The Future of Election Administration

Mitchell Brown
Kathleen Hale
Bridgett A. King

Elections, Voting, Technology

Series Editor
Kathleen Hale
Department of Political Science
Auburn University
Auburn, AL, USA

This series examines the relationships between people, electoral processes and technologies, and democracy. Elections are a fundamental aspect of a free and democratic society and, at their core, they involve a citizenry making selections for who will represent them. This series examines the ways in which citizens select their candidates—the voting technologies used, the rules of the game that govern the process—and considers how changes in processes and technologies affect the voter and the democratic process.

More information about this series at
http://www.palgrave.com/gp/series/14965

Mitchell Brown · Kathleen Hale ·
Bridgett A. King
Editors

The Future
of Election
Administration

Editors
Mitchell Brown
Auburn University
Auburn, AL, USA

Kathleen Hale
Auburn University
Auburn, AL, USA

Bridgett A. King
Auburn University
Auburn, AL, USA

Foreword

Everyone should have a voice in improving election administration. There are some who see competition—negative competition—and try to maneuver territories for control. I don't see it that way—I think everyone should have a voice in the process. But this approach takes time.

Shortly after the US Election Assistance Commission (EAC) first opened in 2005, I walked in the door as their new Executive Director. They had been working for eight months without many employees—the ones there were people who came from the old Federal Election Commission (FEC) Clearinghouse and from a few other federal agencies. The EAC hired the general counsel first, and looking back, this was a wise decision. We had a lot of federal regulations to deal with. For a number of years, there were many rules about compliance that we had to deal with in order to become a federal agency. Achieving full compliance was a challenge, and Alice Miller in particular helped us get through our first federal audit. The auditors came and lived in our office for over six months, went through every sheet of paper, and made sure we complied with every regulation out there.

In addition to the audit, the other major work of our office at the time was developing the voting systemcertification program. We received a lot of criticism from Congress and some advocacy groups because it was slow work—but that slowness was necessary. This kind of work cannot be done overnight. Working with our partner organization the National Institute for Standards and Technology (NIST), Commissioner Donetta Davidson served as the designated federal officer and tirelessly worked with our staff and other stakeholders from around the country for a long time to develop the program. The result is that today we have a set of protocols with involvement and buy-in from all sectors. Standards and processes change and evolve, but the approach and infrastructure is there and it took almost ten years to build. This type of work is murky, takes a long time, and involves a lot of blood, sweat, and tears. It involves trial and error. It means working with vendors and advocacy groups. But ultimately the outcome is worth a process like this, one that is multifaceted, complicated, involves many people, and takes time.

It's like that in all aspects of our business. This year, I will celebrate my 50th anniversary in elections, and none of the changes I've been a part of happened overnight. They happened because someone had an idea and worked for years to make it work.

There are many other examples. When Washington state first had the idea of moving to voting by mail, the naysayers said it wouldn't work, that the United States Postal Service (USPS) couldn't handle the load, that voters wouldn't accept it, and that there would be fraud. But today the voters in Washington, Oregon, and Colorado love vote-by-mail and if it went away they would be upset. Electronic pollbooks (EPBs) are another example of this—voters were wary at first, jurisdictions were reluctant to purchase them because of the kinks that need to be worked out when adopting first-generation technology, but today EPBs help the process. Another is early voting. Texas was the first state to adopt this, and many people were reluctant, afraid of how hard it would be to manage. But early voting has been a success there and spread around the country.

To improve election administration systems, you need cooperation between local election officials, state legislatures, and county boards.

You need to work with other stakeholders. And you need to take the time to work things out. There is nothing that has happened in our business in the last 50 years that was an instantaneous success. Change takes time and cooperation among officials, voters, legislators, vendors, and community groups. People need to work together to make positive change happen.

The next generation of positive reform is coming. There are new ways for people to transmit ballots from overseas and sophisticated tracking programs for absentee ballots. These are big services for voters, but their development and spread require vendors, USPS, local election offices, and other groups, all to cooperate and to support voter experiences and consequently to enhance the confidence of voters.

