition, we posted this information on our website and distributed an informational flier in storm-affected areas regarding the poll site changes. We set up shuttle transportation for our super poll sites for Breezy Point, Rockaway, parts of Queens and Brooklyn and Staten Island.

Since many of our poll workers were affected in these areas, they were overwhelmed with their own personal recovery efforts, we mobilized every resource possible to recruit replacement workers and made sure they received training prior to election. We received a lot of help from our good government groups, which they came in with hundreds of poll workers that we needed, which was great. And also, it was nice to see the mayor's office, the governor's office and everybody working together to make sure that this election was successful.

I believe Pam, you want to talk about the executive order which was another.

DR. KING:

Thank you, Dawn.

MS. GREEN PERKINS:

Good afternoon. Thank you for having the city board participate in this roundtable. Dawn and I are very excited to be here and to have the opportunity to share our experiences, but also, learn from the experiences from the other counties across the nation.

Like Dawn stated, I'm going to talk a little bit about the executive order, Governor Cuomo's executive order, how it affected us on Election Day. And if there's time, I'd also like to talk just a little bit about the redistricting process, because that had an effect on us, as well.

Expecting a larger than normal turnout for the 2012 general election, the board ordered 250 affidavit ballots for each election district. With over 5,200 election districts in the city, more than 1.3 million affidavit ballots were printed. Just before five p.m. on Monday, November 5th the board received the governor's executive order allowing voters in New York City and four other designated counties to vote by affidavit ballot at any poll site in the State of New York. In response, the board printed over 60,000 additional affidavit ballots in-house. The board received and fulfilled over 120 requests from poll sites for additional affidavit ballots, with the first request received at 8 a.m. on Election Day. To date, we have over 300,000 affidavit ballots for the November 6th general election, and more affidavit ballots are still coming in, as I speak. We just was informed today that we received some more affidavit ballots from

Nassau County that we just received. So, there you have it. By comparison, we had fewer than 190 affidavit ballots for the 2008 general election. So, that will just give you an idea of how the executive order affected provisional balloting.

Not only that, I think also, one of the things we experienced was there were poll sites that were just running out of affidavit ballots. And to credit these poll workers, they went above and beyond to make sure that the voters had some way of casting a ballot. Some of them, if they ran out of affidavit envelopes, they went to the nearest Staples, used their own money and bought envelopes and put the voter's ballots in those envelopes. At one point, there were some poll sites in Brooklyn that ran out of affidavit ballots and we had no more ability to print them in time. We had to use absentee ballots. We had to get them from the borough office to the poll site.

So, I think the executive order was a good idea, but to have learned about it the day before the election at five o'clock, when most of our staff are being sent home because they have to be at our borough offices or at a poll site by 4:30 in the morning, and sometimes at four o'clock in the morning, it just didn't work out well for us. And then, there were a lot of news stories, I'm sure you heard, about long lines and the waits.

One of the things we experienced, although Dawn and I did not get to go out, we usually go out, but because of all the things that were happening, we were stuck in the office, but one of the things that we received feedback from government groups and elected officials about poll site management. And when I was

listening to the panel earlier this morning, I can appreciate, even more, the importance of management queues. There was many bottle -- we had stories of bottlenecks, not so much at the machine, but at the check-in table, the sign-in when voters came to sign in and sign the book.

So, we have a lot of lessons learned from this experience that we have already started working on making some changes, in terms of our poll worker training, the whole poll worker curriculum. We are looking at a lot of things related to how we even send our techs, our technicians out to the poll sites. We're looking at changing that process.

MS. SANDOW:

I think the positive things, which we did, the past two years preparing for 2012, which we were excited about, and then the storm came, we have our ballots on the web, Poll Site Locator, Q&R code. We had informational posters in all the poll sites, so when people were walking in, they could scan the Q&R code and look up their address. It takes them right to our website. It would show them which ED/AD they had to go to, so they wouldn't have to wait in line. So we were, you know, we were all excited about all these new implementations. And getting hit with the storm, you know, people were coming in that never voted at these poll sites before.

Personally receiving the information at five o'clock or 4:45 the day before when we were getting calls that same day from elected officials saying, is there an executive order coming down, and we had no idea and, you know, getting it at five o'clock put us

behind the eight ball. But we did what we had to do. We managed. We got in touch with the printer right away, although they're in Rochester, and affidavits were trying to get through in certain areas. The truckers were coming in with affidavits. Sometimes they weren't getting through because there was police stops. We had people trying to deliver and running out of gas and there was no gas stations with gasoline. So, we had people running out trying to go to official stations where we could get gas trying to fill up these trucks to get the affidavits out to the poll sites. All in all, we got through it and there were some lessons learned.

I think we had a -- we did -- with our registrations, we had 642,460 registrations for 2012. But, in the period between 9/14 and 10/13, 297,290 registrations came in. What we did was hire an outside agency, so we had our staff working from nine a.m. to nine p.m. and this outside agency worked from nine p.m. to nine a.m. in the morning. We processed every registration. However, lessons learned, I would have kept the agency -- the outside agency on to help with the absentees, because they came flooding in at the last minute.

What we did is, in Manhattan, they lost -- our Manhattan facility lost their power, so we moved their absentee to their voting machine facility. In Staten Island, they were completely -- had no office up until the day of the election. On Wednesday and Thursday and Friday they were actually doing absentees out of the van in front of the office, running up with a Dem and Rep to clock in with a battery backup for the stamp machine. So, we tried to keep

things moving as best we could. But, I know Staten Island and Brooklyn and Manhattan...

MS. GREEN PERKINS:

And Queens.

MS. SANDOW:

Well, Queens got, I think, all their absentees out, but Manhattan and Staten Island, I'm sure there were people that did not receive their absentee ballots due to the storm.

MS. MILLER:

The law of unintended consequences that Merle refers to quite frequently, so I think you all are to be commended for the job that you did do in the circumstances you were working under.

There's no question about that.

[Applause]

MS. SANDOW:

We couldn't have done it without the New York City Police Department, the Mayor's office, the Governor's office, League of Women Voters, Election Protection. Everybody came together for us and we're so appreciative.

MS. GREEN PERKINS:

And there were some first responders who did not live in New York State that came to help. And my only feeling bad about that was that we were told that there were some first responders that wanted to vote in New York State and because, as we all know, our election laws are not that flexible, they could not. And there were some of them that did because we saw the affidavit ballots and they couldn't be counted.

MS. SANDOW:

Yeah.

MS. GREEN PERKINS:

That was, you know, the downside of -- one of the downsides of this.

DR. KING:

Okay.

MS. GREEN PERKINS:

May I comment a little bit or do you want to wait?

DR. KING:

Well, we're going to come back, because I think there are several questions that we'd like to drill down a little bit on the experience that you had and mostly to talk about maybe some ways in which your experiences can be disseminated to other jurisdictions so that they can have the benefit of those lessons learned that you referred to.

Let's pick up with Mark, and then we'll come back.

MR. WOLOSİK:

Well, that's a tough act to follow.

[Laughter]

MR. WOLOSİK:

My name is Mark Wolosik. I'm the elections division manager from Allegheny County, Pennsylvania. Thank you for inviting me here today.

Just a little bit of background. Allegheny County is located in western Pennsylvania, our county seat is Pittsburgh. Like Cleveland, we have about 930,000 registered voters, 1,319

precincts, subdivided into 850 different voting locations. We have 130 municipalities, 45 school districts, local Court, Minor Claims Court, jurisdictions. We are one of the few states that a portion of the local poll worker, the district election board is elected. There is the possibility that a judge and a majority and a minority inspector of elections can be elected in each precinct. So, in the four year election cycle, we certify over 25,000 separate contests because many of our is run by precinct.

The main administrative issue that we saw in 2012 is one that didn't happen on Election Day. And by that I mean is that the state legislature, at the beginning of 2012, passed a somewhat restrictive photo voter ID law. That was to take full effect in the presidential election and was in place at the primary election. But it was characterized to be a soft rollout, where it wasn't required, it was just requested. The ID requirements of Pennsylvania are that it must be government issued, it must have a photograph. And it, basically, is your driver's license, a passport, a local government issued picture ID, or a state ID from an accredited state institution. And that's it. If you don't have that, you are going to be required to vote a provisional ballot on Election Day.

The difficult thing in the training that we saw was in that it was only requested at the primary election, and only 20 percent of the registered voters showed up and voted. We knew that the bulk of the people that the issue that we were going to have was going to be the presidential election when, obviously, the turnout is highest. We had about a 70 percent turnout which translates into 630,000 registered voters. And it's interesting, listening to these

larger jurisdictions. Pennsylvania does not have early voting. We don't have no-fault absentee voting. So, you know, out of the 630,000 people that voted in Allegheny on Election Day, only five percent of them voted early. 95 percent of them voted in person on Election Day.

So, as a result of the law that was passed, it was immediately challenged, made its way through the Courts, through the Commonwealth Court, to the Supreme Court, back to the Commonwealth Court. And all this time we had to prepare as if we were going to have full-blown photo ID requirements for the November election, which means all the election administrators changing all the forms that you hang up at the polling place. Doing all this we scheduled dedicated training just for voter ID and provisional ballot training, because we expected that many voters would show up without it, because the estimates were that up to 10 percent of the registered voters in Pennsylvania were not going to have the required form of voter ID on Election Day and would have to vote provisionally. We found out the Commonwealth Court issued its ruling on October 2nd which was, what, five weeks before the election. And coincidentally it was the first day that we scheduled our photo voter ID training for election officials. So, we went through with the process. It's a little difficult to train your poll workers for something that may be in effect six months from now, may be in effect a year from now. But the way the law stands right now, is, it will probably be in effect for this coming primary. We don't know that yet. We trained about 4,200 election officers out of the relatively, about 5,000 that are required to attend training in

Pennsylvania. And it was a success because we were able to reinforce the provisions for provisional ballot voting because, as we've heard before, it's a relatively complicated process in filling out all the paperwork, and the last thing that you don't want to happen is for a voter's vote not to count because an election official didn't sign off on an envelope.

Another issue that we saw that was surprising to me that, even though we doubled the amount of phone lines and staff on Election Day, was the incredible amount of phone calls that we received on Election Day from voters. The state, over the summer, did a mailing to about 100,000 voters in Allegheny County telling them that they may have an issue with their voter ID on Election Day, so to contact their county board to verify that they would be able to vote on Election Day. We had about a fivefold increase of voters who called to verify that their first and last name matched on their driver's license versus their first and last name on the voter rolls. And that became a point of mini controversy over what substantially conform is. The phone never stopped from July until September. As soon as you hung the phone up it was another voter calling worried about that they were going to have to cast a provisional ballot on Election Day. As a result, we doubled the -- we had to order double the amount of provisional ballot supplies. We doubled the amount of provisional ballots. We doubled the amount of provisional ballot receipts. And luckily we only had 3,800 provisional ballots on Election Day. So, it was a non-event. It was a non- issue, but that's the kind of event that you like to have.

In terms of our voting equipment, we had relatively few issues with it. We had a couple reports of vote jumping, which is a funny thing, because if the system truly was jumping your vote the system wouldn't tell you that -- the person you touched the screen for doesn't show up on your review screen. Those are calibration issues. I think we only had two of those.

And luckily our Election Day went remarkably well. It's the first time -- I've been there since 1970. I've been the elections director since 1991. I think this is the first time I can recall that we weren't a swing state. The difference in not being a swing state is incredible. It is so much easier to conduct your election when you don't have the local media, you know, wanting to do a story every day, the national media wanting to do a story every day, all the advocacy groups, all the candidate groups, you know. It's just so much easier. You should all experience it both ways, I'll tell you that. And I guess the other issue that I've heard and that we are seeing is that the average age of our poll workers in Allegheny County are 65 years of age. Although we had a lot of people volunteer this time to be a poll worker based upon, you know, the high turnout. I suspect that next primary we will get very few requests from anyone to want to be a poll worker that isn't a poll worker. You know, the high-profile election, everybody wants to be involved. I suspect next primary we'll go back to our 20, 25 percent turnout and people will be complaining that we have too many districts, and too much voting equipment, and look at all the money we're wasting that's not being used. I don't think the general public understands it's really difficult to design a system that is able to

accommodate 80 percent of the people showing up on one day and six months later be economical and to accommodate the 20 percent turnout that you have. People just don't understand that. And I don't think we do a very good job of educating people about that, as well.

So, that's about all that I have.

