

TESTIMONY BEFORE THE PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION

September 20, 2013

Submitted by Connie Schmidt, CERA

Thank you for the invitation to appear before you to discuss election administration in our country. My name is Connie Schmidt, and in December 2004 I retired as the Election Commissioner of Johnson County, Kansas, which is the largest county in the State of Kansas, located within the Greater Kansas City Metropolitan Area.

In May 2001, I had the opportunity to testify before the U.S. House Administration Committee regarding the importance of funding for election offices. Fast forward twelve years later, and many of those words still ring true...

"If we, as election administrators, could live in a perfect world, the voter registration records would be accurate, complete and always up to date, but the reality is that the voter registration files are inflated due to mandatory compliance with the NVRA.

In the perfect world, there would be an abundance of accessible voting locations, but the reality is that it is difficult to find voting locations and it is often not possible to find accessible locations in every precinct.

In the perfect world, elections would be easy to program and the voting equipment would always work, but the reality is that elections are complicated and machines break down.

In the perfect world, there would be an abundant pool of trained election workers to choose from for every Election Day, but the reality is that approximately 98% of election workers are senior citizens, and the pool is not being replenished.

In the perfect world, budget dollars would be available to educate the voters, purchase new voting equipment and increase election worker salaries, but the reality, again, is that elections are an unfunded mandate.

In the perfect world, election administrators would have access to an election resource library of best practices, but the reality is that it does not exist and will require federal funding.

With federal funding, it is possible to address many of these issues. We must join together collectively - at the local, state, and federal level - to share resources and to find creative and innovative solutions.”

Today I would like to begin my testimony by providing information on the development of the **U.S. Election Assistance Commission’s “Election Management Guidelines and Quick Start Guides”** and **“Successful Practices for Poll Worker Recruitment, Training, and Retention”**.

Background on EAC’s Election Management Guidelines and Quick Start Guides

Beginning in mid-2005, it was my privilege to serve as co-project manager for the development of the Election Management Guidelines. Under the guidance of the EAC Commissioners and Executive Director Thomas Wilkey, these guidelines became the nation’s first “resource library of election practices” for use as operational standards and procedures at the state and local level...a project that was long overdue.

In mid-December 2005, we asked county election officials in attendance at the Midwest Election Officials Conference in Kansas City, Missouri to provide input on the priority for the development of specific modules for the Guidelines. The majority of these election officials were from small counties in Iowa, Nebraska, Missouri and Kansas, ranging in size from 1,473 to 30,000 registered voters. Listening to their concerns emphasized the needs of the small election jurisdictions nationwide – the offices with 1-2 employees, small budgets, limited computer expertise, and little or no storage space. Security, pre-election testing, and poll worker training were among their top-ranked issues.

In January 2006, a group of state and local election administrators agreed to serve as members of the Steering Committee for the Election Management Guidelines project. They included officials

from small, medium and large jurisdictions; representing users of a variety of different vendor's voting systems.

The team developed an overall draft outline of topics/modules for the Election Management Guidelines, and further recommended that the first module to be developed should be the Voting Systems Module, and specifically the chapters on Certification, Security, and Pre-Election Testing. This recommendation was approved by the EAC.

Recognizing that the input of state and local election administrators was critical to the development of the guidelines, the Steering Committee also decided to periodically appoint Focus Groups to serve as advisors/subject matter experts on specific topics.

When we began the project, we read daily of the challenges experienced by election administrators as they began to deploy new voting systems in the 2006 primary elections. It is important to note that many of these challenges were not voting system issues.

Instead, they can be placed in the "human factors" category and include:

Insufficient training of poll workers – this can include quality, length, and type of training.

Complicated procedures – for opening/closing voting equipment, processing voters, etc.

Lack of support when opening/closing the polls – poll workers often arrive at 4:45 a.m. and don't leave until 8:00 p.m.

Too many new things all at the same time – new equipment, provisional ballots, new affidavits to complete, new security procedures, voter identification procedures, etc.

Plus all of the usual issues – voters in the wrong polling place, poll workers that don't show up on Election Day, etc.