There is also no crystal ball to know what's going to happen 10 years from now. But we can get there by including a plurality of voices to help identify, prepare for, and address gaps. There are other issues that we need to pay attention to and determine whether they are consistent problems and concerns around the country—provisional voting (particularly poll workers who make the process uneven across jurisdictions); ballot layout; signature requirements and signature verification rules that no longer make any sense; short periods for canvassing; and so on. There are situations all around the country right now that need greater scrutiny, and these things need to be examined by outside parties who won't make a buck off of the results of the research.

The Election Administration Program at Auburn University filled a critical space when they helped to create the Certified Elections/ Registration Administrator (CERA) program with the Election Center and later created the Election Administration Symposium Series. The entrance of the academic community into election administration after 2000 was a good thing. But some parts of the election administration community have been more reluctant about this research in part because they didn't understand the value of good research and in part because they were wary of bad research. It is important that we study practical topics surrounding election administration so long as there is feedback from practitioners. Academics who do this work in a vacuum produce useless research. This is where Auburn University researchers have done a good job in comparison with many other academic

researchers in this area. And this is the value of their Symposium Series and this volume—bridging the gap between practitioners and researchers.

If you look at a crossword puzzle and you call it the election process, and then take some pieces out and lay them to the side, these pieces become, or represent, the problems and issues in election administration today. These include things like ballot design, security, equipment, provisional voting, and so on. Then you have to find people to help you pick up the pieces and fill in the holes. When this is done, you have a beautiful picture.

I know there are a lot of election officials who express concern that other people are in their business, and others who feel that people are stepping on their toes or encroaching on their territory. But no one election official, advocacy group, or researcher owns this topic—there is no single individual or organization who can solve this topic. Bringing election officials at all levels together with researchers and other stakeholders, like Brown, Hale, and King do in these volumes, pushes the conversation forward and only helps in the long run. The Auburn University Symposium Series is designed around panels with a great mix of stakeholders—practitioners, academics, vendors, and advocates—talking about important topics. These books put those conversations on paper to help move conversation, policy, practice, and research in election administration forward.

Loudonville, New York   Tom Wilkey
                              Executive Director, United States
                        Election Assistance Commission (Retd.)
              Executive Director, New York State Board of Elections (Retd.)

Tom Wilkey is a founding member of the Election Center and joined the Erie County Board of Elections in Buffalo, New York. He joined the New York State Board of Elections in 1979 serving as director of communications and voter education, where he was responsible for the oversight of New York's 62 county election offices. Wilkey has served as executive director of the New York Board of Elections, and as both a member and participant in numerous national

committees involved in developing the National Voter Registration Act and the Help America Vote Act. Wilkey served as president of the National Association of State Election Directors and is a proud life member of the New York State Election Commissioners Association. Most recently, Wilkey served as the first executive director of the US Election Assistance Commission.

Acknowledgements

We extend our deep appreciation to the election administrators, academics, and advocacy professionals who took time out of their busy schedules to attend the Inclusion and Integrity Symposium at Auburn University in 2017 and to subsequently contribute to *The Future of Election Administration* and *The Future of Election Administration: Cases and Conversations*. We know that we asked you to contribute to this volume during an election year. Your willingness to openly accept our invitation, first to the Symposium and then to write for these volumes, is but another indication of your commitment to the profession and to scholarship for and about the field.

Because of your collective efforts, we are able to contribute two volumes to the literature that include voices and perspectives from the range of stakeholder groups who contribute to and play integral roles in the evolving field of election administration. It is our hope that the expertise reflected in this collection of chapters and case studies will serve as a resource that facilitates better understanding of the complexity of voting and election processes in the USA and the profession of election administration.

We would also thank Auburn University for its support of our efforts. The Department of Political Science and the College of Liberal Arts supported this work, as did the Master of Public Administration (MPA) and Ph.D. in Public Administration and Policy Programs, and the Graduate Program in Election Administration. Special thanks are due to the Charles Wesley Edwards, Jr. Endowment for supporting the Symposiums. And in particular we thank our graduate students—M.P.A. Election Center Fellow Tyler St. Clair, M.P.A. graduate research assistant Emily Hale, and Ph.D. students Lindsey Forson and Shaniqua Williams. We are always learning about this field, and it has been a pleasure to have you learn along with us.

Research about public programs is not possible without open access to data—and not just numbers, but also observations, interviews, and more. The transparency provided by election officials and other election community stakeholders has been essential to this project specifically and the field of election sciences more generally, and we are grateful for that. The openness of federal, state, and local officials, and vendors and advocates along with their interest in advancing the profession is encouraging and something for us all to celebrate and continue.