DR. KING:

Okay, thank you. I'd like to ask a question of our colleagues from New York about, if you will, the lessons learned. Every jurisdiction prepares for contingencies with the fervent hope that they won't be used. And one of the things that we know about IT related disasters, in general, but elections in particular, is that they're incredibly human intensive events, is that very little of it is automated, most of it requires eyes on, hands on. And what we know is, in natural disasters, people go home. And so, the notion of commanding a large staff of individuals through an extended and protracted natural disaster is really a management challenge.

But, if you could talk about some of the things in your contingency plan that worked as good as you had hoped, and then, maybe some other things that you had not anticipated, or you didn't anticipate by scale or difficulty.

MS. SANDOW:

One of the frustrations for me, the biggest frustration, was that we had -- we had, in some of our voting machine facilities, backup generators. Our biggest problem was in the buildings, our contact information, they couldn't tell us what kind of generators we needed for those buildings, who had the specs, who didn't have the

specs, you know. It was a runaround. One of the lessons learned and we're still dealing -- I mean, we have five borough offices, five voting machine facilities and an executive office. So, what we did, right after the general election, lessons learned, is our facilities manager is meeting with every one of the contacts of the building management to make sure we have the specs; what kind of generators, what kind of kilowatts, so that we don't go through that again. I mean, we wasted...

MS. GREEN PERKINS:

Hours, hours.

MS. SANDOW:

...almost two days with one of the facilities. We gave up on Manhattan, and just took everything that we could out and moved it someplace else. And, you know, New York City was -- we were trying to hold an election. I know other people were concerned, there was a lot going on. But, just to have that information at our fingertips would have saved us a lot of time.

MS. GREEN PERKINS:

Yeah, we needed that so that we could give that information to the Governor's office, to the city office. They were trying to help us get generators, but they needed the number of kilowatts and all of these, you know, voltage. And we had none of that information. We had none of it. I mean, we had to spend days trying to track down one of the managers -- the building manager, so we could contact him, our facilities could contact him so that he could get -- contact who he needed to contact, so we could get that information. So, that's a lesson learned and I think is something that, you know,

we want to share with everyone. That information is critical to have it at hand so you can use it.

MS. SANDOW:

And I think persistency. I know, too, with the -- you know, we knew -- our Staten Island voting machine facility and the office is right on the water and it was -- I was just persistent. I was not giving up. I mean, they were not giving us the okay. You know, you knew -- you know, the storm is coming and I'm telling you, we need to get this equipment out. We need to get it to the armory and move it. And just the red tape back and forth, you know, with Homeland Security, and well there's been a change in shift now, and you need to give me the information all over again. And, honestly, I did not get a response. It was seven o'clock in the morning and there was no response, and we had truckers on call. And I just emailed them and said my truckers are at the facility, they're taking the equipment and they'll be at the armory, and I hope somebody is there to open the door.

[Laughter]

MS. SANDOW:

And 20 minutes later, we got the okay to move the equipment. So, you know, just -- you have to be persistent. I know that working with some of these agencies, you know, we were promised the world for the first three days, and that started to dwindle as time went on. So, like I said, we were thankful to the good government groups that came to help.

I think what saved us, what I think is important because we all have our computers and everything is on computers, we're so

reliant on this, and I think by having all our borough offices print out all this information was a Godsend. When Mayor Bloomberg, he opened OEM for us and we had -- we were able to go in with information showing poll sites, amount of voters, you know. We had everything printed out. So, doing that saved us as well because all our systems went down.

MS. GREEN PERKINS:

One of the lessons learned, I just have to share this, with the redistricting process was that, you know, we had two redistricting. We had one for the Congressional. We got the lines on March 20th. March 20th was the first day to start circulating petitions for the federal primary. Okay, so just keep with me, if you can. So, March 20th we got the lines. March 20th was the first day for people who were running for Congress to start circulating petitions. So, you can imagine the kind of calls we were getting because they wanted to know what their lines was.

During that process we were also preparing -- we were conducting -- we were finishing up...

MS. SANDOW:

No, March 20th was the special election in Brooklyn, as well.

MS. GREEN PERKINS:

March 20th was also a special state Senate election in Brooklyn because there was an unexpected vacancy. So, we were working on that. And then, June 26th, which was the federal election, we were also set up for preparing the petitioning process for the September primary for state Senate and state Assembly. So, we had those systems that we had running, registration

systems, because if you wanted to register for the federal election you had a different Congressional ED/AD than you would have if you were going to be in -- voting in the primary. So, all these dueling systems and dueling events that we were dealing with at the same time created a situation where we had staffing issues. Our staffing -- our staff was working from nine to five and some of them were working until midnight. This process was continuous throughout, I would say, maybe February.

MS. SANDOW:

It started in February.

MS. GREEN PERKINS:

It started in February.

MS. SANDOW:

Seven days a week.

MS. GREEN PERKINS:

Seven days a week.

MS. SANDOW:

Nine to nine.

MS. GREEN PERKINS:

Nine to nine, and in some instances nine to midnight. And then, there was one time where we were doing the processing of the registration forms for the general election where we had two shifts for one borough. We had a nine a.m. to nine p.m. shift and we had a nine p.m. to nine a.m. shift in order to get all of this done. One of the lessons that we learned for the federal election, we sent out poll site changes only to voters whose poll site had changed. We thought if there was a poll site change and that voter knew their

new poll site, they were good to go. Not anticipating oh, yes, I'm at the same poll site, but I vote for Charlie Rangel, he's not on the ballot, there's something going on. What is the board doing now? What tricks are the board up to now? So we got inundated with calls, you know, my Congressman is not on the ballot, they're giving me the wrong ballot. We spent a lot of time on that day dealing with those kinds of calls.

MS. SANDOW:

And conspiracy theories.

MS. GREEN PERKINS:

And conspiracy theories as opposed to, you know, maybe being able to address some more substantial poll site problem/issues. But for us, I was like, in hindsight, if I had to do it all over again, we should have, and this is an important lesson learned, we should have...

MS. SANDOW:

We should have sent out a city-wide mailing.

MS. GREEN PERKINS:

To everybody. This is your ED/AD. This is your Congressional...

MS. SANDOW:

With budget constraints you're trying to like save everywhere you can.

MS. GREEN PERKINS:

And so, that was one of the important lessons learned that I wanted to share with folks because when you were talking about

your redistricting issues, you know, I felt your pain Lance, I really did. So -- but that was something that we learned.

DR. KING:

I certainly want to reinforce, I think, a request of a lot of people, not just myself, that you memorialized some of these events for the benefit of your colleagues, but also, I think the people in this room are the exception to the rule, given our long tenure in elections. Most of our colleagues, this was their first redistricted election, and the next time we have a redistricting it will be their first. And capturing this institutional knowledge about just what you have relayed, I think, becomes extremely important in our professional obligation to our colleagues of sharing those experiences. So, I hope that you not only continue to tell this very powerful narrative of what you all accomplished, but that it eventually becomes memorialized in a way so that it can be shared and become part of a curriculum for training election officials.

I have one question that I want to ask the larger group here, and then, I think we're going to be about time to start through our summary. In the sessions that we had this morning, where we heard from poll managers and poll workers, and also, from researchers and advocacy groups, the issue of poll worker training came up frequently, and it came up again here today. And we have many metrics that we use for the discussion of poll worker training. We'll talk about the number of hours that we require. We talk about when that training is provided. But, we very rarely talk about how we measure the effectiveness of that training rather than anecdotally. That is, if your election went well, therefore, it must

have been because of the training. And many of us suspect that there may be a very loose connection sometime between that.

So, I'd like to ask this group about your perspective on poll worker training. How do you measure its effectiveness? How do you develop the curriculum? How do you ensure that the curriculum is fresh and is mapping, to what will be the real needs of the voters as they come into the precinct?

Lance, start with you.

MR. GOUGH:

All right, we have a mandatory four hour training for poll workers, and after that we have them all take a test. And if they do not pass the test, we thank them for their time and won't assign them. We still pay them for coming in and taking the class. So, we do offer \$50 for a training class, but it's for four hours.

What we've done is to back-up the poll worker training. We have what we call is a polling place -- a PPA, a polling place administrator. We've made them mobile, now, where they do four or five precincts, where they've had several days training on the equipment, procedures, and they can go in and help the poll workers if they seem to need help. And they roam from precinct to precinct. They each have five or seven precincts that they visit. And that seemed to work out very well this election. It's just that, you know, these bodies when you have all these people showing up at one time, first thing in the morning, they're bouncing from polling place to polling place. They got a real workout.

DR. KING:

Okay, Betty?

MS. WEIMER:

Prince William has -- we have about a four hour -- two-and-a-half, three hour, sometimes four-hour training class for the major groups. But we also, like I said earlier in the program, we do special training on our electronic poll books, which is several hours. We do -- we provide one for the voting machines. My talented staff has put together some web-based training classes. And the election officers have really been appreciative of that.

We do a survey. It's called the Election Night Midnight Survey. And we send it out to our chiefs and assistant chiefs, I believe, and they respond back what went well, what did we -- you know, what do we need to improve on, how did your training get you through the day, what do you see that we need to emphasize. And so, we work with the chief officers, and then again, with the regular officers during the day and we collect data from them to improve our training. And so, each election we hope that that improves.

Our election officers, we had a meeting with them this past Monday night, with the chiefs and AOs. They had nothing but great things to say about our training staff and they felt that the training got them through the day, even though they had long lines and they had a lot to deal with. Voters have said our election officers were very nice to work with. Under the circumstances, they did a great job. So apparently, we've done something right. We want to keep improving and keep moving forward.

DR. KING:

Yes, Pat?

MR. McDONALD:

Yeah, I would just like to add, we do have the same requirements and are mandated with the four-hours training. But, we also are mandated after the election, then, to do a performance assessment on all the poll workers. And there is a scoring system, so they have to meet that scoring system to be retained or rehired as a poll worker. And there's 27 different criteria, from anything from, did they open the polling location on time, did they give out the right ballot, did they provide the right support for the provisional voter, a litany of different things and criteria that they have to be able to have done correctly to make the certain level of grade in the performance review. So, it's tough to be a poll worker. I mean, it's one day a year, maybe two days a year. We require them four hours training, as well as, then the night before the election they have to attend an organizational meeting, basically get into the location, do an inventory on their supplies, set up the machines, lock it all down, and then, be there the next day at 5:30 for potentially a 17-hour shift. So, we don't pay them much and we ask a great deal of them. So, I just wanted to add that.

MS. MILLER:

It's one thing to train poll workers and we've all done that. But the question is, are they able to retain and implement, you know, what they've been trained to do. And performance on Election Day is a whole other aspect of this training mechanism, you know, that comes forward. And so, the fact that you assess, and they have to score in order to be invited back is also something that we need to be considerate of, as well.

DR. KING:

Okay, we'll have one last comment from Dean, and then we'll start our summaries.

MR. LOGAN:

We employ similar mechanisms in LA County. We do an inspector report card after the election that usually focuses on six to eight particular portions of the election, where we provide them feedback about how things went, whether they were successful. And that's with the idea that we're going to retain these people to come back again. We also require the inspectors, in addition to the in-person training, to take our online training component and to get a passing score in order to maintain their position as an inspector. With the need for 28,000 poll workers, generally, we still let them work. Just not as the inspector. But, I think, to Alice's point, and points that were made earlier today, I think this is a critical component for future discussion, because if you're going to employ -- if you're going to get some adult education expertise, in terms of how you develop your curriculum, how you present the training, and if you're going to develop effective online curriculum there's a cost of that, and it's a cost that is very worthwhile in terms of its delivery. It's not a cost that you can sustain if from one election to the next all of the rules are changing. In Mark's case, it doesn't do a lot of good to create a great video training on the voter ID law that's thrown out the week before the election. So, that's part of the difficulty with the training element is, we try to retain the same people, bring them back, they don't do it frequently and every time

we're rewriting the manuals and rewriting the training books. So, it's a challenge.

DR. KING:

Excellent point. Mark, if we could start with you, and let's take about a minute to summarize what you think are the most salient points that we talked about here with this group, and what advice, what priorities that you would advise for your colleagues or for the EAC to consider, as we go forward.

MR. WOLOSİK:

I think what we've heard is the difficulty that we have in training, recruiting, measuring the performance of poll workers. And, you know, we can do as much as we can ahead of time administratively, but when we hand that suitcase of election supplies off, I mean, it's basically out of our hands. I mean, we are totally relying upon these people in the field to do it.

