

## Oregon's Alternate Format Ballot: One Small Step

*"Most places require the voter to go to the ballot. But in Oregon, the ballot comes to the voter." -- Secretary of State Bill Bradbury, 2007.*

### Introduction

This paper is being submitted to the Workshop on UOCAVA Remote Voting Systems, August 6-7, 2010, Washington, DC to define some of the barriers preventing the alignment of our national voting systems with the promise of democracy. It also provides a glimpse of a first step solution taken by the State of Oregon to improve remote access to voting.

The potential of "remote voting" is to provide the voter improved choice, convenience, and privacy to facilitate participation in the voting process. It can also help to create a more informed electorate and increase voter participation. It has the added benefit of providing improved access to voting for individuals who are unable to get to a polling place due to time, geographic or physical constraints.

The fact is "remote voting" takes place anytime a voter is able to vote at their leisure and in privacy at a location of their own choosing. In Oregon, Vote-By-Mail has provided voters with a low-tech but very real version of "remote voting" since 1998.

In 2007, OakTree Digital contracted with the Oregon Secretary of State to develop and implement an accessible HTML-based ballot called the Alternate Format Ballot (AFB). Since then a Large Format Ballot (11" x 17", 18pt font) has been added to the choices a voter has for ballot formats.

The development of these AFB's was in response to the Help America Vote Act (HAVA) requirement to provide equal access to the voting process for people with disabilities that ensured privacy and independence.

In Oregon, this meant that the ballot needed to be delivered to all voters in an accessible format to ensure equal access to the Vote-by-Mail process.

The AFB has now been used successfully in four statewide elections: the 2008 Primary

and General Elections, the 2010 Statewide Special Election and the 2010 Primary Election.

The goal of this paper is to briefly explain Oregon's Vote-by-Mail system, explain how the AFB works within it and discuss how we see remote voting as potentially the best way to encourage increased voter participation as well as, if implemented correctly, increased confidence by voters in the results of each election.

### 1. History of Oregon's Vote-by-Mail:

Oregon's Vote-by-Mail ballot measure passed in 1998 and opened the doors for all elections to be conducted by mail. The traditional method of voting at polling places on Election Day was quickly replaced by the Vote-by-Mail process. (See a historical time-line <http://bit.ly/94FRIR> )

How it works: Ballots are mailed to all eligible voters 14-45 days prior to an election depending on the resident status of each voter (e.g. military overseas, out of state, long-term absentee etc.). Eligible voters vote the ballot at their leisure, insert the completed ballot into a sealable secrecy envelope, place the secrecy envelope in a signature verification return envelope, sign and seal the return envelope, and return the ballot package to an elections office via first class mail or at any one of over 300 official ballot drop box locations conveniently located throughout the state.

Voter's bar-coded return envelopes are scanned as they arrive at the election offices to flag the voter record as having voted (one voter, one vote). The signature of every returned ballot is then verified against the signature on the voter's registration card for further validation.

The secrecy envelope is then removed and separated from the signature envelope to ensure ballot secrecy. Ballots are processed by the Election Boards in each county upon

receipt. Counties can begin scanning the actual ballots seven days prior to Election Day, however, the tallies are not compiled until Election Day and the results not released until 8:00 PM election night.

Three important impacts of Vote-by-Mail:

- a. Higher Voter Turnout: Voting is not restricted to 13 hours on one day for any given election. Being able to take time to read the various voter guides, study the issues, and complete the ballot at leisure, not only allows voters time to be better informed but provides plenty of time to return a completed ballot. In essence, everyone is voting via an "absentee ballot" which they have several days to complete and return.
- b. Helps to keep voter registration lists accurate: Undeliverable ballots as addressed (ballots are not forwarded by the post office) are returned to the county. Voters who have moved, changed names, or provided an incorrect mailing address will need to update that information before receiving a replacement ballot.
- c. Lower statewide costs: Since there is no need for the thousands of polling places as well as the associated staff, volunteers and equipment needed to operate them, the cost of elections decreases substantially.

(A more subtle but recognized benefit of voting early is that the names of early voters are removed from the list of voters who have not yet returned a ballot. This list is often used to make last minute "get out the vote" calls. Vote early, no calls!)

Suffice it to say Oregon tends to lead (or be near the top of) the nation in voter turnout. A detailed report of Oregon election participation can be found at <http://bit.ly/bKfsNj>.

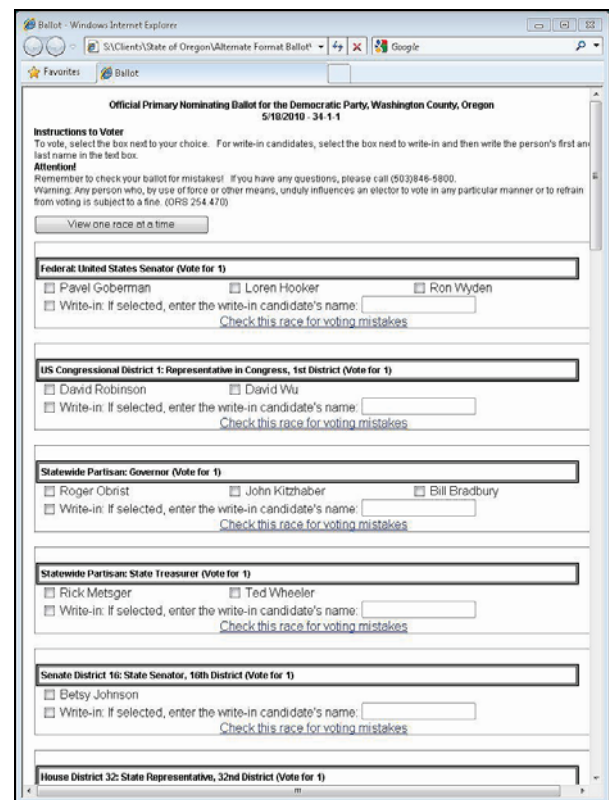
## 2. Alternate Format Ballot Details

Oregon's AFB was designed to enable individuals across a wide range of disabilities, including those who are blind, or for whatever reason, are unable to mark a printed ballot, to vote in much the same manner as all Oregon voters: independently

and privately at home, or another place of the voters' choosing.

