

Let's begin with Elections 101. My role in this study group is that of a teacher. That said, whenever you see me standing before you with microphone in hand, brace yourself because I'm probably going to be throwing at you almost more than you can stand about the administration of elections.

Since my role here is as a teacher, I want you to think of this as a classroom. I hope we're relaxed together and that you feel free to ask questions at any time.

When I took the job as Dana's Election Division manager in 2001, the Elections staff was in the middle of a project of listing and putting a timeline to all of the tasks that they performed to make an election happen. When you get right down to it, an election is an event. And that event must be planned well and must happen on time. That means the tasks have to be well choreographed. If you don't have the content for the ballot, or if you forgot to order the paper, or if you can't get the ballot to the printer on time, you don't have ballots.

So the staff listed all of their tasks, and things like - when the task had to occur, and how long the tasks would take, and how many people they would take need, which tasks were dependent on other tasks. So they brought in the sheets of paper to our conference room with all of this information and started taping them to the wall. When they were finished they had wallpapered the entire conference room from floor to ceiling...with all of the things they had to do to pull off an election.

Needless to say, even though I wish you could understand what REALLY goes into the administration of an election, it's impossible for me to even skim the surface in an hour and a half.

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Now the first gist I want you to get is who belongs where in this world of elections. Looking at this organizational chart of the County Clerk's office, you have the County Clerk, her Chief Deputy, and among the many divisions under her is the Elections Division. Looking at an Elections org chart you see the Division Manager, that's me, the Program Manager, that's Michael, and 6 departments with specific duties in the conduct of the election.

Notice that nowhere in these 2 charts are there the words "voter registration." That's because the Voter Registrar is in the Tax Assessor Collector's office under Nelda Wells Spears. Dee Lopez,

who is part of this study group, is in charge of Nelda's Voter Registration Division. Now you'll see in just a minute how important they are to us, and how we can't pull off an election without them. But the gist of this whole thing is...in Travis County, elections and voter registration are two separate entities. Dee and I must have an excellent working relationship... and we work very closely together, but we answer to different bosses.

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So what do I hope to accomplish today and over the course of the next few sessions? I hope that you walk away from our sessions with enough knowledge to make informed choices when the time comes for recommendations.

We all have different experiences when it comes to elections. All of you have experienced elections as a voter, some can add the experience of running for office, others have worked as poll workers. But only a few of you here know the extent of involvement, complexity, detail, and sheer overwhelmingness that it takes to bring someone the seemingly simple privilege of casting a ballot

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What we're going to talk about today is what it takes to conduct an election no matter what kind of voting system we have. We're going to talk about what it takes, but not how to do it. I want for you to think of our sessions together like we're building a house. Today we're going to talk about how the house has a foundation, floor, walls, and a roof. And how to make the house safe. But we're not going to talk about what the house is made of.

We're going to talk about how, if we want to make the house more fancy, we might put in indoor plumbing, electricity, and climate control, but we're not going to talk about copper versus pvc pipes.

By the way, when I was thinking about this house analogy, I was thinking that the foundation is probably election laws, the floor – voter registration, the walls – the voting system, and the roof – all of the people it takes to administer the election.

If you want to get fancy and get a little plumbing, electric, and HVAC...that's where developing methods for people to vote when they're out of town or overseas comes in; or vote by mail, or adding the opportunity for people to vote Early in person. And where does the voter fit into this analogy????????????????? They own the house, of course!

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**Election laws:** Our favorite topic. Remember this: almost everything we do in elections is mandated. We have many different sources for these mandates: federal, state, and local governments all have laws that we must adhere to.

Sometimes legislation occurs as a reaction to the status quo. For instance: Early Voting in person was a reaction to a situation that limited people's chances to vote. In Texas you have to have a reason to be eligible to vote by mail, or, you have to show up to vote at your precinct on Election Day. Early Voting now offers people more flexibility and more opportunities to vote.

Sometimes legislation is a chain of events to change or improve the system.

For example: We have the ongoing process of making voting for military and overseas citizens more accessible. There is now a 5 day grace period after Election Day that we are allowed to receive military and overseas ballots. We call this Late Ballots by Mail.

