

Elections by Mail Pilot Program

December 19, 2018

This report has been prepared by the Office of Elections pursuant to Act 182 Session Laws of Hawaii (SLH) 2018 which implements an elections by mail pilot program for the County of Kauai for the 2020 Elections. For additional information or questions, please contact the Office of Elections by emailing elections@hawaii.gov or by calling (808) 453-VOTE (8683) or toll-free 1-800-442-VOTE (8683).

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Introduction

The mission of the Office of Elections is to provide secure, accessible, and convenient election services to all citizens statewide. We believe elections by mail facilitates accessible and convenient elections and will streamline the administration, while still providing secure elections. In 2018, 63% of voters in the Primary Election and 56% of voters in the General Election cast their ballot prior to Election Day either by mail or at an early walk-in voting location. Of the 63% of the voters in the Primary Election, 89%

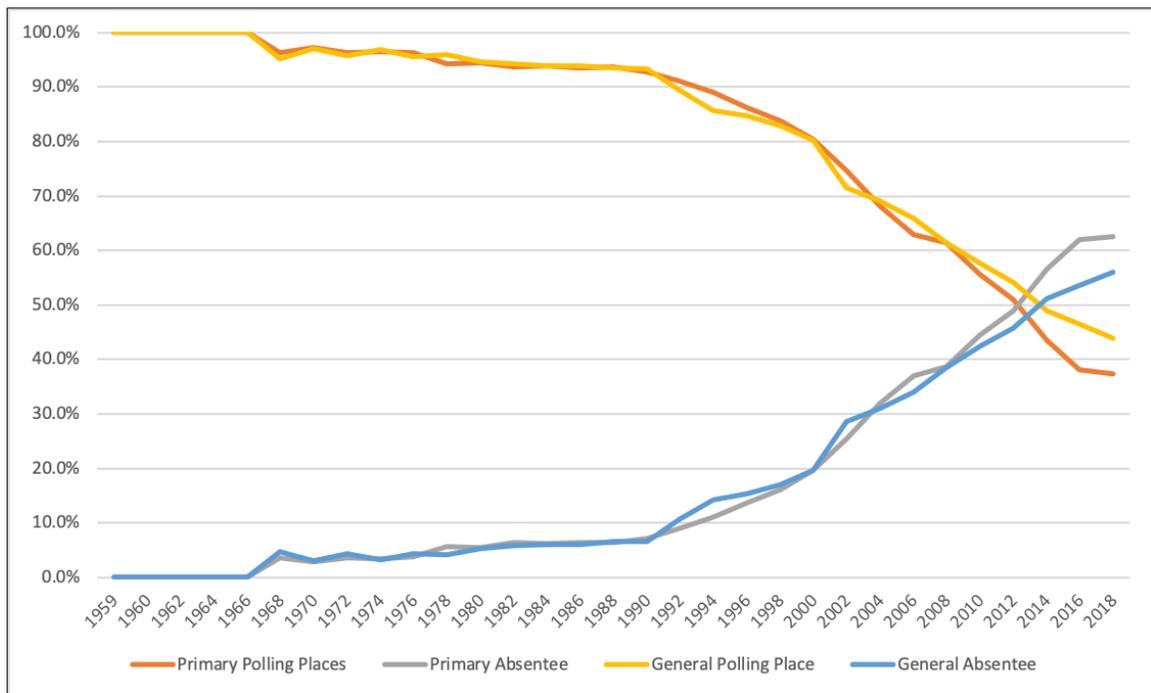


Figure 1: Comparison of Absentee and Election Day Polling Place Turnout from 1959 to present.

voted by mail. Of the 66% of the voters in the General Election, 87% voted by mail. The Office has found that since the 2014 Elections, more voters are choosing to vote early and we believe this trend will continue.

Currently, Election Officials, from the Office of Elections and the various County Elections Divisions, operate and maintain three (3) voting models – early walk-in voting, voting by mail, and election day polling places. The Office of Elections is responsible for polling place operations as well as the printing and counting of ballots. The County Elections Divisions are responsible for early voting – at early walk-in locations and voting by mail, in addition to voter registration. The Neighbor Island County Election Divisions

also operate the polling places in their respective County on behalf of the Office of Elections.

Act 182 SLH 2018, implements an elections by mail pilot program for the County of Kauai for the 2020 Elections. Voters will be automatically sent a ballot to the mailing address associated with their voter registration. Additionally, the Kauai Elections Division will establish a voter service center to allow voters to obtain and deliver their ballot as well as provide accessible voting and same day voter registration. The Office of Elections is working with the County of Kauai and the voting and vote counting system vendor to plan and implement elections by mail including 1) a voter education campaign; 2) an accessible ballot; and 3) capital equipment to ensure the security and integrity of the election.