And not least, we are grateful for the support of the Election Center, also known as the National Association of Election Officials, both for its support for the symposium and its partnership with Auburn University. We believe our partnership and joint efforts over the past several decades to professionalize the field through CERA, the national certification for election professionals, has helped develop the field, and we look forward to future collaboration.

Contents

Contributors

Mitchell Brown Auburn University, Auburn, AL, USA

Judd Choate Colorado Department of State, Denver, CO, USA

Avery Davis-Roberts The Carter Center, Atlanta, GA, USA

Kathleen Hale Auburn University, Auburn, AL, USA

Thomas Hicks United States Election Assistance Commission, Silver Spring, MD, USA

Katy Owens Hubler Democracy Research, Park City, UT, USA

Bridgett A. King Auburn University, Auburn, AL, USA

Kelly Ann Krawczyk Auburn University, Auburn, AL, USA

Martha Kropf University of North Carolina at Charlotte, Charlotte, NC, USA

Doug Lewis Election Center (Retd.), Katy, TX, USA

Peter Lichtenheld Hart InterCivic, Austin, TX, USA

Dean C. Logan Los Angeles County Registrar-Recorder/County Clerk, Los Angeles County, CA, USA

Christopher Mann Skidmore College, Saratoga Springs, NY, USA

Christy McCormick United States Election Assistance Commission, Silver Spring, MD, USA

Thessalia Merivaki Mississippi State University, Starkville, MS, USA

Jennifer Morrell Democracy Fund, Washington, DC, USA

Tammy Patrick Democracy Fund, Washington, DC, USA

JoEllen V. Pope University of North Carolina at Charlotte, Charlotte, NC, USA

Marian K. Schneider Verified Voting, Philadelphia, PA, USA

Daniel A. Smith University of Florida, Gainesville, FL, USA

Robert Smith National Intelligence University, Bethesda, MD, USA

Robert Stein Rice University, Houston, TX, USA

Charles Stewart III Massachusetts Institute of Technology, Cambridge, MA, USA

List of Figures

List of Tables

1

Introduction

Bridgett A. King, Mitchell Brown and Kathleen Hale

At 6:00 a.m. on election day 2018 in Maricopa County, an election official reported that one of the polling locations used by the county was foreclosed overnight and locked with the voting equipment inside. Voters were advised to go to an emergency voting center. At 6:30 a.m., five of the 503 polling location had technology-related problems. At 7:00 a.m., long lines were reported before the polls opened. At 9:00 a.m., the locked polling location was accessible, and at 10:40 a.m., the building was accessible for voters. At 11:48 a.m., long lines were reported at Arizona State University (ASU). At 2:30 p.m., a man entered a polling location with a BB gun on his hip and was arrested.

B. A. King (✉) · M. Brown · K. Hale
Auburn University, Auburn, AL, USA
e-mail: bak0020@auburn.edu

M. Brown
e-mail: brown11@auburn.edu

K. Hale
e-mail: halekat@auburn.edu

At 6:00 p.m., there was an estimated three hour wait at ASU—no problems were reported, just more people than expected. An order to extend polling hours was denied by the Maricopa County Superior Court. To combat the lines at ASU, voting booths were set up outside. Officials described the midterm election in Maricopa County as typical, with ordinary issues that crop up.

In many ways, this description of events encapsulates the nature of election administration. The field is rife with challenges that require immediate remedy. Before, during and after Election Day, administrators plan for and adjust to unexpected challenges and irregularities. In any given election cycle, there can be any number of unexpected challenges that arise. National, state, and local election officials have to defend their actions to the public and elected officials.

The American election administration landscape has changed dramatically since the passage of the Help America Vote Act (HAVA) in 2002, and the voting experience has improved in many ways. When registering to vote or casting ballots, voters in many states have a plethora of options that vary across the states, including online registration, automatic voter registration when obtaining a drivers' license, early voting, no-fault absentee voting, and expanded opportunities to vote by mail or vote centers. Mechanical equipment has been replaced with electronic voting systems, and in many places paper books of voter rolls have been replaced with electronic poll books to facilitate the use of registration data in the voting process. Local and state election offices are increasingly sophisticated in the use of election data for process improvement. Voters with disabilities are now guaranteed access to equipment and processes that allow them to vote privately and independently, and polling locations are accessible to all voters.