As Dean said, there's been so many changes in law over the last ten years. There was never provisional ballots, failsafe voting, you know. So, the process just becomes more complicated every election. I think that's a difficult thing there.

And also, to be more flexible or creative in being able to send out supplies for people on Election Day. We don't -- we're a pretty traditional county, Allegheny County in Pennsylvania. Some of the things that I heard that other counties do is a pretty good idea in order to help get rid of lines on Election Day and take care of problems that happen, those kinds of things that typically you don't -- we haven't been faced with lately.

DR. KING:

Okay, thank you Mark. Pam?

MS. GREEN PERKINS:

Well, I think one of the things -- some of the things I've heard today is this continuing, is resounding, is of course, poll worker training is very important, it's crucial. It's a crucial element to what we do, because that's when -- that's our début with the voting public. So, we got to get it right. We don't get to reschedule. We got to get it right, so I think that's important.

I think being flexible, having people around you that can think outside of the box, that are not afraid to take chances, that we have to embrace the technology that's out there. I think these kind of roundtables are helpful, so that you can see your colleagues across the country and learn from one another through these kind of roundtable discussions.

But one of the things I also think is important that I have a pet peeve, personally, with the City of New York is the funding and with the legislature. I don't mind if they change the legislation. I think we should have input into it, quite frankly. There's a lot of the legislation that has to be changed because it's not -- it's no longer in tune with the technology, our voting technology, so they have to change that legislation. What I have a problem with is when I -- my agency constantly goes to our funders, the City of New York and the city council, and we're chronically underfunded. When -- change the legislation that creates more work, more tasks, requires more staffing to get the work done and there's no funding behind it, it's called an unfunded mandate. That's what we call it. And that's been one of our biggest problems in the City of New York.

DR. KING:

Okay, thank you. Dawn?

MS. SANDOW:

I heard a few things here today that I'm definitely taking back, and one of them was the senior service center. I thought that was excellent, and I think it's something that we want to discuss when we go back.

One of the major issues everybody spoke about, poll worker training, but also the recruitment. We did recruitment for two years. We started in 2011 into 2012 to be prepared for the presidential and 27,000 -- we received 27,000 applications. That's a lot. Out of those 27,000 applications, by the time it's processed and into the system, we walked away with maybe 2,800 new poll workers. So, you look at the effort that was put in and the overtime in going to all these events to recruit, and you're saying is it worth it? This is something that we've discussed at our city council hearings. They need to raise the salary for poll workers. They're there at five o'clock in the morning now, and some of them don't walk out that door until 12 o'clock, one o'clock in the morning, two o'clock in the morning. They're hit with so much more responsibility. And you have -- we have a lot of good poll workers that are walking away. They don't want to do it. And, you know, they also, you know, get a bad rap sometimes, you know. Everybody wants to blame the poll worker. And they put in all those hours and they deserve, you know, an increase. That's another issue.

Like Pam said, we don't mind. We want change. We want to see things better. But with that you also have to give us the staff

to do it. We rolled out the new voting machines in 2010. We have an EVS department, electronic voting systems unit, in the general office. Well, there should be one in every borough office. We're literally taking staff, okay, you from poll worker, you from absentee, time to read PMDs. There needs to be an EVS unit in every borough office. And we can be starting analysis right after the election, because these people are dedicated to that, not that they're doing poll worker payroll or absentee. So, a lot of it is budget, and we need more staff to get this work done, poll worker recruitment and definitely poll worker training. I listened to everybody and this is one of our goals this year, is poll worker training. We're looking to try to change our manual, do a troubleshooting guide, because we feel like something has to give. It's quite difficult and we -- I'm interested in talking to Dean after this is over. But we have a six-hour exam. They -- a six-hour training, plus an exam, that they have to take and we still have the same issues at the poll sites.

DR. KING:

Okay, thank you Dawn. Dean?

MR. LOGAN:

I guess my hope is that over the next year or two we can try to move to a broader perspective of looking at what is the future of elections going to look like in this country, rather than simply trying to patch the leaks from the last election, the last three elections in some cases. I think we've demonstrated as a profession that we're pretty good at patching leaks, and then getting through experiences. I mean, we've heard the herculean efforts that took

place in response to Hurricane Sandy. We've seen how jurisdictions have dealt with the changing legislation at the last minute and the variances in our voting systems over the last few years. But, I think what we need to do is to define where it is we're trying to get, in the future, and begin to build coalitions. We've got some great examples, again, from the experience in New York and New Jersey, as well as some work we've done in California, that there is a willingness to collaborate amongst the stakeholder groups, amongst Election Protection, the League of Women Voters, language assistance groups, disability groups. If we can come together and define the root of the problems and define where we want to be in the future, so that we know when we're developing voting systems what standards those voting systems of the future need to built for, so we know when we're trying to decide how to deal with the long lines, have we actually asked the question about whether or not people should be in line at all, and those types of things.

And two examples of kind of issues that I think are on the horizon that have had very little discussion – well, one has had more discussion than the other, but for those of us who do significant amount of vote by mail, the changing nature of the postal service is something we have to address. It's -- vote by mail has been incredibly successful, certainly on the West Coast, but it's been successful because it's been intuitive, because voters are used to getting their mail. But that's a generational thing. The next generation of voters aren't used to using the mail. And there may not be mail in the future, or it certainly may not be mail six days a

week, and that type of thing. And we need to prepare for that especially those of us who have over a million of our voters who are signed up to automatically receive their ballots by mail and receive their sample ballots through the mail.

The other one that I think is one that's kind of hiding in the background but that could have huge impact on us is our reliance on signatures as a form of validation and verification, whether it be nominating petitions, ballots, you name it. The reality is that they're not teaching penmanship at school anymore, and signatures are not going to be a reliable source of verification. And there's so many places in our process where we rely on that signature as the means of validation or confirmation. And, at least in circles I've been in, there's been very little discussion about what can replace that and what can take that place? So, I hope that we can look at some of those bigger and broader issues rather than simply trying to put duct tape on a system that we've been sustaining for, you know, 15 to 20 years.

DR. KING:

Thank you, Dean. And now, about 30 seconds each, if we could. Lance?

MR. GOUGH:

Okay, 30 seconds. I agree with Dean, but until we have an actual meltdown on elections I don't think things are going to change. Elected officials have always been elected this way and they've always counted on this. Until we have an actual meltdown on an election, I don't think -- which is really sad to see any major changes...

MR. LOGAN:

You sure it's your meltdown.

MR. GOUGH:

Yeah, that's what I'm saying. Thank you so much Dean.

DR. KING:

Yeah, I think I may soften Lance's description. Until we stop working the miracles in the way that we have in the past, and maybe that's another way of saying a meltdown, but I think that's really how it works.

Betty?

MS. WEIMER:

Well, I would like to see us move forward, again, to try to provide a streamline system for our voters that's convenient. Again, as it's been mentioned before, the more in tune to how our generations -- different generations vote and move forward that way, and incorporate style of living with our voting so it's up-to-date.

DR. KING:

Okay, thank you Betty. And Pat?

MR. McDONALD:

Well, I would just like to end with some advice for the swing states and then...

[Laughter]

MR. McDONALD:

...move. And you guys were almost there, you know. For one week Pennsylvania was in play. Anyway, with that being said, I think you need to work with the policymakers to resolve any controversial issues that are party driven that will affect the training

of your poll workers and the administration of the election. We can't wait until the last moment for some of these major issues to be decided. We need to include third parties into the process, be transparent and open for their input. Seek opportunities where they can provide input and a meaningful exchange of information. I think we need to organize our efforts for the media, control the message and drive it, drive the stories. Don't let them be, you know, chasing you after the story. You come up with the story and then implement it. I think we need to brainstorm with our partners out there in the community, elected officials, to look at all the contingencies in play for when we get inundated with an onslaught of elected officials, the politicians or their surrogates, as they come into the -- come into your areas and across the state.

Lastly, I'd just like to add that I have not heard here today, we too often blame ourselves and the poll workers and the training. But I think there needs to be a level of responsibility put on the voter. There needs to be some personal responsibility that we promote out there, if it's PSA's, or paid media, is basically that they have a responsibility to update the voter registration. They have a responsibility to change their name if there's a name change. They need to know or search out and seek where do they go and vote. They have to make those kinds of decisions to understand the candidates and the issues and bring a proper ID that is required to the polling location. So I think it's, you know, it's a partnership between us and the poll workers as well as the voters out there.

Thank you.

DR. KING:

Okay, thank you Pat.

MS. MILLER:

I'm going to be quick because I know we're out of time for this particular panel. But, I just want to, again, thank you all. Herculean efforts, as Dean said, is not only from the State of New York and New Jersey, but by all of you. So, we appreciate it. You're miracle workers and just keep up your good work.

Thank you again.

DR. KING:

Okay, thank you Alice. And for everybody who participated and everybody who joined us on the webcast, thank you. We're going to take about a ten-minute break, and then we're going to reconvene with a group of panelists that represent state election officials. So, again, thank you and safe journey.

[The Roundtable panel recessed at 3:06 p.m. and reconvened at 3:18 p.m.]

DR. KING:

Thank you and welcome back. We've just been given the high sign that we're back on line and want to welcome all of the folks that are joining us on the webcast at www.eac.gov as well as CSPAN.org. And welcome to the final session in today's roundtable discussions on Informing Change, lessons learned from the 2012 election cycle.

Our last panel today consists of state election officials and Doug Lewis from the -- the Executive Director of the Election Center. A title very similar to my own, it's kind of confusing, but --

and Doug, certainly has both a state and a national perspective. And that's really what we want to do in this final session today. We started out this morning with looking at the election issues from the perspective of the poll workers and the poll managers. We then worked up through advocacy groups and research organizations, up through local election officials. And now, what we want to do is to look at many of those same issues, I suspect, but look at it from the state perspective, from that larger aggregated perspective, where sometimes you can see context of activities that can appear isolated and disjoint at the precinct or at the county level.

So, to that end I'm going to ask Bob to begin, and to introduce yourself, your organization, a little bit of your experience in elections, perhaps. And then, share with the group your insights into the issues of the 2012 election cycle, and particularly connections that you can make between the symptoms of what we saw, perhaps long lines, but, more importantly, the causation of those issues. And hopefully, we will continue to connect those dots as we begin to look forward for policy and procedural changes in subsequent elections. As we go around the table then, at the very end, when we summarize, we'll begin with Doug and we'll work backwards.

So Bob, if we could start with you.

MR. GILES:

Thank you. And I want to thank the EAC for having me here today.

A little bit about myself, I was a county election official from 1995 until 2008. In 2008, I became the Director of the New Jersey

Division of Elections. While I was with the county, I was an investigator, a voting machine technician, assistant supervisor and supervisor. So, I'd like to think I bring a good county perspective to the state when we make decisions at the state level, that my experience allows me to take into consideration what the counties have to do. And, as New York explained earlier, in the earlier session, that the decisions we make at the state level have a definite impact. And, I view us as the coach, and we throw the plan out there, and if we don't have a good team that can execute the plan, then it doesn't happen. So, New York did a fantastic job with their elections. I want to say kudos to them. And, I'd just like to thank my colleagues around the country for all of their support through this difficult time. It was nice to know and hear from friends, you know, in states like Illinois and Washington that, you know, they had us in their prayers, and really, were thinking about us. And it was nice to hear a kind word and have good support from them.

So, what I think I'm going to do today, if it's okay, is just to a high level, similar to what New York did in the last session, a high level overview of what New Jersey went through, sort of a timeline, so maybe everybody can have an understanding of why we made certain decisions and things that we did do.

So, Friday October 26th, knowing the storm was coming, but not knowing where it was going to hit was very difficult for all the states along -- in the Mid-Atlantic region there. So, one of the things we did, as state election directors, we got together and actually had a conference call with Louisiana and Mississippi to

discuss their experiences with hurricanes and having elections after hurricanes, and trying to get as much insight as we could from them. And they were extremely helpful in helping us to develop a quick plan of action that, basically, had to be implemented within days.

After those calls, I had conference calls with the county election officials and started laying out the plans that we needed to get in place statewide, so everybody was on the same page. Unfortunately, you know, there was only so much we could do, not knowing where the storm was going to hit, at that point. So, a lot of what we were doing was contingencies and who was going to be impacted and who wasn't. So, unfortunately it became a waiting game after that.

So, we also, on the 26th got a list of all of our polling places to our state board of public utilities, so they could get that out to all the utility companies, get us on the list to prioritize the polling places, as locations, to get power back on after the storm. So, that was very helpful to get that out, and get that out in front so that when they were putting together their teams of where they were going to send crews to get power back on, they were aware of where we needed help immediately.