History of Early Voting

Prior to 1993, absentee voting was limited to voters who would not be physically present on election day. The Legislature passed no-excuse absentee voting in 1993 which allowed any registered voter to cast an absentee ballot either at an early walk-in voting location or by absentee mail.

In 2002, a special election for United States Representative, District II was conducted by polling places resulting in a total turnout of 13.3%. The following year, in 2003, the Legislature authorized special elections to be conducted entirely by mail. A special election in 2010 for United States Representative, District I was conducted by mail, resulting in a 54% turnout. While these are two separate elections and there are additional variables, the convenience of being sent a ballot in the mail may have improved turnout for the 2010 Special Election.

In 2012, the Legislature allowed the Office of Elections to designate precincts on the island of Niihau, and precincts with a unique ballot type with less than 500 registered voters to be mailed a ballot rather than establish an election day polling place. These “pocket precincts” are operated like an election by mail model such that voters will be automatically sent a ballot to the mailing address associated with their voter registration or allowed to vote in-person at an early walk-in voting location.

The Legislature has also addressed the security and integrity of elections by mail by requiring voters to affirm that their “employer or agent of the employer, agent of the voter’s labor union, or any candidate listed on the ballot” did not assist with voting. HRS §15-6.

Most recently, in 2016, the Legislature has allowed voters to request a ballot be electronically transmitted to them within five (5) days of the election in case their ballot has not been received or it has been spoiled. This ensures voters may receive, vote, and return their ballot to the County Elections Divisions by the close of polls on election day. With each new measure, Election Officials have been able to better serve voters of the State of Hawaii by making elections convenient and accessible and improve the administration and infrastructure of early voting.

Securing Elections by Mail

The entire mail voting operation is governed by a comprehensive array of well-developed procedures to ensure the overall integrity of the mail voting process. A robust voter registration system is in place to accurately and efficiently maintain voter registration data. The voter registration system is maintained pursuant to the National Voter Registration Act of 1993 (NVRA) and supported by a voter follow-up process to address known issues in a timely manner.

To ensure a secure and honest election by mail, voter data for personalizing ballot return envelopes is extracted from the voter registration system and checked to identify any anomalies. Once the extracted data is cleared for use, the corresponding voter records are marked to indicate that the voter was sent a ballot. If a voter is deemed ineligible to vote after data for personalizing envelopes has been extracted, the corresponding voter's record will be flagged, and the corresponding ballot cancelled so it cannot be accepted or counted.

An automated process personalizes ballot return envelopes with the extracted voter data and assembles mail ballot packets. Each ballot packet consists of a personalized postage-free return ballot envelope, one (1) secret ballot envelope, one (1) ballot, notices addressing election and voting fraud, information on permissible voter assistance, and voting instructions.

When voted ballots are returned, the signature on the back of the return ballot envelope, containing the voter's ballot, is compared to the corresponding voter's signature on file in the Elections Division. If the signatures match, the ballot will be secured and stored before it is counted. If the signatures do not match or the return envelope is not signed, the voter is contacted and provided with options for resolving the issue.

Once a voter's mail ballot is validated by signature verification, the corresponding voter's record is marked to identify the voter as having returned a voted mail ballot. This will prevent the voter from casting a ballot in-person at the voter service center.

Pursuant to HRS §16-43, ballot processing at the counting center is completed in the presence of official observers. Procedures are in place to ensure that each ballot return envelope contains only one (1) voted ballot, that valid damaged ballots are correctly duplicated to ensure that the voter's ballots is counted, and that all valid ballots are scanned and included in election results. Additionally, random audits are completed to validate election results and confirm that all valid ballots have been counted and tabulated.

Voter Education

The Office of Elections and the Kauai Elections Division are preparing a voter education program to notify voters that they will be automatically mailed a ballot for the 2020 Elections. Election Officials plan to update and customize the *Notice of Voter Registration*, commonly referred to as a "yellow card," to highlight the implementation of elections by mail. The updated "yellow card" will be mailed to every voter in August 2019, approximately one (1) year before the 2020 Primary Election. As voters register or update their registration, they will also be sent a "yellow card" through the 2020 Elections. We believe this is the most effective and efficient mechanism to notify each voter.

Election Officials are also developing voter education materials to teach voters about receiving, voting, and returning their mail ballot to ensure voters are confident that their ballot has been counted during this change in the electoral process. Voter education materials will focus on the following five (5) topics.

First, we want to remind voters that for the 2020 Elections, they will be automatically mailed a ballot to the address associated with their voter registration. Voters may continue to request an absentee mail ballot to be sent to an alternate address for the election year – for example, a person vacationing off-island. Additionally, in-person voting is still available at a voter service center, which functions similarly to an early walk-in voting location.

Second, as voters mark their ballot, we want to remind them to request a new ballot from the Kauai Election Division if they mismark or over vote a contest to ensure their vote is properly counted.