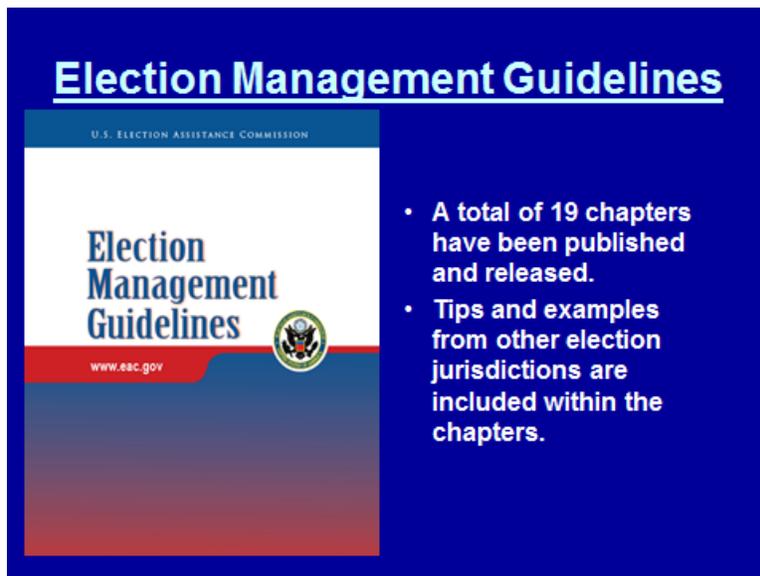
And, some new ones – reliance on voting system vendors to program the election, print ballots, support the polling places, and tabulate the results.

To address that immediate need, we developed the Quick Start Management Guides. The Quick Starts were never intended to be a comprehensive management guide, but instead they provide a snapshot of priority items essential to managing elections.

Our overall mission was to have the Guidelines be a desktop reference book for election administrators nationwide...a place where they can find recommendations on how to develop procedures, manage operations, improve work flow, etc.

Ultimately, we envisioned the guidelines as the beginning of a bigger project – one that eventually connects users of the same equipment across the country...sharing ideas and innovations...building on each other's expertise in elections...leading all users from the smallest to the largest jurisdictions to a place where they can all excel using policies, procedures and solutions that they have developed together.

From the smallest county of less than 2,000 voters to the largest jurisdiction of several million voters...the EAC's Election Management Guidelines now serve as a national resource manual on the administration of elections.



Election Management Guidelines

U.S. ELECTION ASSISTANCE COMMISSION

Election Management Guidelines

www.eac.gov

- A total of 19 chapters have been published and released.
- Tips and examples from other election jurisdictions are included within the chapters.

Election Management Guidelines

- **Absentee voting and vote by mail**
- **Acceptance testing**
- **Ballot building**
- **Contingency planning and change management**
- **Developing an audit trail**
- **Polling place/vote center management**
- **Pre-election and parallel testing**
- **Uniformed and overseas voters**
- **Provisional ballots**
- **Canvassing & certifying an election**

Election Management Guidelines

- **Conducting a recount**
- **Building community partnerships**
- **Communicating with the Public**
- **Certification**
- **Physical Security**
- **System Security**
- **Accessibility**
- **Technology in Elections**
- **Election Office Administration**

Quick Start Guides

- Developed as a “snapshot” of each chapter of the Management Guidelines.
- A total of 21 Quick Starts have been developed and distributed to election officials.

Quick Start Management Guides



The EAC’s Election Management Guidelines and Quick Start Guides represent the first time that election administration resources have been consolidated into one document at the national level. These Guidelines were developed as a priority activity under the U.S. Election Assistance Commission’s national clearinghouse role. The

guidelines do not endorse one method of election administration over another and they are not intended as a “one size fits all” solution. Again, all of the chapters were developed with input and recommendations from state and local election officials. They were designed to serve as a source of information for election officials nationwide.

Successful Practices for Poll Worker Recruitment, Training and Retention

Election officials nationwide know that one of the key ingredients to successful elections is in the hands of our nation’s poll workers on Election Day.