So, like I said, there wasn't a lot we could do over the weekend. And then, you know the storm hit. And then, October 30th we conducted conference calls with the counties to begin the assessment of damage process. We had them reach out to their municipalities, talk to their local town clerks, find out what polling places were still going to be available, who had power, what polling

places were damaged. So, that process began on the 30th. Then, on Wednesday, the 31st, based on the information we were receiving at the state, from the counties, we began to put together a plan of action that we could implement statewide.

Then, on Thursday, November 1st, the state released the first of six directives, which they were given the authority under Executive Order 104 to issue these directives. The first one was to extend the deadline to apply for a mail-in ballot by mail, from Tuesday, October 30th, to Friday, November 2nd. And just for a point of reference, we call our absentee ballots, mail-in ballots now. We no longer call them absentee ballots, so, if I reference mail-in ballots it's similar to the absentee ballot in other states. We also directed that all election offices be open a minimum of 8:30 a.m. to 4:30 p.m. the Friday, Saturday, Sunday and Monday before the election to allow voters to walk in and get a mail-in ballot, vote them and return them that day. We also relaxed the law that an individual could pick up and deliver ten mail-in ballots to voters. Basically, in New Jersey we have a law that you can be a messenger and pick up a ballot for a voter, return it to them, but we had a limit of ten per person. So, we relaxed that for individuals designated by the state, or county election offices, so they could assist in getting ballots to voters who were displaced and living in shelters. There were no limits put on these people that were designated by either the state or the county. This directive also waived the requirements that a poll worker had to live in the county where they work. There were so many displaced people that there was a concern some of the hard-hit counties might not have

enough poll workers. This allowed a county to use poll workers from a neighboring county that were already trained. We're fortunate, in New Jersey, that 19 of our -- well 18 of our counties use the same voting machine, so, it was easy to swap poll workers in and out from county to county. This directive also waived the requirement that a waiver from the state is required to move a polling place more than 1,000 feet from the boundary line of an election district or precinct. This gave the counties the flexibility to find polling places, especially in cases where people weren't even allowed in their town, such as a barrier island. Those towns were completely off limit, so, in those cases, they had to find polling places in other towns on the other side of the bridge for people to vote.

On Friday, November 2nd, it was at this point, there were still 900 of New Jersey's 3,500 polling places were not available either due to loss of power or damage. And, it became very real to us that the counties were going to be finding and moving polling places right up to the last minute. So, the state began to really push the availability of a texting tool we had been working on, for voters to find their polling places. And basically, the Pew Center has a project, a voting information project, that the states provide them with their polling place information. They have -- and they provide that information out, so it can be put on apps on phones, on websites. And the one we were particularly interested in, Mobile Comments, created a texting tool. So, we thought that was the easiest way to get information to our voters, just simply, you know, dial 877-877 with the word, where, the last of your address, and

then, it would send you back to your polling place. So, you didn't need a fancy app, you just had to text that. And we really felt that was going to be a very valuable tool for us to use knowing that polling places were going to constantly be changing.

Then, on Saturday, November the 3rd, the state issued three more directives. The next one, the directive allowing displaced voters to vote by fax or email, the same military and overseas voters are allowed to. Basically, this was in response to hundreds of emails and phone calls we received from displaced voters, whether they were in Pennsylvania, New York, Connecticut. Just -- it was too late for them to get a ballot by mail. There was no way they were going to be able to get back into the state, or they had nowhere to return to. I think one of the comments that really hit home with everybody in the state, a gentleman, basically said, I've lost my house. Please don't let me lose my right to vote. So, that was something that we took to heart and really did what was necessary to get these people the opportunity to vote. With that, the state also extended the deadline to apply for a fax or email ballot to five p.m. Election Day with a return deadline of eight p.m. on Election Day.

In this directive, the state also extended the deadline to receive mail-in ballots from November 6th to November 19th as long as the ballots were postmarked by November 5th. This was in response to extending the application deadline earlier. And, the fact that there was definite interruption in postal service from the storm.

The next directive was realizing not everyone would have email access to the state, allowed displaced voters to vote a provisional ballot at any polling place in the state. And basically, this, at least, guaranteed them to have their votes for President, U.S. Senate, and the state questions counted. We also, in that directive, said if there were any other common ballots that those would be counted as well, any other eligible offices. So, if you move from county to county but you're still in the same Congressional district, we would count your Congressional. If you just happened to move from one town to the other, we would count your county races, as well. So, it was all hinging on where you vote in the state, and we took that into account when we counted your ballot, so you would be eligible for as many races as possible.

The next directive was in an effort to notify as many voters as possible, the counties were directed to provide notification to voters about changes to polling place locations by using county websites, reverse 911, PSA announcements, newspaper notices and posting notices of all - - at all available polling places informing voters of the new location provided it was safe to do so. And, in a lot of cases, as I said earlier, they couldn't even get into the town so that was not possible in those situations.

Then, on Sunday November 4th we began a series of conference calls with advocates and interested parties to ensure they were all informed and we were all on the same page. This was an important partnership in assisting the state in getting the correct information out to the voters. This group included the ACLU, the League of Women Voters, Disability Rights New Jersey,

and the Center for Public Interest. We work with those groups on a regular basis, and so, it was nice to bring them in once we had an idea of what direction we wanted to go as a state. And they were extremely helpful getting the word out, advising us on any issues that they were coming across. We were in constant contact with them through the election, so I want to thank them and their effort through this process.

Then, on Monday, November 5th, by the end of the day all polling places were established without the need for mobile voting units or tents. The counties were able to do this through the use of generators, and/or moving and consolidating polling places where necessary. The statewide voter registration system was updated and a final file was sent to the Voting Information project team for use with a texting tool and websites. So, a phenomenal job by the county election officials getting polling places up and running, finding alternate polling places, and just really doing a yeomen's task to get that done.

Then, on Election Day, November 6th, due to the remarkable response by voters to the vote by fax or email, it became apparent that even after a tremendous effort by the county clerks, they would not be able to process all the applications in time to meet the deadline, so the stated issued a fifth directive. The deadline to submit an application by fax or email remained the same, but the county clerks were given until 12 p.m. on November 9th to issue these ballots, and the voters were given until eight p.m. on November 9th to return the ballots by fax or email. The thought process there was, if you're in line on election night at eight o'clock

and the polls close, you still get to vote. So, the thought here was, if your email or fax ballot request was into the county clerk by the deadline, that should be treated no different than standing in line. So, the state took the approach of extending that to give the county clerks the ability to get ballots out to all of our displaced voters. The county Boards of Election were directed to count these ballots in the same manner as a provisional ballot to ensure the voter did not cast the ballot at a polling place or submit any other paper ballot.

Then, post election on Friday, November 9th, the sixth directive was issued extending the deadline to certify the election until November 21st for the counties and December 11th for the state. December 11th was selected because that was the deadline to notify the winners of the Electoral College, so we couldn't go beyond that date. So, everything worked backwards from there. And also, as a result of these extensions, the deadlines to request a recount or file an election contest were also extended. So, that was our overall high-level timeline of what we did.

And a couple of things we -- outside of that, that I just want to comment on. The texting tool I spoke about, in New Jersey, we had 138,710 hits on that texting tool, New York had 58,500 hits on that tool, and the rest of the country had 46,211. So, New Jersey was 57 percent of the hits on that texting tool. And again, I give that credit to all the people that helped us get the word out, and to the BIP team for putting that together. And in addition to that, we also utilized another part of the Voting Information Project was that there were other look-ups via Google and Microsoft, and I know

they ended up having a total of 25 million look-ups via Google and Microsoft tools, combined. The tool was imbedded in over 600 websites, like CNN and Facebook. So, when you went on Facebook that day, there was the information to find your polling place. So, it was -- these tools were so important to New Jersey, because of all the changes that we were stressing to voters, to know before you go. So, even if your polling place was someplace on Sunday, that didn't mean it was going to be the same place come Tuesday, because maybe the power was on, then the grid went down and we had to move it. Maybe, you know, we thought it was going to be open, but it wasn't. So, we really stressed to utilize one of these tools on Tuesday before you went to your polling place.

There was a comment earlier about the out-of-state emergency workers. And, that was a very difficult issue for us because they came from all over the country to assist us. They dropped everything, just put their lives on hold to help us, and, you know, when they -- and when they left they weren't thinking election. Like many people, they didn't think about the election until that morning. So, they were calling us and asking what, if anything, we could do. I know some counties gave them access to laptops and tried to reach out to their home state. So, what we did with a lot of them, we allowed them to vote a provisional ballot, we accepted them, and mailed them back to their home state. And just -- you know if their home state was willing to count it, that was much as we could do legally for them. So, that's maybe a discussion issue for the future, you know, if you get in that situation,

even though you're not the state, you're Alabama, having nothing to really do with the storm, but you sent 1,000 linemen to help New Jersey. So, that's definitely a future discussion item.

And, I guess, there's been some post-election debate, you know. It's very easy to be a Monday morning quarterback, whether we did too much, or we didn't do enough. I can say New Jersey had a 67 percent turnout. Considering it was a week after a Hurricane is very impressive. And I give a lot of credit to our voters in New Jersey for really wanting to, you know, sometimes jump through hoops to get a ballot and overcome a lot after they'd lost everything, that voting was that important to them, that they got out and voted.

Really, finally, none of this would have been possible without all the incredible work of the county and local officials -- election officials in my state. And I just have to say I couldn't be more proud of being the director of the New Jersey Division of Elections than I am now, so kudos to them, and thank you to everyone for all their assistance.

DR. KING:

I think we'll give New Jersey a round of applause, too.

[Applause]

DR. KING:

Bob, I have one question before we go on to Cliff. To me, one of the most remarkable things that you accomplished is being able to analyze your statutes and rules, sufficiently, in order to come up with those six directives. Could you talk a little bit about that process? Because, as I look around other jurisdictions in the

country, statutes covering elections are spread out all through their code, often contradictory, and the way that you mentioned the development of the directives seems so straightforward. But, I am sure, back behind the scenes, there was a lot of consternation about what parts of the code were being suspended or affected, if you could talk about that, just quickly.

MR. GILES:

Yeah, basically, the approach we took was not to create any new laws but to expand on existing laws. And that's basically extending deadlines, applying the military and overseas voter law to displaced voters, you know, expanding provisional voting throughout the state. So, behind the scenes, and I give a lot of credit to our Attorney General, and the Attorney General's Office, and Governor's Council, they did an absolutely phenomenal job of really doing what needed to get done to allow our residents to vote. But, I think that was the key that we didn't have to create any new laws. We just expanded upon what we had and we just opened them, or we relaxed them a little bit. And that was really -- it was just -- that was the main discussion, do we have a tool in our shed to make this work? And we went to the statutes, and that's how the email and fax balloting came about to say, yeah, we have something here, we're already using it, it's already proven, the system is in place. A couple little tweaks and we can make it work for everybody, provisional voting. Yes, it's county by county, right now, but let's open it up statewide, and a few little tweaks with that, and that law can work. So, that's really how it happened, just one by one. And I think it was mentioned before about the law of

unintended consequences. That's what -- as we would address one issue, we realized, okay we've extended this line -- this deadline, now we have to extend this one, and kind of down the line. So, that's how we -- we were trying to be as proactive in a reactive situation as we could be.

DR. KING:

Well, it's certainly, I think, instructive for jurisdictions as a part of their contingency planning for natural disasters is to really be ready to work with that code to look for those contradictions and look for the degrees of freedom, so thank you.

Cliff?

MR. TATUM:

Thank you. I too want to thank the EAC for inviting the District of Columbia to participate in this roundtable. There's been a lot of discussion, today, from the local level, as well as some of our citizens who've -- and advocates who've participated in the process. And there's a lot to be learned from everyone's observations and perspectives on this particular election.

I am the Executive Director of the agency. I have been working in the elections industry for -- since 2002. I started out in the State of Georgia as a staff attorney for the Secretary of State and the Elections Division, and moved up the ladder from there. And eventually, I believe in 2007, began -- 2008, began working for the D.C. Board of Elections as an elections consultant and had the opportunity to participate in the 2008 presidential election as a technical rover, and then, eventually as a consultant on the staff, and eventually sitting in this particular chair as the Executive

Director. So, I've seen a little bit of -- a good bit of the D.C.'s elections process, so, I feel -- we feel comfortable in that the things that occurred in 2008 and up through 2012 has been a growing process for the District. And while there were some difficulties during early voting and Election Day voting itself, we believe that, as a whole, we had a successful election. We talk about the people standing in lines and perhaps some technical glitches with paper jams on the voting machines, and the like, that that unfortunately is a part of the process. And we'll talk a bit about what we saw there as we got to that.