And we participated in a pilot program in November to email a ballot to military personnel overseas if they hadn't received their requested ballot in time to return it.

As Dana has already told you, she goes to the legislature during their sessions and represents the County Clerks across the state.

I'm passing out a chart that might give you an idea about how confusing and complex the elections laws can be. On this chart, the Xs in the colored area represent legislation that conflicts with timelines set in other legislation. You have people getting to withdraw from a ballot according to one law AFTER the ballot has been printed and sent out (ballots by mail) in accordance with another law.

Throughout this session we're going to be playing a little numbers game. I'm going to throw out a number and your going to try and guess what that number means. So here's our first number:

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252                      the number of bills we're currently tracking for this legislative session

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Here's another number (4).

In our world we think of election years in 4-year cycles. Let's look at what goes on in each year. (Discuss even and odd year cycles)

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Let's talk a little more about voter registration. We're lucky enough to have a pretty sophisticated system in Travis County.

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When you go to register to vote you give the registrar information about yourself including your name and residence address. What happens when you do this is that it locates you by that address on a map. That map is related to a computerized mapping SYSTEM that associates you to districts. These districts have also been mapped into the system. It locates you within legislative, senatorial, congressional, commissioners, JP, school, SMDs, and cities, as well as MUDs, WCIDs, ESDs, etc.

We'll see why this is an important fact later

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Here's a number I hope you all know. 576,961. The number of registered voters in Travis County as of April 2009.

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Local jurisdictions are a relatively new topic for us. And HAVA (the Help America Vote Act) is the reason for this. One of the things that HAVA said was that everyone holding elections must have some method for allowing persons with disabilities to vote a private ballot. In 2005, the year before HAVA had to be implemented, we began having discussions with local entities about conducting their elections. In 2003 we began conducting elections for the City of Austin, and once in a while Cap Metro or ACC, but everyone else in the county ran their own elections.

In 2005 local jurisdictions slowly began to contract with Travis County until almost everyone was signed up by 2006.

Here's our next number:

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121            the number of contracting entities

I want you to remember that there is a lot of meaning behind these simple numbers. 121 contracts represent a lot of negotiation, a lot of communication, a lot of customer service, and a lot of hands to hold. We love all of our entities and want them to feel comfortable with us handling their elections as well as confident.

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I love this slide. This represents the situation I walked into in 2001. Life was much simpler then. This is a map of Travis County. The pink shows the City of Austin. This was about as complicated as an election got back in the day.

I want to introduce the concept of ballot styles here. A ballot style is defined by a precinct and the overlapping participating districts at a point on the map.

On this map there is a possibility of no more than 2 ballot styles in a precinct. Your ballot may have just Travis County issues, or it may have the City of Austin and Travis County issue.

Simple, yes?

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And now.....

I don't think I need to say much about this map. This is the map for the upcoming May election. There are only 18 jurisdictions represented here. We have had as many as 35 entities having elections at one time.

Now don't think that this situation wasn't occurring before. These people were always having elections. They were just conducting the elections themselves. So a voter may have had to go to 2, 3, or sometimes 4 locations if they wanted to vote on every election in their districts.

I would like to think that everything we do is for the voter. In our world here in Travis County we don't like to think about what is easier, we like to think "what is best for the voter."

HAVA helped us accomplish something that we had been trying to do along with the City of Austin. Give the voter one stop voting. One ballot at one location.

Let's go back to the ballot style concept. We now have precincts that may have as many as 11 different combinations that overlapping districts may create in one precinct. We'll talk about that more in a second.

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Lets talk a little bit about creating a ballot. Here's your next number. I'll give you a hint. It has to do with our ballot style discussion.

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706            The number of ballot styles in Nov 2008 election  
I'm going to pass out a document to you all that shows you what 706 ballot styles look like. That's 17 pages of possible combinations. Each of them represents a different type of ballot.  
When you put the precinct number and the possible combinations together, no 2 ballots are alike.

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And here's yet another ballot style number

8

The highest number of ballot styles in a precinct in November 2008 in precinct 326

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Let's look at precinct 326 and see how ballot styles look on a map

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And another number associated with the creation of a ballot

83

the number of contest on the November 2008 ballot

Now I'm going to pass out 2 types of sample ballots to you. These have to do with the upcoming May election.