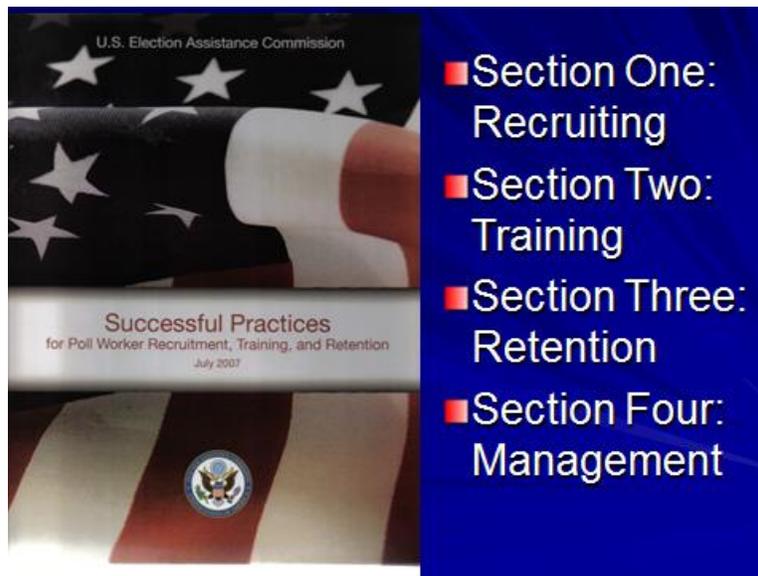
Again, recognizing the importance of poll workers, the EAC funded the development of the guidebook, “Successful Practices for Poll Worker Recruitment, Training and Retention”. This guidebook was released in July 2007 and provides a snapshot of poll worker recruitment, training, and management practices across America. It was developed over a 17 month period of time as a joint project by IFES, The Poll Worker Institute, and the League of Women Voters.

All of the practices contained in the Guidebook were subjected to three criteria:

- (1) Can the results be measured?
- (2) Can the practice be sustained over time?
- (3) Can the practice be replicated elsewhere?

The guidebook was printed in a “recipe book” style. Election officials were encouraged to pick and choose what might work for their jurisdiction, with examples from other jurisdictions depicted after each practice in the guidebook.

Once again, election administrators realize that one size does not fit all. The guidebook encourages them to experiment with a new practice, modify it for their jurisdiction, and hopefully share their new innovations with others nationwide.



In summary, this project confirmed what election administrators already knew - new poll workers are needed to augment the current pool and election officials are hampered by limited time and resources.

The study resulted in the following recommendations:

- Support information exchange among election officials and staff
- Use windows of opportunity to innovate and manage change
- Strengthen EAC Clearinghouse
- Foster support of adoption of innovative practices
- Champion flexibility in poll worker qualifications
- Support development and implementation of sophisticated poll worker management tools

Additional EAC Clearinghouse Resources

In addition to the guidebooks mentioned above, the U.S. Election Assistance Commission provides a wealth of resources, research studies, and statistical data to election administrators nationwide.

Their web site, www.eac.gov, provides an online library of information to election officials.

As noted above, the Election Management Guidelines, Quick Start Guides, and Poll Worker Guidebook were developed with input from election officials from small to large jurisdictions. These guidebooks were distributed nationwide and are available on the EAC's web site.

The topics before this Presidential Commission mirror the topics that are covered within the pages of these guidebooks. Procedures in the business world are continually reviewed and updated. The importance of these guidelines is significant to the election profession! It is now time to review and update them to include the latest use of technology, improvements to solving accessibility needs, new procedures for military/overseas voters, etc.

It is important to remember that the federal agency that was put in place to accomplish this work is operational and staffed, but continues to be stifled awaiting the appointment and confirmation of new EAC Commissioners by Congress.

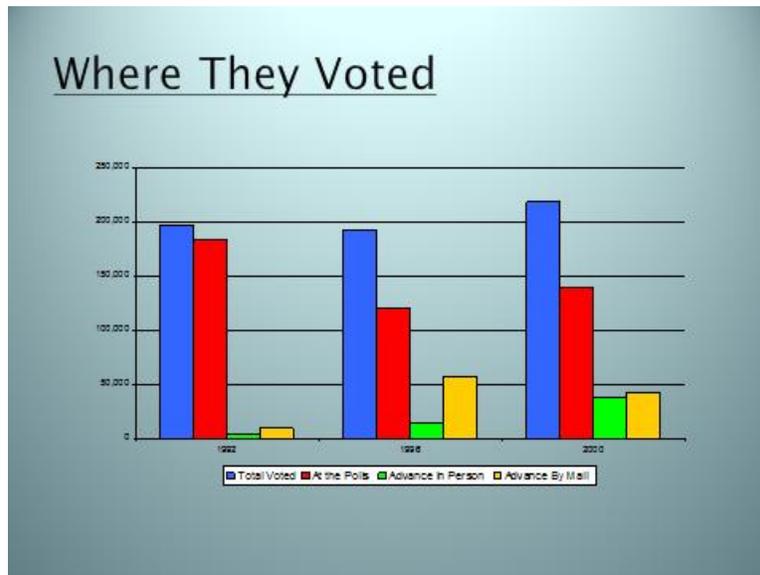
THE PAST, THE PRESENT, AND THE FUTURE IN ELECTIONS

The past.....