But, as Bob indicated, we started the planning process as early as November of 2011 and -- with the idea that we had an April primary election, party primary that was moved to the April, primary election, and subsequently knowing that the general election would follow directly behind that. So, planning is obviously the most important part, but even more important than planning is the execution of the plan. And, I think we've heard testimony from all those -- all the counties and folks involved that execution seemed to be -- seemed to fall a bit short during early voting and Election Day. And there's I think a number of reasons for that.

But, as we prepared -- let me back up and say that the District is in a unique situation in that we perform as both the state and the local level, the elections agency. We interact with the federal agencies, with the Federal Voting Assistance Program and we interact with the DOJ. We interact with the EAC, and handle the reporting requirements that's required by many of the federal laws. And then, we also are involved in actually executing the election.

So, we wear a couple different hats, and I guess, we somewhat bring a different perspective to -- from the general state planning process that normally takes place. We're planning globally for the process, but we're also hands-on. And so, we have to keep that in mind, that as we look at what we believe the voter turnout will be, we look historically at what the turnout has been from 2008, 2004, and the most current elections, the 2010, and then the primary election, itself, and try to figure out what's the -- anticipate what the voter turnout will be for this presidential election, understanding that it's a -- it was a very important event, and that it was a very high interest event. And surprisingly, as we went through our analyses, we did not miss the mark by much at all, in terms of the voter turnout, and what we anticipated would happen.

But, as we --- again as I indicated, as we get into the planning process and we get into the prepping process, we do as much as we can to prepare our workers to handle what we know will be the onslaught on Election Day. And, as Bob indicated, part of our planning process, we met with Homeland Security here in the District and we met with the District's emergency management agency and we plan for the contingencies that -- we plan for the known activities and we plan for the unknown activities. And I recall, vividly, in that -- in one of those last meetings with the Homeland and emergency management, we talked about the weather. And our discussion about the weather, at the time, was, are we going to get any snow and is it going to be cold, you know. What are we going to do for warming stations, and the like, and there was no discussion, whatsoever, about a hurricane.

[Laughter]

MR. GILES:

And we laughed at, you know, there won't be any weather issues. And, oh my gosh, we started early voting in October, and as we get into that process, all of a sudden there's these emergency management briefing sessions that are scheduled, and we're talking about the contingency plan for heavy rains and high winds. And we looked at each other in the office and said, what high winds? What are we talking about? And here comes this hurricane. So, it is most important that you have a contingency plan. And we participated with the conference calls with Louisiana and Alabama, who dealt with the previous hurricanes, to try to identify what could occur.

I think what we did not plan for was the fact that the oncoming weather situation that the voters were watching that. And while we anticipated, you know, how will we move machines around, and what facilities if we get flooded here, what are we going to do there, the voters took a very active role in attempting to exercise their rights at early voting, more so than they have in the past, historically, for the District, and I think nationwide. I'd be interested to have Chris speak to this, and Bob come back to this issue. Generally, the pattern for early voting is that the first day you kind of ease into it and the volume picks up and you warm up, and all of a sudden you're running, and it becomes a fast race, but it's a long race. So, you're kind of pacing yourself. And we didn't see that for this election. We saw the first day, as we opened the doors at the early voting centers, that people were standing in lines, like it

was Election Day. And that was an interesting phenomenon that people were standing in line for early voting. And there were lines. And, you know, one of the things that we quickly took note of, was, we needed to improvise and we needed to move equipment around, and we needed to reallocate equipment from one location to another location and to bring -- to pull equipment out of the training facilities, to take them out to actually allow voters to vote on the -- to access the ballot.

And that I think is what's most important is that the agencies were -- our staff and state agencies were able to improvise, and to make the changes, the necessary changes to make the day as successful as it could be. Looking at the laws, as it relates to expanding the deadlines for certain particular functions, raises a big issue because you can't push -- you can't push Election Day. You can do what you can, but on November the 6th we're having an election. So, we looked at those issues as we started into early voting, and then, quickly understood that as we lost a couple days because of the hurricane that we had to take some extraordinary measures to ensure that we recouped those days on the backend. So, we extended hours for the early vote centers, and we extended -- I think we added an additional day that wasn't actually scheduled. And it turned out being -- it turned out to be a record turnout for early voting. We anticipated a high turnout, but we doubled the amount of early voting that we had ever seen in the District.

But, stepping back a bit as we talk about the planning process, we saw in the District for, perhaps what hasn't happened in many years, is a two-sided ballot. We found ourselves

conducting, along with the general election, a special election to fill a question. I think it was a question on the ballot, several questions on the ballot, and to fill a vacancy on the council seat. That required us to process, and to act in a way that we hadn't normally done, which was, we're going to implement a two-sided ballot. How do we get to that? Is it a two-page ballot? Is it a two-sided ballot? So, that changed the way we looked at planning for the election. We implemented a number of poll worker advisory groups, and we asked them to come in and look at, you know, what would be the voter's response to a two-sided ballot, or a two-page ballot? And, more importantly, what will be the poll worker's response? How will the poll workers manage those particular situations? And, we got good feedback from those groups, and that allowed the board to make a decision about the type of ballot; that it would be a double sided ballot as opposed to a two-page ballot. So, given that we had that particular change, then that required us to look at, what's the level of voter outreach that we're going to do, how are we going to communicate to the voters that there's a two-sided ballot, and, by the way, there's some charter amendment questions on there, and there's a special election that you need to pay attention to, so make sure you vote both sides of the ballot. And, all along, we're thinking, okay, a two-sided ballot won't be that difficult. But, we didn't really factor in how much time the voter would have to spend on a two-sided ballot. And that turned out to be very important, because we saw, at some our precincts, some of the voters were more prepared to vote a two-sided ballot than others, and -- at some of the precincts. And so, that required voters to spend more

time at the touch screen, and to spend more time at the, voting a paper ballot that we perhaps hadn't see in the past. So, as we looked at that on Election Day, there wasn't really a way to improvise there. I mean, we can only -- the voter gets as much time as they like. It's the same thing with a small ballot. You get three shots at it, but you can stand in there all day and decide what your choice is going to be. So, that proved to be a bit frustrating for some of our workers.

We saw one of the things that we weren't able to plan for, and we were fully aware of our legislation. The District law allows for a voter to vote a ballot outside of their home precinct, and it provides that we will count the contests on the ballot that the voter is eligible to vote in. We knew that would happen, and we knew that we'd see a number of special ballots, but I can tell you that we weren't prepared for the number of special ballots that we received on Election Day. And we received roughly 38,000 special ballots. And that's an unheard of number in special ballots, I believe, especially for a jurisdiction of this size. But what we saw was, because of weather, we saw students who were registered in other states, who had requested their absentee ballot, that didn't receive their absentee ballot, so they took advantage of same-day registration in the District, and they changed their registration to the District. And, they would go to any particular polling place of their choice. And, we saw voters who, perhaps worked on 14th Street, but lives out in the east part of the District, who simply chose to go to a polling place closest to their office, as opposed to going back to the polling place by their home, to their assigned polling place. So,

those types of things led to a tremendous number of voters voting out of precinct, which subsequently led to long lines. We had folks that are standing in line that's not in a precinct of their -- not their home precinct, so your check-in clerk is spending a little more time trying to find that voter's name, and they're not in there. So then, that voter swaps -- changes lanes and goes from the check-in over to the special ballot line, which then creates a line at the special ballot table. So, we had these lines snaking around and it got a bit confusing, and that was one of the complaints that we received.

Not to get too deep into the war stories of the Election Day itself, from the state and execution perspective, we went through our planning process, and we went through the calendar process of what needs to happen, and we went through the projection of how much equipment we would need, how many poll workers do we need, and will we be able to -- if we need to implement a contingency plan, will be able to improvise and make the election happen. And there were some unhappy voters, and there were some understanding voters, but at the end of the day, I think we had a very good Election Day. We voted over 294,000 voters, which is a record turnout for the District. And, there's lessons to be learned, there's things that we will certainly do differently, and some steps that we will take to ensure that execution goes as it's planned.

DR. KING:

Thank you, Cliff. Chris?

MR. THOMAS:

Well, I'd like to thank both Alice and Merle for the invitation. I think this is exactly what the EAC ought to be doing. And they're a solid program. So, thank you again. I've found all of your roundtables to be very helpful both to me and to the local election officials in Michigan.

I've been in election administration since 1974. I started here in Washington, was a clerk of the House, and then, the Federal Election Commission in campaign finance, went back home to Michigan in 1977, and have been with the Department of State since then. I've worked for a Democratic Secretary of State from 1977 until 1994, and I'm on the third Republican Secretary of State since then. I work for Ruth Johnson, who is currently the Secretary of State in Michigan.

So, our -- the nature of Michigan, of course, is decentralization. Have roughly 1,600 cities, townships, counties that we -- that do run elections in Michigan, and everything is very decentralized, in terms of how that is done. So, we really sort of play the role of trying to assist them, and try to keep all the boats floating at the highest level possible. Many of our clerks are part-time. The vast majority, in fact, are part-time small jurisdictions. They work another job as their full-time job, so it's -- but it's just as important that they know everything that some of the larger jurisdictions need to know, in terms of running their precincts on Election Day.

Our Election Day was actually pretty good. Getting there darned near killed us, but the election, itself, ran pretty smoothly. We had a number of issues that came up during the year.

Statewide ballot proposals, we had six of those that we had to process over two million signatures coming in the door, performing random samples on those during the spring and summer, getting ready for the November election. We also had a Congressman who filed fraudulent nominating petitions, ended up not getting on the ballot, and just to make it a little worse, actually resigned the first week of July, which forced us to have a special election in September's primary, and then to fill a vacancy in November. So, we had a lot going on that put a lot of stresses on the system, no question about it. And part of what the statewide system proposal did, where we had six, locals put them on, as well. So, the City of Detroit, for example, had 18 ballot proposals on their ballot, and pushed them and all of Wayne County and a number of other counties to two-page ballots, and two-page 19-inch ballots, not short ones. So, Cliff talks about worrying about the other side of the ballot.

[Laughter]

MR. THOMAS:

We were worrying about the other ballot and the other side of the other ballot. That was -- it was definitely a challenge. So, we were looking at, all right, how long does it take to vote these things? And, you know, we had some folks in Detroit and elsewhere in the area, and we did a little sum time study. It would take 15 to 20 minutes per voter, if they're -- particularly, if they were reading everything. Typically, to vote one of our ballots is a good eight to ten minutes, anywhere else. We elect from President all the way down to township offices, on our presidential election, so it's -- and

we've moved -- schools have now moved onto that ballot, as well. So, it's long and it's complicated. And the interesting thing was with the special election for the Congressional seat, we had people, because of reapportionment, voting for two different Congressional districts on the same day. So, that was a little bit of a challenge. And, frankly, I'm a little frightened that we didn't get as many questions as we did. People were like, well, yeah, sure, of course I get two Congressional candidates, you know.

[Laughter]

MR. THOMAS:

We're special here, you know, so -- but not many people blinked. They just kind of moved on. I would have asked some questions.

But, we find that -- we started our first recap on the 28th of November with a group of clerks. And the line issue, obviously, that's what everybody is talking about. We had some, it was hit-and-miss. It wasn't everywhere. It wasn't all urban. But, we discuss that, and our clerks, uniformly held that it's generally a management issue. And we've put electronic poll books out that we've -- they're homegrown, we designed them, they're connected to our voter registration system. So, we put those out at 80 percent of the polling places, use them, some of them are new this past year. A number of them have been out there for the last couple of cycles. And uniformly from these clerks, the word was that it was a lifesaver, that -- because we were asking. We said, well, was that the bottleneck? Was the check-in station the bottleneck? And their

answer was, well, where it was a bottleneck reflected the quality of the operator. I said. Oh, so you didn't have a student running it.

[Laughter]

MR. THOMAS:

And – so, they had a lot of students, frankly, around the state running them. So, when they had an operator who was comfortable with this technology, it really moved things along. And it's accurate. That's the beauty, you know. There's no longer scanning barcodes and these types of things. It's a very accurate process.