Third, voters must sign the return envelope for their ballot to be counted. County Election Officials follow up with voters if there is a discrepancy with the signature on the return envelope. However, failure to sign the return envelope may delay the release of results as voters will also have five (5) business days following the election to correct the signature on the return envelope. Election Officials want to remind voters to sign their return envelope to ensure they are included in the preliminary result reports released on Election Night.

Fourth, voters must make sure they are able to return their ballot so that it is received by the close of polls, 6:00 p.m., on election day. Voters should mail their ballot two (2) to three (3) days prior to the election to ensure it will be received by the close of polls. They may also drop off their voted ballot to the voter service center or a place of deposit.

Finally, voters will be advised to return their voted ballot at a designated place of deposit, by mail through the United States Postal Service, or hand-delivered to the Kauai Elections Division. Additionally, voters will be reminded to only surrender unvoted or spoiled ballots to the Kauai Election Division personnel.

Voter information and educational material will be posted online by the Office of Elections and Kauai Elections Division as well as posted on community boards and disseminated to interested groups and at community events. Election Officials anticipate making these materials available starting in August 2019.

Alternate Format Ballot

Election Officials introduced an HTML ballot in the 2018 Elections which is an alternate format ballot that can be marked from any compatible device. The HTML ballot is compatible with a variety of screen readers and similar devices to allow voters to access and mark their ballot independently. Additionally, voters may check for any voting errors, such as an over voted contest, before printing and submitting their ballot. While the HTML ballot is transmitted by email, it is not connected to or rely on an internet connection as all data is self-contained to the ballot.

Once voters complete the HTML ballot, they sign a waiver of secrecy and affirmation statement and return it to their respective County Elections Division. Voters may choose to return their ballot by mail or email to ensure it is received by the close of polls, 6:00 p.m., on election day.

The HTML ballot is available statewide to meet the requirements for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) and the timely delivery of ballots within five (5) days of an election for voters who did not receive or spoiled their ballot, HRS §15-5.

For the 2020 Elections, the County of Kauai will make the HTML ballot available for voters with special needs pursuant to Act 182 SLH 2018. The option to request an HTML ballot will be made available with the initial mailing of ballots approximately 18 days prior to the election. The Office of Elections is also proposing legislation to allow voters with special needs to request an HTML ballot when mail ballots are available statewide.

Recommendations

Election Officials are interested in lengthening the timeline to mail ballots to approximately 25-days prior to the election rather than the 18-days specified in Section 4 of Act 182 SLH 2018. The concern is that mailing houses will have a difficult time accommodating the tight mailing window. Additionally, we believe that increasing the time that a voter receives and reviews their ballot will allow us to better educate and respond to inquiries for voters in the County of Kauai.

Appropriated Funds

Act 182 SLH 2018, appropriates \$75,450 in fiscal year 2018-2019 to prepare for the implementation of elections by mail including a voter education and public awareness program or as a grant to the County of Kauai to procure supplies and equipment to ensure the security and integrity of the election.

The initial list of materials and projected expenses is below. This list included a high-speed scanner/sorter to automate the verification of signatures on ballot return envelopes and receipt of valid ballot return envelopes. The Office of Elections is working with the County of Kauai to develop a Request for Bid to be procured by June 30, 2019. We have estimated the high-speed scanner/sorter would cost \$50,000. Election Officials are also interested in procuring mobile security cages, padlocks, and envelope trays to store valid mail ballots, and estimate the cost to be approximately \$15,000.

| County of Kauai | | | |
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| Item | Quantity | Total Cost | Description |
| High-Speed Scanner/Sorter | 1 | \$50,000 | To establish an automated process for verifying signatures & receiving ballot return envelopes |
| High-Speed Letter Opener | 1 | 1,800 | To expedite opening of return ballot envelopes |
| Wire Shelving (48"x72"x24") | 4 | 1,200 | For envelope and election document storage |
| Mobile Security Truck (52x27x69) | 4 | 7,600 | To secure valid return ballot envelopes prior to scanning |
| Secure Curbside Ballot Collection Boxes | 15 | 13,500 | Ballot drop boxes to be stationed at various locations island wide |
| Barcode Scanners | 3 | 600 | To expedite manual verification of signatures & receipt of ballot return envelopes |
| Dymo Label Printers | 3 | 750 | To expedite the processing of early voting applications |
| Total | | \$75,450 | |

Figure 2: Provided to the Legislature on April 9, 2018.

Conclusion

Over the years as the number of voters opting to cast a ballot prior to election day increased, Election Officials have slowly reallocated resources to address the change in voter preferences. The addition of a high-speed scanner/sorter, security cages, and related support equipment will ensure that operations are properly furnished to deliver a secure election for the voters of Kauai and offer a thorough demonstration of elections conducted by mail for the voters of Hawaii.