The work of election officials today is both more complicated and more important than ever before. The heartbeat of the American election systems that operate in more than (roughly) 8000 election jurisdictions around the country rests on process improvement and technological modernization, the details of which remain, for the most

part, behind the scenes.[1] Not surprising, it has been increasingly apparent in recent years that the policy conversations, media reports, and research conducted about election administration do not always align with the complexities on the ground. This has downsides. As election administration practices continue to advance, public confidence in the electoral process has been severely challenged. At the most fundamental level, prominent media outlets widely and frequently report competing claims from candidates, elected officials, and advocacy groups that elections are rigged, that voter fraud abounds, that equipment and databases have been manipulated, and that voter participation is suppressed in record numbers by administrative or political decisions. Elections are the way we measure American democracy—access, participation, equity, transparency, accountability—and the future efforts of election administrators are essential if we are to continue to uphold these values and maintain confidence in our public institutions.

The Future of Election Administration tackles the critical dimensions of elections from the perspectives of some of the country's most forward-thinking practitioner, policy, advocacy, and research experts and leaders in these areas today. The theoretical framework of the book is grounded in the systems perspective of elections (Hale et al. 2015), which establishes election operations within the context of complex, interdependent organizational arrangements. We identify the most critical current and upcoming aspects of election administration systems, and these experts and leaders lend their experiences, understanding, and analysis about what is happening now and what we need to focus on in the future. Our goal is to describe, analyze, and anticipate the key areas of election administration systems on which students, researchers, advocates, policymakers, and practitioners should focus. Along with its companion volume, *The Future of Election Administration: Cases and*

---

[1]No census of local election jurisdictions has been taken; estimates range from 6000 to more than 10,000 and depend upon which local jurisdictions (towns, townships, cities, etc.) are included in addition to the nation's 3100 counties. Crawford et al. (2019) have recently initiated efforts in this direction, extending the work of Kimball and Baybeck (2013); future progress in this direction will be a welcome addition to the field.

Conversations, this book adds to an emerging body of literature that is part of the election sciences community with an emphasis on analyses of practical aspects of administration.

The Auburn University Election Administration Symposium Series

This project is the culmination of nearly five years of dialogue that began with a series of conversations between public administration and political science faculty at Auburn University and election officials around the country (including the leadership of the Election Center, the national professional association for election officials) about how to gather these perspectives and present them collectively to critical audiences. The most obvious of these audiences of course includes election administration professionals in the field and the researchers who study it. But we also hope to reach the policy arena, where local county and township commissions, state legislatures, and policy advisors at all levels of government propose ideas and make decisions that affect election operations, as well as the media who cover this critical aspect of American democratic functioning.

The Auburn Symposium on Election Administration was conceived as the vehicle to convene an initial set of conversations between leading academics, practitioners, and advocacy groups in the field. The first gathering was held at Auburn University on September 14–15, 2015. Titled *The Evolution of Election Administration Since the Voting Rights Act: 1965–2015*, the symposium brought together a diverse set of more than 60 voices through plenary sessions, panels, and informal gatherings to examine how the field has developed over the past-half century, the challenges that remain, and future trends. The Auburn University symposium series expanded in 2017, and faculty hosted *Inclusion and Integrity in Election Administration* on October 15–17, which featured the US Election Assistance Commissioners and data-driven conversations around the Election Assistance Commission's Election Administration and Voting Survey (EAVS) and featured the Election

Assistance Commission members. The goals of *Inclusion and Integrity* were to foster conversation about critical issues that impact American democratic institutions, support the development of common language across diverse professional communities engaged in the practice of election administration, and promote dialogue between those who conduct elections and those who study the way elections operate. Drawing more than 200 participants over 2 days, *Inclusion and Integrity* advanced the conversation with cutting-edge (and controversial) topics including the lack of diversity in the election workforce, the difficulties in untangling financial aspects of election operations, and presentations by representatives of leading equipment and service providers in the field about security concerns and the future of voting equipment. Through 64 separate panels and plenaries, participants discussed data and measurement issues around national surveys, voter access and participation, diversity, voting system vendor concerns, election professionalism, technology and security, costs and resources, measuring success, and emerging research in the field.