Voting booths – so, we're optical scan, statewide. Voting booths, that's the issue. Now, '08 is when we really hammered this home. So, if it's taking eight to ten minutes for someone to vote a ballot, that means you're getting six people an hour through on a booth. And so, our election officials sort of stood back and said, wow, you know. So, then that translated into, well I can get more booths, but the facility, we need more room to put them in there. And that's where these things come together from a management and a resource basis, in terms of, is there enough room, do you have enough booths, can you keep people moving through this process. So, we thought things went pretty well. Obviously, there were some areas with lines.

And, what we're trying to do is jump on this right now. We have another meeting next week to continue this, because I'll guarantee you in six months from now, it won't be exactly, what lines? It will be, geeze, they weren't so bad, you know. It's like, you know, the memory sort of fuzzes over. So, we're -- you know,

we do think that's something that, you know, it comes around once every four years, so we keep everybody's eye on the ball. We'll go into our off year elections in '14. We'll have a million fewer or almost two million fewer voters. And, there won't be any lines. There might be a few lines from seven to eight to nine in the morning, but that's it.

One thing that's interesting is the national media, what they - - we don't have early voting in Michigan. But, you go to a lot of jurisdictions, you wouldn't know that. We have people lining -- standing in line to vote absentee, and because they hear from the media all this talk about early voting, so they just show up. And, when they get up to the counter, it's like, well you've got to pick a reason. It's like huh, you know? I'm here to early vote, you know. So, they picked a reason and move on.

[Laughter]

MR. THOMAS:

We do about 23, 24 percent absentee, which does relieve, you know, the polling place crush on Election Day.

We had issue with MOVE ballots. This year, you know, the Department of Justice was pushing for reports, which is a good thing. And, we did our survey and with our 1,500 cities and townships, given the part-time nature, getting a hold of them, getting them to answer surveys was tough. So, we ended up, from the primary, into an agreement with the Department of Justice. We did not enter into one of these multi-year Court-ordered Consent Decrees. We were lucky, we got a great Judge. And so, when the general election came along, we didn't have nearly the issues, but

we still have some. And, we moved ahead and we took the initiative, and we filed lawsuits against those jurisdictions that did not make the 45-day cutoff. And, we filed the lawsuits because we did not, then, have the authority to extend voting beyond Election Day. We have since gotten that authority, moving forward. So -- but we did. We took -- you know, we're not going back through the federal system. We're going to move forward. We're going to get the message out there that this is something that really needs to be done.

So, a lot of those things going on were just real hard getting up to Election Day, itself. And, we got there, and on the whole it worked very well.

DR. KING:

Chris, I wanted to follow-up with a question. In an earlier session today, Dean Logan from Los Angeles was talking about the need for voting systems to be more adaptive. And, given your long tenure in elections, I'm sure you are still seeing new things that the legislature or jurisdictions want to put on the ballots that may exceed the capabilities of the voting system; it may not have a known effect on the voting system. And, I'm just wondering if you could comment on that. Did you run into any issues with your multi-card, multi-page ballot and the capabilities of your voting system?

MR. THOMAS:

That is -- yes. I mean, voting systems handle it, but it is a bear. I mean, it's a bear. You get into the whole balancing process. And, is your tabulator going to ratchet up on just the first ballot coming through? Is it going to ratchet up on both ballots

coming through? And then, when that all gets transmitted to the website for the unofficial results, and people look at it. If it's ratcheting it up for both of them, it looks like somebody stuffed the ballot box, you know, we got all these extra ballots. So, we would do anything we can to avoid two ballots. It is not -- when they're two long ballots. I don't know, maybe if you have two short ballots it's not a big deal. But, when they're two long ballots, it's something we hope to avoid.

Some of the odd things that locals have attempted with the ballot is, you know, we're always fighting them from putting on advisory questions, you know. In our state, you need black letter law that says, I've got authority to put this issue on the ballot. Otherwise, we say, no, it's a misuse of public funds. So, one jurisdiction wanted to, essentially, put an advisory on about what kind of budget cuts they wanted, and they wanted them to rate them, you know, one through.

[Laughter]

MR. THOMAS:

Well, you know, our voting system really is not designed to do that. We do yes/no. That's what our law calls for. So, yes, there's a lot of creativity out there. Some would call it convenience. Others, it's pretty convenient and creative on how they want to use the system. But the systems held up and, you know, my only comment about the systems are that, at this meeting in November the resounding comment from the clerks is, okay, 2015, we want that new system. Well, we just bought these things in '04, '06, and you're talking about getting new ones. And, they had a lot of

issues, you know, not major failures, but maintenance issues with systems. You can see the deterioration on a system that is six to eight years old now. And the question is, you know, how far will they last into the future? So, we're starting the process, you know, we're -- I always reminded them that they would get to pony up this time; that I don't think Uncle Sam is necessarily coming through, as they did last time. So, the voting systems, as has been noted by a number of people this year -- or today, that is an issue that is moving on the horizon.

DR. KING:

Okay, thank you. Doug?

MR. LEWIS:

Thank you, I'm Doug Lewis, Executive Director of the Election Center in Houston. You asked us how long we've been involved. I guess God was a child when I got started in this, you know. I'm at that third stage of life, youth, middle age, and gee, you look good, you know.

[Laughter]

MR. LEWIS:

So, it's been instructive in watching this over all the years that you see the ebbs and flows of what comes in elections.

I'll have to say to you, I think, in this era of heightened partisanship, it's been exceedingly difficult to shape election practices based on policies that have many times political objectives that become difficult for us as administrators to find ways to accommodate. On the one hand, if the policy is aimed at eliminating fraud, then we're pounced on as elections

administrators, that that has the effect of suppression, and vice versa. We see these on a constant basis. And, until this war, kind of, gets over between this really increased partisanship that we see, not only at the national level, it's infected the state levels, now too, to the extent that it's very difficult to carry on rational conversations about what makes good administrative policy, because as soon as you say it, somebody's prism is affected. And, they start looking it through their prism, and then, they want to say oh no, that can't be the case. It has to be that if you're doing that, it's because you want to do XYZ. And more often than not, it's more innocent than that. It just makes good sense to do XYZ. And so, it's been tough for us to find ways to say to people, some of these things, some of these policies really do have tremendous impact.

And, if there was probably anything I could reach out and say, is that legislative bodies and Courts, both, it seems to me, need to be reticent to implement in the election year, some new law, some new practice, some new ruling, and to fight through that, because as they both engage in this, the process has to have organization. You have to know what the practices are supposed to be. You have to know what the policies are going to be. You have to know what the rules are going to be, so that everybody in that process can participate under what is known, not what is unknown. And, where we got to, it seems to me, in many instances over this last several election cycles, is, state legislatures certainly - first it was Congress, and then state legislatures, wanting to implement, in an election year, new practices and new policies that

then take -- for us, as elections administrators, all we want is the thing to come off well. We want voters to have a good experience. We want both political parties and all persuasions to know that we've organized something where it's fair for everybody; it's not shaded toward one or the other. And yet, when we get into these practices, and when we get into Court decisions, that change us at the last minute, it's absolute chaos and confusion. We're lucky to carry off an election that has any credibility, at all. And so, I think we need to start looking at how policies, and when policies, actually come to the fore, actually impact us, and whether or not all the lawsuits that we see going on that are aimed at partisan gain, let's face it, the lawsuits are dressed up in high-minded, high sounding stuff, but it's aimed at partisan gain. And so, at some point, we have to look at, how do we all take a step back, take a little breather back, and say, okay, let's look and make those decisions in the year before the election, and then, make the practices and policies in the year of the election stable. That's what elections, in America or in any democracy, need, is stability.

Unfortunately, for D.C., thank God they've only been pretty much one, you know, one party oriented, because the changes they've gone through in the last three election cycles have been enormous. My advice to everybody is, in D.C., in New York, and New Jersey, go hug an election official, because, by God, they went above and beyond the call of duty to make things happen and make them work. And so, those are what we need to look at.

Elections, today, are better than they've ever been. We came from election 2000 with a questioning of whether the process

worked at all, and whether the process was broken irretrievably, to where, when we see the voter surveys now, that's not what we see at all. Voters, themselves, have a very high degree of confidence that their vote is going to be counted accurately and fairly, now. And that's good. Now, we had unacceptably long wait times for some voters, and some of those are unconscionably long, and we need to look at that, and we need to deconstruct that and find out. But, some of those solutions and answers to that are not easy, you know. Some are driven by laws. Some are driven by practices. Some are driven by precinct size. Some are driven by facility size. Some are driven by, quite frankly, administrative stuff. I mean, we have to look in the mirror, too, and say, are we part of the problem here? And so, we need to look at that and kind of find through that.

I heard lots of things today in terms of suggestions about how we go about fixing some of this thing, and I kept thinking, as I heard each one of those, in terms of what they want for information, or what they want us to change, or how many people they want us to employ to do these things. As long as money is not an object, we can fix anything you want. You know, get that checkbook out and baby we'll write you some checks, you know. We'll show you what we can do with money. But, as long as budgets are a part of this process, the truth is, is that local governments are strapped, state governments are strapped. They've got too many competing goods for all the things that the public wants them to do, and various groups within the public wants them to do. And so, when it comes to elections, legislatures and local governments tend to say well, now, wait a minute. If I buy you new voting equipment that

cost me \$25 million, you can't use it daily like the computers that are needed, or the road grader that's needed. And so, how do I justify that, in times of reduced budgets? And, that's one of the things that we're fighting.

Voting equipment is still a problem. Voting equipment is a problem in the sense that the system, itself, to get us voting equipment, is so confused. The manufacturers are confused about what they can manufacture and sell safely and securely. They -- the jurisdictions are concerned about what they can buy that won't get them in trouble and have lots of controversy going on. The public likes what is known, that is, if they like -- if they're voting on electronic equipment now, they really like electronic equipment. If they're voting on paper now, they really like paper. If they're voting by mail, they really like voting by mail. Those are the things that -- the voters want to do what is known to them. When we look at the surveys, I mean, Charles Stewart was mentioned here several times, from MIT, and his survey just showed the young people don't even want us to vote on paper anymore, and yet, all we're going to probably buy for the next 15 years is stuff that is going to be, pretty much, paper oriented.

And so, we're not looking at this as a process. We're not looking at this as how do we build capacity for the future and how do we change the future. And, I used to honestly believe that we could sit down and say to everybody, what is it you want an election system to look like? Let's all get in the room and let's figure that out. And then, to say, okay, let's design the process that you want, so that it operates logically, so that it operates as a process, and it

operates well. I'm going to tell you, that isn't going to happen anytime soon, you know. Lance Gough was absolutely correct, unless we come upon a disaster of major proportions, that's not going to happen. We came upon a process of major proportions and it didn't change much. In fact, we sort of went backwards in some respects. And so, when you look at this, understand patchwork is what a whole lot of vested interests have in this process. For us to fix that patchwork means you got to get consensus from so many people who earn their livings out of that piece that you want to change. And so, until we can get past all of that and look at this, we're not going to have a really well designed process. We operate with what is possible politically, what is possible financially, what is possible with the staff that we're given.

In the 40 years that I've been around this, I will tell you, starting 40 years ago, people used to tell us that we needed better poll workers and we needed better poll worker training. And, I'm still hearing that, you know. It is as if, in our urban areas, better connotes choice. That means surplus. It means, you have more people than you need in order to select from. I think Dean Logan said it, you know, whether they pass or not, we're going to employ them, you know.

[Laughter]

MR. LEWIS:

In some of our jurisdictions, let me tell you, if they breathe they're hired, you know. That's where we are. This is a process in which we are resource starved, consistently. 25 percent of our elections offices in America are funded as well as any other part of

the government, but that means that 75 percent are not. And, that's the way it's going to continue to be, at least, in the rest of my working lifetime, I think.

If we can change the way we fund this, if we can change the way we approach this, if you could all come together, if we could get policymakers to come together and tell us what objectives they want met, then we can go meet those objectives. We're pretty smart folks. We've been at this 200 years. We've learned a thing or two as we've done this. We've also screwed up a time or two. And, we figure out, usually, when we screw up, how to fix that fairly quickly. That's been our history. We do it fairly well. We're a resilient dynamic democracy. It works pretty well and it works better than we pay for. Those who complain about poll workers, let me tell you something, thank God we've got them. Thank God they are willing to come out in the numbers they do, for the low pay that they get, for the long hours that they have...