One is called a bedsheet ballot – this has every jurisdiction and race that has been programmed into the ballot.

The other contains 2 sample ballots from the same precinct, one on the front and one on the back.

Precinct 324 is the winner in the May 2009 election with a total of 8 ballots styles.

I just wanted you to see that your neighbor across the street may have a different ballot than you. It just depends on where your address falls on that map. And where district boundaries happen to be. Remember that cities, school districts, etc. don't use precinct or even county lines to determine their jurisdictional lines. The result can be precincts that are split into many pieces. So when you hear the term "split precincts" you'll know what I mean.

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Here's your next number

2    The time in weeks between the completion of the programming of a ballot and distribution of the ballot for voting by mail





47 the number of Ballot Board members in Nov 2008

And all of these processes were done by 47 ballot board members and a temporary staff of about 12 people in 7 days.

I want you to try and visualize what this looks like:

When all of these ballots filed in these containers we have were laid out every day, they filled an area about one third the size of this room

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### Preparing for Early Voting in Person

Here are a few numbers

12, 11, 9, 5 number of Days in EV

These numbers show you that one size does not fit all. This having different rules for different elections thing happens everywhere in elections law. In this case, we have different durations for Early Voting depending on the type of election. In almost every case, Early Voting starts on a Monday. BUT not all of the time.

12 represents the EV period for a November election. 11 represents the number of days for the March Primary EV period. Presidents Day falls on Monday so we start on Tuesday, the next business day. 9 is the number for May, and 5 is for Primary Runoffs.

In Early Voting we may run anywhere from 21-30 permanent voting locations. We try to use retail locations whenever possible. We want to be in high traffic areas where it's convenient for voters to vote.

We have 3-6 mobile teams. These are teams that travel to different sites each day. These sites are typically places like rural areas, senior centers, city and state buildings. We book between 40-85 sites for an election. Even though we don't own the sites, each has to be ADA compliant and we have at least one Spanish speaking poll worker at each site.

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And our next number is  
300

Average # of EV workers recruited and trained per election

In Early Voting we recruit all of the poll workers.

Behind this number is a lot of phone calls and emails, job applications, criminal back ground checks, paperwork and more paperwork, entering names into the County payroll system, processing timesheets, issuing paychecks, and training.

I'm going to pass out an Early Voting training manual to everyone. I don't expect you to read it from cover to cover for the next class, but if you take some time when you get home to browse through it, I think you'll see that there is a lot of stuff that these 300 plus people have to learn.

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Show supply box

Show forms box

This leads us to two more fun numbers related to early voting

23 Number of items in a supply box

51 Number of forms in an Early Voting forms box

For fun I'm passing out the checklist for these forms and supplies boxes. Although these numbers don't sound like too much, multiply them by 27 – 36 EV sites, and add the election day locations that your going to learn about in a moment and you got a lot of items. And our poll workers expect each and every item to be there. They don't like having to call their trouble shooter because someone didn't fill their supply boxes correctly

Before we move on to Election Day, I want to introduce a term to you all that you might not be familiar with:

Ballot Allocation.

In Early Voting what this means is that every location must have every ballot style available at all times. Go back and look at your 17 page document that lists all of the ballot styles, to understand what this means.

I don't want to go into the specifics of how you get the right number of ballots for each ballot style to each early voting location. Just know that you have to OVER allocate your ballots to make sure you don't run out of that one ballot style you may need.

Then you have the accountability for each one of those ballots. Every allocated AND unallocated ballot must be accounted for on forms

specified by law and the transfer of ballots from elections to the judge and the judge back to elections must be carefully documented.

Before the Early Voting deputies pick up their supplies. Ballot boxes are locked and sealed. By law the Sheriff keeps the key to the boxes. When the Sheriff is on the ballot the County judge holds the key. The County Clerk does not have possession of the key until the boxes are open on election night.

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There are only a few differences between Early Voting and Election Day preparations. The biggest difference is that there is more of everything. More sites, more people, more supplies.