The Future of Election Administration and its companion case study volume result directly from the 2017 symposium; together they bring forward the voices and dialogue of election officials, advocates, and scholars at the event and the continuing conversations that were fostered there. These contributions hold great promise for the future of American election administration. The Auburn Symposium on Election Administration convenes again in the fall of 2019, where participants consider lessons learned in the 2018 election cycle, reflect on preparations for the 2020 presidential election, and better understand how to invest in innovation for the field.

The Context of Election Administration

Election administration is complicated. It involves many systems and subsystems, national and state laws and legal challenges, state and local procedures, contracting with private vendors, challenging interactions with the media, and pressures from citizens and third-party organizations. And after the 2016 presidential election, it also requires consideration of bad

actors from other countries. Simultaneously, people's sense of what election administration should provide has also solidified around a straightforward series of steps: People should show up at the polls on election day and receive a ballot (or get a ballot in the mail in advance of the election), mark that ballot, return it, have it counted, and know who won the election by the end of election day. And likely what they really want now is to vote online or through an app. The disconnect between the public perception of elections and the reality of them is vast, and this disconnect is exacerbated by widespread disinformation, be it unintentional or malicious, spread by word of mouth, through social media, or through traditional media sources. Where elections and election administrators have been—and where they are now—provide information about where we are going. And to the extent that we can, knowing where we are going helps us develop the policies, practices, and training for a vibrant future.

No election runs perfectly, but the fears that many people expressed about 2018 were misplaced. Instead, most of the problems around the country that grabbed national headlines revolved around nuances related to election rules and practices. Lines in some places, malfunctioning machines in others, confusion over when ballots had to be counted, and when recounts were necessary are a few examples.

Between 2014 and 2018, we asked hundreds of election administrators to think about the future of their work with a target of the 2032 presidential election—far enough in the future that real change is possible, but close enough that they hopefully would not be tempted to imagine vastly unrealistic scenarios (though some did anyway). We asked about voter registration, balloting, equipment, turnout, and election administration itself. Their answers changed over the years, starting in 2014 with imaginative and daring ideas about internet-based voting that would make the process so convenient that all or most would want to be involved. By 2017, the tide had shifted completely, likely in response to the 2016 cyber hacking attempts: most administrators were convinced that paper ballots were here to stay.

In general, though, the administrators whom we asked were and remain optimistic about the future of their field. Simultaneously they were, as a group, certain that despite the importance of paper audit

trails (essentially, paper records) of ballots cast, the field will become more and more reliant on technology, particularly ballot-on-demand systems or adaptations of current commercial off-the-shelf (COTS) technology. Although at present most states do not permit within state portability (in which voters can cast ballots outside the particular precinct to which they are assigned), they also believe that we will move to 50-state portability for registration, and likely automatic registration in most places across the country. If so, this portends the formation of a federal election administration system, with more robust federal authority that is significantly different than the one we have now.

With reliance on technology comes increasingly complex administrative demands. These demands will mean a more educated and sophisticated workforce. Combining a more sophisticated workforce with the new technology envisioned (which almost no one believes will be funded by the federal government) is expensive. Where the resources for the elections of the future will come from is a critical and often overlooked consideration, and one that is fundamental to the capacity of government to conduct elections.

Plan of the Book and Companion Book

Our publisher encouraged us to develop two companion books to capture the range of issues and voices in election administration today. The chapters in this volume reflect panels at the October 2017 Auburn symposium, and the book is designed around three themes. The first addresses current challenges and the future of access and participation. The second addresses the challenges of professionalizing the field of election administration. And the third part focuses on emerging and future issues in the field of election administration. The authors of these chapters represent election officials at local, state, and national levels, as well as vendors, researchers, and advocates.

The companion volume tracks these three parts and is comprised of accessible case studies written primarily by practitioners and from their first-person perspectives. These volumes can be read jointly or separately as stand-alone books, but our intent (and our hope) is that they

are used together. The illustrative case studies lift up particular issues addressed in this volume through first-hand accounts of often complicated and compelling issues.