[Applause]

MR. LEWIS:

...in order to do this job. We are fortunate in America that those folks continue to be involved in the process. And beautifully, elections officials, who really take a lot of heat, on a lot of these issues, are people who really want to make American democracy work. I know of no election official in the United States of America that wants voters to have a bad experience. I know of none of them that want to turn qualified voters away. They want voters to do well.

This is one of those situations where you hope that we can all come together and make really good decisions. But, you know, the difference between genius and insanity is a really fine line, and the question is, do you erase the line and screw up and really cost yourself, or do you make it work? Over the years, this resiliency of this democracy has worked pretty well, and I'm glad to be part of it.

Thank you.

DR. KING:

Thank you, Doug. I want to come back and ask you a question. And you covered a lot of ground, so, this was the first thing that caught my attention, and it had to do with your observations on, maybe the lack of deliberateness in the formulation of legislation. And, I think what I heard you say was that, we have two factors there. One is, the partisan driven agenda or goals of the legislation, and then, the other is the timeline. And, realistically, there may be little or nothing that can be done about the first criteria, but the second one does, operationally, impact election officials. And, I wonder if you could talk just a little bit more, particularly since we've had a representative from the Legislative Council here today, about what state legislatures should look at, in terms of the timeline and implementation related to changes in election legislation.

MR. LEWIS:

One of the fortunate things, that we got out of the Help America Vote Act, was the legislative staff had been in place long enough to understand the issues, and had been working with elections officials and the advocacy communities long enough that

they knew the issues. And, one of the fortunate things that we had in that was, is, they set up several stages at which we would do certain things to achieve the new objectives under the Help America Vote Act. Most legislative proposals are not that way. They want it now. They want it for that next election cycle. If any legislative body wants to approach this, what it needs to do, is it needs to say, to its own elections administrators, these, ours, liberals, conservatives, bring them together, you're going to find out, truthfully, when we put elections administrators in a room, it doesn't matter whether they're liberals or conservatives, Democrats or Republicans, 90 percent of the time they're going to come up with pretty similar solutions and similar answers as to how to do this. And so, if legislative bodies would do a little more about bringing those folks in and say, what's realistic, what can be done, how long will it take you to get to the point of reaching the objective we want to reach. Now sometimes, obviously, we want all the time and all the money in the world for us to get there. But trying to pass something in January that you want implemented in November is nuts. That's insane. That's bad practice. That's bad policy. It's the kind of thing that drives elections to be on edge at all times. I think you said it really well, earlier today, when you said, you know, unfortunately, we keep doing the impossible. And, as long as we keep doing the impossible, everybody thinks we can continue to do the impossible. It's because we're operating on fear, my God it might fail, you know. We don't want it to fail, and so, we'll go to all kinds of lengths to make sure it doesn't fail, but at the same time, it's bad policy.

Administrative practices take time. They take time to lay in place. We start planning elections one year in advance. We know what our calendars are going to be. We know where our important dates are. We know what our training cycles need to be. If you start messing with that, and particularly, if you start messing with that in the last 180 days, you have just asked for disaster. My fellow elections folks, would you agree with that? I mean, that's where we are. It's just it makes no sense. And so, state legislatures and the United States Congress need to go back to looking at and saying, we can wait for the future, we're going to tell you why we want it done, but -- in terms of guidelines. And, by the way, one of the other practices that legislatures want to do is they -- a lot of them want to tell you exactly how to do it. Don't do that. Tell us what your objective is, get out of the way. We'll end up with a whole bunch of solutions, some of which are good, some of which are not so good. But we'll learn from that, and the good ones will survive.

DR. KING:

Okay, thank you. I'm keeping an eye on the clock. I want to ask one question of the group, and then, I think we'll be ready to start on, kind of, our summary of issues and priorities for the future.

The question that I have of the group is, looking at the redistricting event, and Doug's comments made me think about how the roll down of the redistricting issues, it seemed like every organization involved took as long as they could before they handed it off to the next organizational group, and when it finally got down to the county and the township level, many of the deadlines

were so forced and so rushed that it did impact the performance of the election, in many cases.

But, if you could talk a little bit about the redistricting process and its impact on the election from the state level, and then, what also you may know about how it impacted the local jurisdictions.

So, I'll just throw that out for the group and maybe we can kick that around for a couple of minutes. Chris?

MR. THOMAS:

It's critical, there's no question of the impact that it has. My first election in '82 was a reapportionment year, and they didn't get everything done until May, with an August primary. And, we pulled it off, you know. You don't tell the Courts, you plan accordingly, right? The irony is, with statewide systems, that would be impossible to do today. You couldn't do that. Now, in the last two sessions, or the apportionments, the Republican Party had controlled both Houses, the legislature in the government. So, they got done the summer before. And, you know, we, at the state level, have to do the entire street index for all the jurisdictions. This year, we brought in a number of the larger counties that took care of their own, so, we started to get the value of the decentralization. But, the irony is, if we would have had any kind of split government, which would have then pushed us into Court, because they never agreed before, and I don't see any reason why they would agree now, into a Court process, God help us.

MR. TATUM:

Here, in the District, we were a little more fortunate, in that, when the lines came out from the Council, we were the ones who

were implementing, all the way down from the ward level to the ANC. Our ANC is like a local neighborhood official that's elected. But, what -- but the impact on the process what we saw were voters who were moved from their long existing wards who, although, we sent voter cards out to those folks, they didn't really pay attention to the fact that they were moved. And, we saw that specifically for the ANC elections. We had candidates who would call and would scream at the top of their lungs that my constituents are getting the wrong ballot and -- they're giving them the wrong ballot. Where are you? What precinct are you in? Oh no, that precinct is no longer in your ANC. And, as the ANC commissioners were part of that redrawing process, if they didn't state in the process from the beginning to the end some of the things that they thought had changed, didn't actually change. Or some things that they thought were going to stay the same, changed. So, they didn't know who their constituents were.

We were fortunate in that we converted our voter registration system over to a point to point address system, so we were able to pick up, perhaps, some of the anomalies that sometimes are kind of the outliers on the street index that -- kind of those folks that kind of fall in the cracks. So, the point to point address system really helped us there. And then, we had a two-phased process. We moved the lines for the wards the first part of the year, and then, we did the ANCs for the second part of the year. So -- but what that required us to do was to mail out two sets out of voter cards, which cost more money. But that was the strategy that we used and it seemed to be helpful for us.

DR. KING:

Okay. Rob?

MR. GILES:

I was going to say we were fortunate, as well. We have a tie breaker, who is appointed, should the two parties not agree on a plan, and he came in, and he will pick the plan, and fortunately, you know, there was agreement after that. There wasn't a Court case. So, we were able to implement our Congressional redistricting. We lost a district this year, so, that made it a little more interesting because obviously, both sides were fighting to keep theirs. And ultimately, it ended up with a map that one Republican and one Democrat would fight for that one seat that was now given up. So, that worked out well.

And, as far as our statewide voter registration system, our counties input the data. So, we were able to get it all done in a timely manner, and we didn't have a lot of issues setting it up. But, like Chris, we did have a vacancy in Congress this year, and so, we were faced with that same situation in a redistricting year, that can only happen once every ten years. And, the way it played out was, you had your old district ten, and now, you have your new district ten, but not everybody was going to be in the same. So, it wasn't even just, necessarily, an issue of, hey, I have two Congressional candidates on my ballot, I have two different Congressional ballots on my ballot, because I'm in old ten, and new nine, and they're completely different. And then, to further complicate it, because they have to -- the way they redistrict, they may only grab a couple of streets and move it in, so now, you have, really, a split precinct

that some of the people are old ten, new nine, some of them are just nine and have always been nine. So, when the voter walked in, we actually had to, basically, set up two separate polling places to say, okay, you're new nine but you're still old ten. So, these hundred people in this district get to vote for old ten, but everybody else only gets to vote for nine. So, that was a little bit confusing, but once we laid it out, and the counties had greeters there, and asked your address to instruct you which way to go. So, if it wasn't an entire district move, it was a little bit challenging this year, due to redistricting and a vacancy.

DR. KING:

And Doug?

MR. LEWIS:

Redistricting -- one election official actually put it very succinctly, is, doing redistricting in a presidential election year is the perfect storm. You're asking for disaster. Earlier is better. But, waiting for the numbers to come from the Census each time, and then, getting legislatures who are actually in session when they can do something about it, and then, getting them to actually come to agreement as to what they're going to do, and getting that on paper, earlier is better. But, sometimes the process just takes as long as it takes. What that does to us is just puts us in chaos, because you're -- particularly, in the presidential election year, where everything is so massive about what you're doing, and also changing all the lines, while you're doing it.

DR. KING:

Chris?

MR. THOMAS:

And the other thing it does is, it's the temptation to consolidate precincts. And, there's a lot of pressure, as Lance indicated, to save money and to consolidate, and a lot of our local election officials, hey, the last election was 2010. We can handle, you know, a larger line. They forgot about '08. So, they consolidate those precincts. They're still in the same locations. They're using a lot of the same locations and all these people show up. And so, that's -- that is something that contributes to the line issue.

DR. KING:

I think, particularly, too, the down ballot races are impacted by redistricting in ways that are not publicized, because most of the attention is on the President and Congress. And, it would be interesting to see research done on down ballot races. And, I know, in Georgia, we had some issues. We had to go back to old district lines in certain counties, because we couldn't get them redistricted in time.

All right, what I'd like to do now, is, starting with Doug, and we'll work around the table, and Alice, as always, gets the last word here at the EAC, is let's take some time, and maybe, about three or four minutes each, to summarize what we think are the salient issues; that, if we were building our own action agenda for the coming year or two year, what would be at the top of our list for issues to begin addressing or encouraging appropriate organizations to prioritize these issues going forward? This information, clearly, is important to the EAC. It helps them

establish priorities. It helps researchers know where there may be willing partners for data collection. And, it helps those of us in election administration to get a sense of what our community is dealing with and engaged with.

So Doug, I'll start with you.

MR. LEWIS:

Let me take this in a couple of different ways. One, I want to come back to the research component of this, so, don't let me forget that, because I'm of the age where I might do that.

I think, clearly, voting equipment replacement of, servicing of, improvement of, designing of, is the next major thing that's on our plate. Now, we're going to start tomorrow with a meeting that we have here, in Washington. About a hundred of our closest friends, you know, are going to sit down and start looking at the long lines issue, as part of that, and legislation related to that. And so, we'll start on that. But, I honestly think we can fix most of the long line problems. I think we learn pretty quickly, we adjust pretty quickly, you know. The ones that are resource driven are going to be harder to fix, you know, if we can't buy enough voting equipment. And, let me tell you, governments want you to buy voting equipment based on averages. Voters don't show up in averages, they show up in waves. And, we're not prepared to handle peak period voting. We're just not.

Voting equipment is going to be the next wave, because it's going to be the next huge expenditure for state and local governments because the equipment is wearing out. And, folks' ability to continue to patch that equipment is reaching its worst

point. In fact, parts for some of them are not even available anymore, not just from the manufacturer, the manufacturer can't get it from the suppliers in Asian, in Europe, and wherever that they're buying the parts. They just don't exist anymore. And so, this is going to be that next major wave that we're going to have to fix.

Long term, looking at how we're going to vote is going to be important and nobody is doing it, truthfully nobody. We are. We're trying to. We keep raising the issue. We keep kicking the can down the road. But, it's sort of the wish book deal, you know. If we could design something that nobody -- that we didn't have a cost factor to and here's what we want to do, what would we do. And, even when you get into the wish book stuff, you've got so many divergent viewpoints about what ought to be there, that it's very tough to get there. The young people are telling us they don't want paper. They're the next wave of voters. So, are we going to design a system that eliminates paper? My hunch is, 50 years from now, we'll still have some form of paper involved in some parts of this process, you know. But, we need to start looking at that. What can we do? We've been so reticent to accept that technology can improve our lives in elections, that it becomes very difficult to make any headway there. So, that next wave is probably going to be kind of like the last wave that we saw.

The jurisdictions, the states, and local governments are frustrated with the EAC's, you know, testing process and approval process. They're not -- you know, I don't think it's a broken down system. I don't think that's it, at all. It's a very complex system that has to go about, and the EAC has done as well as it can do, in my

mind, with most of this. And yet, at the same time, parts of this they can't get systems that they know need updating updated, because it means, for the vendor, that they got to bring it back and retest that whole process, and that process is not working. So, we're going to figure out, how do we do that?

