

Florida's Tracking of Voting Systems Performance

I am honored to be here today to testify about Florida's efforts to track voting system performance.

I believe Florida has one of the toughest certification programs in the nation but certification is only the first step in the process. We monitor performance of the equipment to ensure that the product we certified is the product that is delivered to the counties and used by our voters.

Our Bureau of Voting Systems Certification, led by Bureau Chief David Drury, is responsible for establishing and implementing standards for voting systems certification, to provide technical assistance to county Supervisors of Elections, and to track voting systems performance in the field. The Bureau is also developing in-house expertise for security assessment to promote a preventive philosophy toward security vulnerabilities.

As background, Florida became an all optical scan state on July 1, 2008. Fifteen, many of our largest counties, representing over half the registered voters in our state, made the transition from touchscreen to optical scan voting systems. In the year preceding the transition, the Bureau tested and certified 15 different systems or upgrades to voting systems, including Ballot on Demand. In addition, the Bureau conducted functional testing and source code review for the Okaloosa Distance Balloting Project. This project established a secure distance balloting environment for approximately 100 overseas voters.

I have been asked to cover three areas for evaluating voting system performance: Proactive measures taken by the Florida Department of State, Election Day monitoring, and Reporting.

Proactive Measures

In recent years, the nature of election administration has become very reactive. It was my goal this election cycle to be deliberative and proactive in our preparations for the 2008 election cycle. The efforts of the Florida Department of State and the 67 Supervisors of Elections paid off. We planned and prepared for every eventuality, checked and re-checked those plans and most importantly, never assumed anything. As part of our planning and preparations, the Department took a number of proactive steps to ensure our state was ready. These steps helped us assess the performance of the voting systems in the field and their readiness for the anticipated large turnout.

My staff and I held monthly conference calls with the 67 Supervisors of Elections during the year preceding the general election to track the preparations for our statewide primary and the general election. Likewise, we held regular conference calls with voting system vendors on certification and equipment deployment issues.

My staff and I traveled to the 15 transition counties to offer assistance and assess the performance of the new equipment during the implementation phase.

The Bureau of Voting Systems Certification (BVSC) typically attends the voting system vendors' user group meetings. These meetings provide a forum for county officials to discuss the performance of both new and older technology with the vendors and the State.

The Bureau of Voting Systems Certification is in constant communication with each county's IT staff. In July of this year, the Bureau hosted a voting systems roundtable discussion for county IT personnel. For the first time, this group was able to exchange ideas and share their observations in a large group setting

regardless of which vendor they used. This provided extremely valuable information for my staff to assess the systems.

The BVSC analyzes the security procedures for all 67 counties in Florida and provides recommendations for improvements and enhancements as well as release “Technical Advisories.”

Election Day Monitoring

Election Day monitoring is a bit of a misnomer. In Florida, the Bureau of Voting Systems Certification staff monitors Election Day preparations, Early Voting, Election Day, Recounts, and Post-election audits, as needed.

The objective is to observe and examine the registration and election processes and the condition, custody, and operation of voting systems and equipment.

The Bureau of Voting Systems Certification (BVSC) deployed its personnel across the state for observation and support of the Presidential Preference Primary, our August Primary, and General Election. During the past two years, the Division of Elections traveled to and maintained a presence in 34 counties during Logic and Accuracy Tests; 32 counties during Early Voting; and 8 counties on Election Day. Typically for each Election Day, personnel are assigned to four geographic areas: East, West, Central, and South Florida.

In addition to the Voting Systems personnel in the field, the 67 Supervisors of Elections are assigned a staff member from the Division of Elections and Office of the Secretary in Tallahassee. During Early Voting and Election Day, these staff members contact their assigned counties to assess how the voting process is going. Voting systems issues reported by the counties are tracked by vendor and by equipment type. The issues are assigned to the Bureau for follow up and coordination with the voting system vendors to resolve them. This process has been extremely helpful in quickly assessing whether issues are isolated/county specific or a statewide occurrence.

Reporting

The Florida Election code mandates a number of reports that the counties must file with the State. These reports have been a valuable tool for the Bureau of Voting Systems Certification to track voting system performance. The primary objective is to promote continuous improvement in the voting process.

The Bureau is responsible for acquiring, analyzing, and categorizing the various problems that occurred during an election. Typically, these issues can be grouped into four general categories: man, machine, materials, and methods. Analysis of apparent systemic problems may reveal root cause(s) and offer the potential for developing mitigating strategies that can be applied state wide.

County Canvassing Boards are required to file a Conduct of Elections Report with the official certification of the Election. This year, we revised the form to gather very specific information on the number of machines deployed, by type, the number that were removed or malfunctioned and the reasons for removal. Counties also report to us issues with ballot printing, Ballot on Demand, election definitions, shortages of poll workers or procedural violations, and insufficient staffing or equipment at polling places.

Florida implemented Post-Election Audits this cycle. Reports are filed by the counties detailing any discrepancies encountered, the likely cause of the discrepancies, and the recommended corrective action to mitigate it in the future. The Bureau of Voting Systems Certification examines the audit reports for concerns with the precinct and central count voting devices.

Finally, an overvote and undervote report is filed with the State. The objective is to analyze the over and undervotes from each general election to ascertain the suitability and effectiveness of voting system technology. This analysis has sometimes been erroneously referred to as an error rate assessment of voting systems and has inappropriately been used to indicate the degree of tabulation uncertainty for each type of voting device. The actual intent of the over and undervote analysis relative to voting methods is to assess the suitability and effectiveness of voting methods, voter education, voting processes and procedures toward reducing inadvertent voter actions that result in an undervoted or overvoted ballot. However, the analysis is confounded by such problems as aggregated data from different voting methods and voter intent such as voter apathy and the protest vote.

In closing, let me share with you our preparations for the 2010 elections. Through our tracking efforts in 2008, we have suggestions for enhancements and improvements to both new and older systems. Voting systems are a constantly evolving product and it is the responsibility of state officials through testing and certification, observation in the field, and analysis of reported data to ensure those products not only function as advertised, but continue to do so. I use the analogy of voting equipment needing to be a lot like an airplane....it has to start up on time and make it off the ground, stay in the air throughout the flight, and land safely with all of its components intact. The difference is with 99.9% certainty we know that the plane will take off, stay in the air and land safely.

Voting system vendors must be held accountable for the equipment they produce but it has been my policy to treat vendors as partners not adversaries. We have had great success working together to improve the systems certified in Florida. To that end, I am hosting our three certified vendors next month to discuss my expectations for the 2010 cycle and to build on our successes. I often use the analogy that elections are like a three-legged stool. The State, local elections officials, and voting system vendors all must work together or the stool will fall over. If one fails, we all fail.

Thank you again for the opportunity to speak to you today. I would be happy to take any questions at this time.