Which brings us to our next number:  
210 number of precincts in Travis County

Imagine this: Securing over 200 sites that you don't own and making them suitable for voting and making them ADA accessible. Making sure the voting equipment arrives at the site on time, and the janitors open the doors on EDay on time. Making sure your poll workers arrive early enough to set up everything in time to vote people when the polls open. Hoping that everyone follows their instructions and uses their training manuals, and has all of their supplies, and knows their emergency procedures. It's really quite an amazing thing.

For Eday a Presiding Judge and Alternate Presiding Judge manage their polling location. The presiding judge hires the clerks for his location.

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Which brings us to our next number  
1200 This is the average number of poll workers who work on EDay

Remember once again that there is a lot of work behind these numbers to get these people recruited, trained, and paid.

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No matter what kind of voting system you have, voted ballots must be secured in some way and unvoted ballots must be accounted for on the proper forms.

Securing ballots is usually done by using locks and tamperproof numbered seals.

Here's a fun number

11,954      Number of seals used in Nov 2008 election

I just want to show you the variety of seals we use and how they are packaged and documented.

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### Voting begins

- Operation staff shows up to open up and get the vans ready to go out into the field
- Technical Trouble Shooters load up their vans and head out to their first locations
- The Sheriffs and Constables arrive to take the ballot boxes out to all of the early voting locations
- The Call Center is ready to accept calls from poll locations and voters
- Management staff takes their positions, Michael and Gail start visiting sites
- The Technical Support team starts monitoring laptop activity as the locations log into the voter registration system
- Poll workers set up their locations
- The polls open
- Parallel testers start testing
- Supply workers continue to prepare Eday voting equipment and start delivering Eday equipment
- Training Trouble Shooters assist in 3 training classes a day
- Voting happens and continues to happen
- Polls close
- Sheriffs and Constables pick up ballot boxes from all locations
- Verification team pulls paperwork for each location and returns the following morning for auditing paperwork
- Technical Trouble Shooters visit their last site, return to the office, and unload their supplies
- Public Information staff posts numbers for the day

This process continues day after day until Early Voting ends. Elections Day is similar, but the Sheriffs and Constables do not do pick up and delivery of the boxes.

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Just to illustrate the extent to which we do rely on other departments within the County to conduct an election I thought I would show you a chart that our Sheriffs and Constables use to schedule their officers

for pick up and delivery of the Early Voting ballot boxes (explain chart)

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Voting on Election Day is different from Early Voting in a lot of ways, but the 2 things I would like you to remember is that EDay is one day of voting and people must vote in their precinct of registration.

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There are 3 provisions in the law that deal with either voters who have moved and not updated their registration or voters who are not in the voter registration sytem.

The first is failsafe voting. Failsafe voting pertains to local elections only. That is elections where you have a jurisdiction such as a city, school, ESD, etc. Explain briefly.

More than what failsafe is, though, I want you to understand the process behind it.

This is a process that pertains ONLY to local elections  
When a voter comes in to vote, the first question the poll worker asks them is "Have you moved?" If the voter says "yes," it puts a PROCESS into play.

The presiding judge takes the voter aside and has him fill out a Statement of Residence form (SOR) with his new address information. This form is sent to the Voter Registrar to update their database.

In the meantime, the judge has to make a phone call to our Call Center to see what elections the voter is eligible to vote in. The call center operator has to look up the districts of his old address, locate the new address in the voter registration mapping system, and find out what jurisdictions he still has in common with his old address. Then the call center has to tell the judge what races the voter is eligible to vote on or what ballot style - if it exists - the judge should give to the voter. This process can take anywhere from 10 – 20 mintues per voter. AND our call center operators are all temporary employees that are hired 2 weeks before the election starts and go through extensive training to teach them how to perform this complicated process.

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13,125      number of failsafe calls in Nov 2008 election

Hand out provisional envelope

Another provision in the law deals with voters who may not be on the voter roles but believe they are registered read the envelope

The PROCESS of handling a provisional ballot is a little different. Like the failsafe voter, the judge takes the provisional voter aside, calls the call center and the operator once again goes through the process of locating the address in the voter registration system and telling the judge what ballot style the voter should receive. There's a lot more paperwork involved in processing a provisional voter including filling out this envelope and a couple of other forms.