In terms of the research component, the one thing I would like all of you who are in academia to do, if you've got stuff that you think is interesting and important to elections, that you want data on, feed it to us. Send me emails at the Election Center. Send me emails at NASED. We will start looking at those, and start trying to roll those in, what can be reasonably accomplished in order to get to the data that you want. NCSL mentioned that they want some things. That's great. Tell us what it is, but understand, from the date that we agree on what you're asking for and we think it's important too, it's two years or three years down the road before we start collecting, you know. And so, those are things that we're willing to do and we want to -- we want all the help we can, to improve elections in America, we really do. But, some of it may be more interesting to you than it is to us.

DR. KING:

All right, thank you, Doug. Chris?

MR. THOMAS:

My issues -- I mean, I concur with Doug, in terms of voting systems. I think the frustration a lot of us feel is with the current voting systems, and the fact that we may have to buy earlier, rather than later, which would leave some time for some new systems perhaps to come out on the marketplace, that would use a lot more

off-the-shelf hardware, and the voting systems would evolve into software systems and we wouldn't, necessarily, be dealing with all this funky single-purpose use technology that we do today. I just don't -- I don't think election officials, they're not going to stand up and knock their systems, but I don't think they would look at them and say, well, this is the best that this country can do. We're not there, yet.

Education, it's been talked a lot about today, it needs to continue. At the state level, we partnered with Michigan Virtual University, which is used for -- in the education community. We are headed out there. Our objective is to raise all our clerks -- the education of our clerks. Our urban clerks, you know, they're full-time, you know. That's not our primary issue. A lot of them are the more rural clerks. It's really getting everybody up to speed. Plus, this year, we put videos out on our website, training videos. Not the two hour ones that you turn the lights off and everyone goes to sleep, but snippets of process that the inspectors -- election inspectors, all 30,000 of them, they can go online and watch those before Election Day, as refreshers. So, we need to move in that direction.

And finally, we need to solve the voter registration. There is no reason that we should be talking about voter registration in 2013, when the National Voter Registration Act passed in 1994. We need to solve that issue, and electronic registration is a movement in that direction. We're doing online, now, through our drivers system. Every time you change your address online for your driver's license, it automatically changes your voter reg. We're

going to have to move in some direction, really, to put an end to this issue. I mean, getting registered should really not be an issue in America today. And, if we can simplify the Election Day process, that would be an objective that would give a lot of relief to people that are working real hard to try to keep up with each layer that is piled on, succession after -- session after session. Sooner or later that thing is going to break.

DR. KING:

Thank you, Chris. Cliff?

MR. TATUM:

I agree with both Doug and Chris on the level of -- the next level of technology. That's most important as it relates to voting equipment and VR systems and the things that we're able to do with the VR system. We talk about in our office and my board talks about it that today's voter is -- has this microwave mentality, you know, I want it now. Ten seconds, I should be in and out in ten seconds. And they compare it to the banking online system, I can step up to an ATM and I can pull \$20 out in ten seconds, 15 seconds, and we should be able to vote that way. So, we've got to focus on the -- an election voting system that will process a voter in that amount of time. Now, obviously, contests on the ballot has an impact on how quickly a voting system will actually perform, but that's what we're looking at, is addressing the "I want it now" mentality.

And, as we talk about training, and we talk about the resources, money is always an issue. We always need more money. And, we need our legislators to recognize that when we

say we estimate what the cost will be for something, that we aren't just making numbers up. We're basing those numbers on historical practices and what other jurisdictions are doing. And, it costs money, and it's not that we just want to have lavish polling places. That's not what we have. It costs us money to put people in the field.

I would like to see some sort of commitment from the educational institution as it relates to providing a source of poll workers. Kennesaw State has a good program with the Election Center, where you have students that rotate in and out, and they participate in that program and they, in a sense, become election administrators. They're trained to be. And, they go on -- they may go on out into other fields of work. But, if we could get a commitment from the -- to somehow build into, whether it's a political science program or computer science program, that you could get some sort of credit, school credit, college credit, high school credit, for working as a poll worker, that would help -- that may help with the process of identifying those folks who have the time to spend 12 to 14 to 16 hours at a polling place.

And then last, but not least, you know, we've talked about, on more than one occasion, holiday voting. If Election Day was on a holiday, or if it was -- if workers were given the ability to take the day off without penalty, without losing pay, would they participate as a poll worker? We know that a lot of folks, when they come to training, and they see they're going to be paid \$180 for 12, 16 hours, they aren't interested, they turn around and walk out. So, there's got to be a way to identify resources to work as poll

workers. And, if we get more able and effective poll workers, then some of the efficiencies at the polling place will increase, I believe.

DR. KING:

Thank you, Cliff. Bob?

MR. GILES:

Thank you. I think, obviously, from a New Jersey/New York standpoint, contingency planning, because I don't think we've ever faced anything like this before, and it would be a missed opportunity if we don't really sit down and put a real contingency plan in and learn from the lessons that we did have here. So, I think that's -- and that's something we talked about in New Jersey, to really sit down. And, it's not something you do in a couple weeks. It really is -- it's going to take time. But, if you don't do it this year, it's going to get pushed to the -- and it already starts to. Like Chris earlier, people forget how bad it was very quickly, and in a year or two, you know God forbid, something like happens in New Jersey or some other states, and you didn't utilize the lessons you learned here. So, I think that has to be an agenda item. It's always been an agenda item, but the fact that, especially New Jersey and New York have the experience and can come out and say, you know, nope, that wouldn't work, I can tell you why it wouldn't work, we tried that, that was -- we tried to implement that, we discussed that. So, I think it's a unique opportunity to turn a horrible event into something that we can get a positive out of, for, you know, God forbid, somebody else. And, it doesn't have to be a hurricane. It could be, you know, any other kind of natural disaster, you know, God forbid, a terrorist attack, anything like that, you know, you have to

have an election. And, that kind of ties into, there really needs to be a discussion on what -- if the storm was a week later, we would not have been able to have a presidential election in New Jersey, parts of New York. So -- and there's nothing really in place to address that, and it's always been, well, we'll deal with it if it happens. And, it almost did. And, if it really did happen, I don't know what the answer would have been, and there would have been a lot of scrambling in that type of a situation.

Just a couple other things, you know, Doug talked about the younger generation, and I think, you know, we got a really good lesson. I talked about a little bit, you know, the Voting Information Project. That social media is really becoming a big part of elections, and if you use it properly, it can be a fantastic tool, like Facebook and like the texting tool, that you can, for free, basically, get information out there if you set it up right. So, I think that is definitely an avenue to help clear up misinformation that gets out there about elections. And, you know, with the redistricting, you know, you put in your address and it will tell you who your Congressional candidates are, and you can get that kind of information. And, you're right. People want that on their Smartphone. They don't -- they're not going to read the sample ballot -- the paper ballot you mail them. But, if you give them an app to get to it, I think that that is definitely an intelligent way to move forward, because the younger generation and older, I mean, we learn it from our kids so we kind of -- if we want to keep in touch with our kids we, you know, we have to learn those things.

And then, finally just, I think it's going to be a more immediate issue, and it was talked about earlier, is, schools being used as polling places. In New Jersey, a third of our polling places are in schools. It's not realistic for us to say, well, you can't use schools anymore, you're not allowed in. I think it would -- you know, the answer is, that schools should be closed on Election Day, you know. Work that into the schedule. Teachers have in-service days, so the teachers can be there. You know, there are ways to not impact their schedule and, you know, that's -- I think that's just the direction. I don't want it to go off where you're out and nobody is allowed in the schools anymore, because I just -- I'm sure we're not the only state that utilizes schools to that level.

So, those are a few of the things that I think we should be keeping our eye on.

DR. KING:

Thank you. Doug, one more point.

MR. LEWIS:

I want to say -- I want everybody to be reminded of how valuable the United States Election Commission has been, in terms of data collection, resources, in terms of training, in terms of having forums like this to where we can discuss these kinds of things, where we can look at what the processes are. It's valuable for the Federal Government. It's valuable for America that we have this agency.

DR. KING:

Thank you. Alice.

MS. MILLER:

I'll start by saying that this has been such a good, in my opinion, forum. We have, obviously, got a lot of information from all of you. Everyone here today, I see specific tasks, specific functions, specific issues. But, all in all, there's a lot of overlap, a lot of recurring themes, a lot of things that we have set that we can establish priorities for, and set goals for, that we can put together best practices, and start to put together working groups to develop those best practices for guidance, to get out to election officials all over the country.

The technology aspect Bob, I want to piggyback on what you said, in terms of we learn it to keep in touch with our kids. And, I'll give you an example. I have a friend who put a telephone, a landline phone in his daughter's apartment. We recently did that with my daughter. At any rate, they called the phone and it rang and rang and rang and rang and rang 15, 20 times, because his daughter didn't know what it was. They didn't know what the noise was, and so, she never answered the phone. He then ended up texting her telling her answer your phone, which she responded to. So, I mean, there are just so things that are realistic...

[Laughter]

MS. MILLER:

...with respect to where we are with our youth, you know, and where they are with respect to technology, and how we implement these changes, the need to be flexible. It's just -- it's a lot.

What we will do, obviously, is go back, fortunately this webcast, we have it, and we'll review it, and we'll be able to absorb

a lot of -- all of this information. The data collection is something that's, again, been a recurring issue. The training poll workers, identification of poll workers, identification of facilities, what properly accommodates, what is needed for voting libraries versus schools, should the schools be closed, should we use Election Day, Cliff pointed out holiday election, communication and education. Communication is key. As New York pointed out, you know, issuing an executive order, but not letting them know that the order is coming out, and then, having to respond immediately to that sort of thing is something that we need to be able to communicate from top to bottom, you know, what's going on within the jurisdiction. The long lines, obviously, that's where we started this morning with and that's kind of like where we will come around full circle. How do we address it? Does it need to be addressed? And, in what capacity, and what reaction do we give to that?

Doug made a point that no election official wants their voters to have a bad day, and that is absolutely true. I don't know of anyone -- I've been in this field for a very long time. Cliff has the beauty of having my former job, I'm so happy for him, and he and all of us can relate to what it is for election -- for voters to have a pleasant day. That's all we want. No one wants anybody to have an unpleasant day. We don't care about the outcome. And I think that is so very important. We want the process to work. And so, what we have to do to get together and understand, and to review, and work, and put out practices to make sure that process works, we need to do that.

So, I'm going to end there. As I said, we will, obviously, look at this, go over this. The taping of this, I'm so happy we're able to do that. I'm going to end with general thanks to everybody. I mean, we could not do this, as I said in the beginning, without the willingness of panelists such as yourselves to come forward and to be so candid and willing to give your advice, your observations, your expertise, and lend it to us, so that we can then move forward on it.

I bit of personal thanks to my staff, Emily, and everyone's mentioned Emily, she's still sitting in the back there. I know she got here very, very early this morning, has been working through this process to get everybody here safely, and get them home safely. And we truly appreciate that. So Emily, thank you very much. Mohammed Maeruf, who is responsible for all the technology set up in here, we could not, obviously, do the webcast and other things, and work with the individuals responsible for that without our CIO. Deanna Smith and Jessica Myers they have been doing our twitter, so thank you for that, Jessica, also a panel member, and other individuals and staff, Sharmili and Megan, who also sat on our panel, as well. Karen, and Bill, Brian Hancock, Brian Whitener, active role in putting this together, identifying our panelists, and working with us in trying to make sure we kind of got our issues together where we wanted to discuss this. So, I have to recognize them and thank them, as well. And, of course, we could not do this without the individual to my right here, Merle King.

[Applause]

MS. MILLER:

I want to thank Merle, because he has just always, always been willing to come and do this. And, I said it in the beginning, and he does it, you know, out of the kindness of his heart because he loves this process, he loves elections. He has a state-of-the-art process going down in Georgia. Maybe we need to all go down there and look at what you're doing, and get some feelers from you, because we know you're doing a good job down there. So, we thank you. Again, I personally thank you for being willing to come do this.

This is the first roundtable. We'll do others for this year. We've done others in the past. We will try to get, as I said, working groups together. We'll go over this hearing -- or this roundtable and put together best practices from here, and see where we go to move forward. So thank you again, very much, all of you, for coming forward and being willing to work with us to get this day done.

DR. KING:

Okay, thank you Alice. With that, it's right at five o'clock. I thank everybody here at this panel and those that participated earlier, and thank those who joined us online.

And with that, we're adjourned and safe travels to everyone.
Thank you.

[The United States Election Assistance Commission (EAC) Roundtable Panel Informing Change: A Review of Events and Issues of the 2012 Election Cycle adjourned at 5:00 p.m. EDT]

bw/ad