In Johnson County, Kansas, the 1992 Presidential election experienced very similar long lines in polling places that occurred in some locations in the 2012 Presidential election. Newspaper stories describing the November 1992 in our County include photographs of voters who were still waiting in line to vote 3-4 hours after the polls closed.

Those long lines led the way for state legislation implementing no-excuse advance voting, by mail or in person for the State of Kansas. This new state election law was implemented in November 1996 – the first Presidential election in my election management career. In preparation for the unknown, we developed a Plan A, Plan B, and sometimes a Plan C – mainly because we had no statistical data to refer to and we had no way to know when or how many people were going to choose to vote early by mail OR in person OR on Election Day.

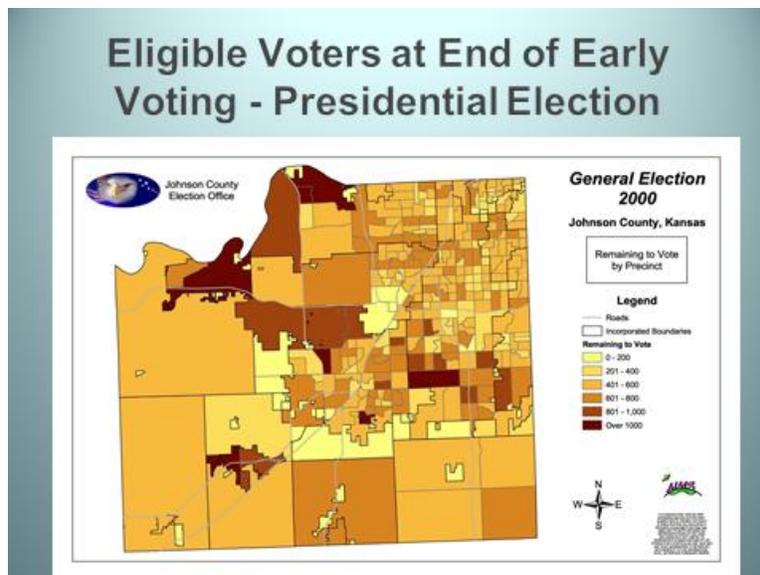
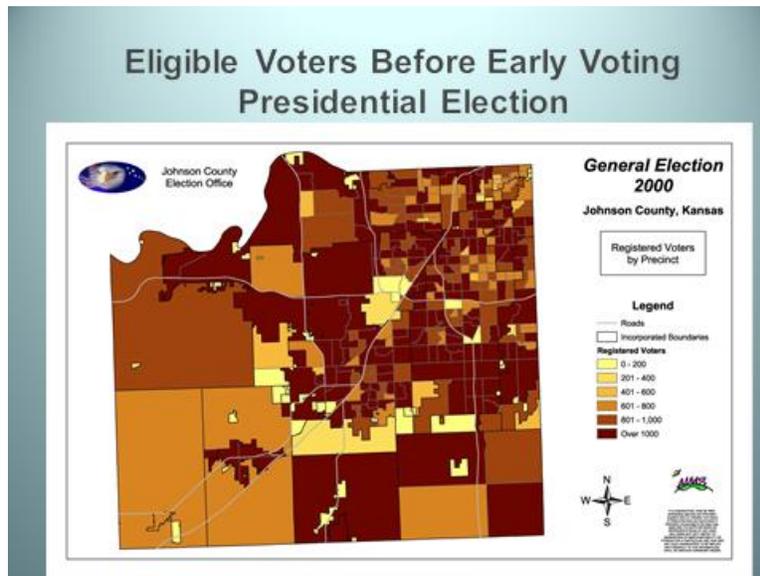
For the first time, our voters had a choice – they could choose to vote at their convenience in person for 20 days prior to the election, OR choose to request a ballot by mail OR they could choose to wait and vote at their polling place on Election Day. The below graph shows the change in voting trends after implementing advance voting in our county.



The most important lesson learned was that people like having a choice! Our county has never experienced long lines on Election Day since advance voting was enacted. The voters love it! It is, however, more work internally because you are conducting three different types of elections at the same time.

We also discovered that if there is a long line during advance voting in person, the voters don't seem to get upset – because they are choosing to be in that line and they have other options available to them to cast their vote. That can be compared to jurisdictions that only allow absentee voting for a specific reason. In those jurisdictions, if there is a long line on Election Day at the polling place, the voter can become upset – because they don't have a choice and the long line can be interpreted as an obstacle between them and their right to cast a ballot.