In this volume, Part I presents a historical lens through which the evolution of access and participation can be understood, while also focusing on new and emerging issues in the field, current responses, and opportunities for innovation. Part II examines the professionalism of the field of election administration as an area of public service and emerging concerns. The chapters include perspectives from the administrative professionals who run elections, professionals who work in the field as academics, and those who work as members of professional associations and other nonprofit organizations. Part III addresses issues that have emerged recently as either challenges or opportunities (or both), the ways in which election administrators have responded, and how they are preparing to address foreseeable challenges in the future.

Part I: Current Challenges and the Future of Access and Participation

In Chapter 2, Bridgett A. King provides a historical and contextual discussion of the major issues in access and participation and lays out concurrent challenges, innovations, and opportunities.

In Chapter 3, Doug Lewis more explicitly addresses the evolution of democratic inclusion and political interplay that shaped elections and voting in the United States. The chapter provides an overview of the history of voting in the United States and discusses the most critical issues related to electoral inclusion since the passage of the Help America Vote Act in 2002.

In Chapter 4, Election Assistance Commissioner Thomas Hicks discusses current controversies and initiatives related to proof of eligibility, overseas voters, and language minority voters. Drawing primarily from existing issues and initiatives, he provides a practical discussion of the current dimensions of voter access.

Thessalia Merivaki and Daniel A. Smith examine current issues relating to voter registration in Chapter 5 and address current changes to

registration from automatic registration to online registration as well as more traditional methods. The authors focus on current controversies about purging or cleaning state voter registration lists and national efforts to aid in these efforts.

In Chapter 6, Robert Stein, Christopher Mann, Charles Stewart III, and their co-authors discuss the roles that polling location and poll worker quality play in the voter decision to participate in elections.

Part II: Meeting the Challenges of Professionalism

In Chapter 7, Mitchell Brown and Kathleen Hale discuss the development of public service professionalism generally, and the professionalism of election administration specifically. They identify the critical elements of professionalism in election administration, focusing on the influence of national and state associations in professionalizing the field. They compare levels of professionalism across the country at the state level and conclude with a discussion of the critical elements of a professionalized election administration workforce for today and the future.

In Chapter 8, Charles Stewart III details the Election Performance Index (EPI) as a central method of comparing election performance across the states. The chapter chronicles the creation of the index and the underlying framework of the national Election Administration and Voting Survey (EAVS). The chapter discusses the challenges that EAVS has faced since its inception in terms of motivations for data collection and local and state compliance with this voluntary initiative. The author concludes with a discussion of the potential value and uses of EAVS data as reflected through the EPI.

In Chapter 9, Katy Owens Hubler and Tammy Patrick tackle the importance of common language across the field of election systems, and specifically, the challenges in building common terminology and data formats. They focus on the impetus for several tools currently in development for the field including election process models, a glossary, and the common data format. They present points of current agreement about the utility of these tools and the anticipated implications

for election administration, as well as the challenges to finding common languages across and within states for election administration purposes.

In Chapter 10, Bridgett A. King discusses the history and development of diversity in public administration and public service generally, and then diversity in election administration specifically. Based on a review of extant academic literature and secondary data, the chapter addresses critical concerns around various dimensions of diversity in election administration.

In Chapter 11, Martha Kropf and JoEllen V. Pope present a framework of costs and resources related to election administrative expenses, and then discuss complexities and interdependencies that make the study of election administration budgets and costs particularly challenging. The chapter reviews current practice initiatives to attempt to measure cost per voter and the strengths and weaknesses of those approaches. They then consider cost data from North Carolina's 100 counties as a way to address cost issues across the country.

Part III: Emerging and Future Issues in Election Administration

In Chapter 12, Peter Lichtenheld discusses the context of the election equipment environment and the role of vendors in the election administration environment today and in the future. From the vendor's perspective, he illustrates the vendor role as an election solution provider (ESP). He details the intricacies that election jurisdictions present, the approach that vendors take in understanding issues and generating solutions with their customers, and the essential nature of the contributions that vendors provide.

Election Administration Commissioner Christy McCormick takes up election integrity in Chapter 13. She details an approach to understanding integrity based on the principles of democracy and political equality, recent history including key judicial determinations, and the practical aspects of running an election. McCormick identifies possible best practices for state officials to increase election integrity through approaches to list maintenance, ballot design, balloting practices, security, and other election practices.