THEN the provisional ballots come back to us sealed in these envelopes. We verify the seal of the box, we log them into a chain of custody form, seal them in a ballot box and take them to the voter registrar. The voter registrar researches each voter and returns the envelopes to us with their findings.

When ballot board convenes, the presiding ballot board judges look at each envelope with the findings of the VR on it, and they either accept or reject the ballot.

Once the ballot is accepted it is opened and counted. If the ballot is rejected it remains unopened.

Letters are sent to every provisional voter stating that their ballot was either accepted or rejected.

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1661 number of provisionals processed in Nov 2008 election

Percentage of accepted provisionals depend on the type of election.

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The last of the 3 provisions deals with voters who have moved from one county to another. Explain briefly.

Once again, I just want you to understand the concept and know that behind this is another time consuming PROCESS. Limited ballots can only be voted during Early Voting and the voter has to come here to the main EV location to vote. When they arrive, they fill out the proper forms and sit and wait while we research what races they can vote on. Once we know this, we print a ballot and mark out every race that

they can't vote on. Hence the name LIMITED. We limit what they can vote on the ballot for their precinct.

The paperwork for the limited ballot acts as a voter registration certificate, so it is sent to the voter registrar so she can enter the new voter into her system.

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1044      number of limited ballots in November 2008

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### VOTING ENDS!

But the pain is not over!

Now we have to go through the process of closing out and officially surrendering the ballots.

The judges probably have an hour or so of close out chores that they must perform at the polling location. When they are ready, the 2 of them – by law – must transport their ballots and paperwork to a receiving substation. These are the 4 satellite stations where everything down to the last extension cord are surrendered AND accounted for.

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14 – 15 hours worked by election day poll workers

So these poor people have to come in after a long day and go through the process of official surrender of the ballots and other materials

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6      Number of check stations

And they have 6 stations they have to go through where we do everything from accepting their ballots to checking their paperwork before they can go home.

I'm passing out our RSS procedure. This gives you an idea of how many things there are to surrender. It also gives you an idea of how much detail must go into this and every other process we perform.

The Sheriffs and Constables people come into play again on election night. They transport the ballots from the RSS to the Central Counting Station. Again, there is a process in place for the transfer of these ballots.

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120    number of RSS workers

Once again remember that behind this mounting number of temporary workers we hire are recruitment and hiring, timesheets, payroll, and training.

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I'm not going to go into too much detail about tabulation and results. The important things to remember are that Tests must be performed on the tabulation equipment before and after tabulation takes place Audits of the results are made to insure that the results are accurate

Part of any election night are remakes of paper ballots that cannot be read by the system or that might need discussions to determine voter intent. Are all of you familiar with what is happening in Minnesota with the Frankin/Coleman race? So when you have a situation like this....an ambiguous vote..... your presiding judges need to step in to decide if the voter intent can be determined and to sanction the actions to correct the vote. The ballots are remade to new ballots or corrected to reflect the decision.

Once remakes are counted they are added to the tabulated results.

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10:00

In the 1999 task force this was a very important number. There was a lot of pressure to have results substantially completed by the 10:00 news.

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4.5 average number of hours after close of polls that Travis County delivers final unofficial results

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Your post-election audits are going to depend on the voting system you have

But no matter what system you have there are 2 basic audits that must be performed.

The judges post voter turnout numbers every 2 hours. These numbers should be checked against the total number of votes voted.

Signature audits are essential. This compares the number of signature on the voter lists to the number of votes cast.

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400

We perform about 400 person hours worth of audits each election

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Finally we get to the canvass of the election

Audit are complete and we feel confident of the numbers on the returns.

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8 – 11      number of days after election for canvass

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24      number of person hours to prepare canvass

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Mandatory Recounts

The pain is still not over!

The SoS sends us an order to conduct a manual recount. They determine the 3 precincts and the races that we will recount – MANUALLY. Most difficult is pulling our ballots by mail which we file alphabetically, and pulling the Early Voting ballots since any ballot style can be voted at any EV location

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144 person hours to conduct the recount

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Recounts and Contests

Party desiring recount contacts the SoS within 10 days after election They define the scope and method of the recount. They pay for the recount.

Party contesting an election contacts the SoS within 10 days

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Records are stored according to the law

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22      number of months for retention

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Future

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Questions to Ask