The below maps show the difference in the landscape of the County before and after advance voting:



The picture tells the story. Election Day was a true non-event because of early voting. Voters no longer had only ONE choice – vote at their polling place on Election Day between 7 a.m. and 7 p.m. Voter now had choices – over an extended “voting period” rather than just one Election Day.

Attached is a white paper, A Blueprint for Managing Elections Using GIS, which describes how our office used GIS technology to develop a blueprint for each election. Our Presidential election blueprint was unique from all other election blueprints. GIS technology provided the tools to visually compare precincts, polling places, and voters to assist in developing and managing elections of all shapes and sizes.

The present.....

The November 2012 Presidential election has been referred to by many as the “perfect storm”. Redistricting, new polling places, long ballots in some jurisdictions, coupled with new state election laws all colliding at the polling places on Election Day. The end result in some jurisdictions was longer than expected lines.

This year I have been consulting with one such jurisdiction – the City of Minneapolis, Minnesota. With the permission of City Clerk Casey Carl, I have attached a copy of their report on the 2012 Presidential Election...Analysis and Recommendations, dated December 3, 2012. It is an excellent report and it tells the story about that election – not only from their perspective, but also from a national perspective. The report also provides a concise look into the details of preparing for an election and the procedural process for checking in voters who choose to register to vote and vote at their polling place on Election Day.

Also attached is a copy of the Election Day precinct analysis prepared by the City of Minneapolis. Of significance is the impact of Election Day registration on the polling place operations. In several precincts the number of Election Day registrations equaled or surpassed the number of pre-registered voters. This tsunami of voters in these locations resulted in long lines primarily because of the paperwork process that must be managed by the poll workers.

We must all remember that the election process in the majority of jurisdictions nationwide is still very much a paper-based system.

The future.....

The Election Center's National Task Force on Election Reform issued a detailed report of recommendations following the November 2000 and 2004 Presidential elections. These reports can be found on the Election Center's web site at www.electioncenter.org.

Following the November 2008 elections, the Task Force convened to once again debrief ourselves. As a profession, we agreed that since the November 2000 Presidential election, improvements have been made.

- The voter registration rolls are more accurate.
- State and local jurisdictions are making more information available to voters via the Internet.
- Early voting has eased the pressures on Election Day.
- Technology is making us better, i.e. statewide voter registration databases, electronic poll books and interactive web sites.
- Poll worker training and recruitment has improved, and the addition of college and high school students as poll workers has improved operations on Election Day.

Improvements are still needed in several areas of election administration.

- We need a comprehensive solution to the challenges that overseas voters face in receiving and returning their voted ballot.
- We need more federal funding for testing of voting systems.
- There remains a need to simplify polling place operations and we need a continued investment in technology.

- States need to continue to improve access to voter registration by utilizing the Internet, and to improve data matching technology across state boundaries.
- We need to expand Election Day to a voting period and provide multiple methods to vote while continuing to explore the use of vote centers.
- There remains the constant need to improve recruitment and training of poll workers.
- Lastly, we need to enhance the statewide voter registration systems to better support the “start to finish” of election administration beyond just voter registration – **we need an election management system.**

Election administrators are very clear in the messages that they want to convey, specifically that:

- There is no “one size fits all” solution.
- Innovation should be encouraged; rigid mandates can stifle creativity and innovation at the state and local level.
- Election officials are committed to improving the election process and to removing barriers to voting.
- Election officials understand the need for and want change.
- Our goal is to ensure that elections are “voter-centered”.
- Voters want options over an extended period of time – it is no longer a one day, twelve hour voting period.
- Election officials want to be partners in developing the new ideas.

- Technology plays a huge role in managing elections in the future.
- The business of elections is technology driven and is now dependent upon that technology.

SUMMARY

A Presidential election is unique. It happens once every four years and brings the largest number of voters into the process. Local jurisdictions carry the full financial responsibility for funding this election.

- One way to provide assistance in a Presidential election is for additional funding to be distributed to local jurisdictions to supplement existing budgets so that those offices can open more polling places, hire more poll workers, and open/staff more early voting locations.
- Another idea is to promote a national “civic duty day”, similar to a day of public service where businesses and corporations release their employees to serve as poll workers on Election Day. These public servants become our nation’s internal army of election workers focusing on providing top notch customer service to every qualified voter.

We all know that if voters have a bad experience, it could impact their desire to ever vote again. It is our duty to ensure that all voters are able to cast their vote in a timely fashion, with confidence that their voted ballot is secure and has been counted accurately.

Thank you for your efforts on behalf of our nation’s voters.