A registered voter can receive an AFB (either the HTML version or the Large Print Version) by calling an elections official and requesting it. New registrants can indicate the need for an alternate ballot format (Braille, AFB, Large Print) when registering through the Oregon Centralized Voter Registration (OCVR) system.

Prior to an election, the county elections office typically generates a specific mailing (label generation) for these voters. The Large Print Ballots are generated, printed locally, inserted in standard ballot envelopes, and mailed to these voters in the same manner as standard ballots. Voters on the HTML AFB list still receive a paper ballot and the required envelopes.



**Figure 1 HTML Generated Alternate Format Ballot**

The HTML AFB is then sent directly to the voter via email or on a CD. The voter who has, or has access to, the necessary technology then completes the ballot independently and privately. The AFB has also been used to fulfill requests from military personnel or overseas voters who did not receive a ballot and need a ballot quickly to ensure timely return.

Once received by the voter the AFB is accessed (opened) on a personal computer equipped with whatever technology they have available to access a browser (e.g. screenreader or screen magnification applications, sip-puff devices, joy stick, and the like). Using these devices a voter with a disability can access, mark, verify and print the ballot. The voter's printed ballot (AFB ballot summary page) is then placed into the secrecy envelope and mailed just like any other ballot.

Each state election office has at least two accessible computer stations (ACS) that are used to provide access to the AFB for voters with disabilities who do not have independent access to a PC.



**Figure 2 Intelikeys USB keyboard voting interface with custom overlays**

AFB voters' feedback has validated the process: "The AFB has given me the ability to do something I've never been able to do in my 18 years of being a registered voter-- it has provided me the opportunity to mark my ballot privately and independently", said Angel Hale, a Salem business owner who has been completely unsighted since 1986. (This comment is typical and represents only one of many received.)

While the AFB solution has ensured access to voting, including privacy and independence for many voters with disabilities, it has many other uses. For example, Washington County has a very active voter assistance program. Teams from this program take a portable ACS to

multiple assisted living and rehab facilities throughout the county. This enables the team to be able to provide ballots on demand for voters that are temporarily removed from their permanent residence. While the voter may be in a facility in Washington County, their residence may be in another county. Using the ACS, the team can print out the correct AFB ballot from the voters' home jurisdiction.

### **3. Key to Producing Statewide Ballots**

One of the reasons the AFB's can be quickly and easily generated for every ballot style in the state is because Oregon's voter registration system is a centralized system. The system is used both for voter registration and for compiling the ballot data to set up each election.

Ballot contents (styles) for any given election (measures, candidates, etc.) are defined by the counties within the OCVR Election Management Module (EMM). This process facilitates each jurisdiction maintaining their preferred tally method while maintaining synchronicity with the centralized registration system.

The AFB's are then generated using the same data that is used to create the printed ballots mailed to all registered voters.

Centralizing the collection of all ballot data in OCVR makes a statewide AFB process possible. Each county has the ability to export their ballot data (XML file) from OCVR to the conversion program. Within a short time period (usually seconds) the county has access to an AFB for every ballot style for the current election in an HTML and Large Print PDF format.

### **4. Limitations of the AFB**

One of the biggest drawbacks to the AFB is the need for it to be duplicated onto a standard printed ballot in order to tabulate the AFB via the tabulating machines.

However, since the number of voters using the AFB in Oregon to date is not very high (several hundred) the lead-times the Vote-by-Mail process provides make this not an insurmountable issue. Teams of observers supervise the transcription step knowing they are helping someone's vote count.

(Remember, once the secrecy envelope is removed from the outer mailing envelope the anonymity of the voter is preserved.)

There is currently no process for electronically submitting the AFB ballot to the county or central ballot repository to provide direct tabulation of the AFB without the duplication process.

## 5. The Ideal Remote Voting System

While technology can be used to deliver ballots, there is a major obstacle that we, as a democracy, must overcome if we are going to ensure that every vote is indeed counted. The fact that each ballot, when counted, is anonymous means the voter has no "identity link" to the votes they cast and thus, has no means to verify the votes from that ballot were actually included in the final count.

In fact, this barrier to vote verification is ingrained in our elections process: while every American has the right to vote, no one has the right to ask the state to prove, without a doubt, that their vote was actually counted. This needs to change.

After an election there should be a website that a voter can login to, authentic their identity and verify their selections were actually counted. Individuals can login to a bank account to verify a check was cashed or deposited. There's no anonymity in that process. The truth is, without complete voter confidence in an election's result, all the work to improve access to ballots is a shallow victory.

Technology isn't always the solution for our nation's problems but for us to be selecting leaders and policies using tabulating and counting systems that have been proven to be flawed and easily manipulated gets at the heart of what should be every citizen's right: every person's ballot should be counted and every voter should be able to verify that it was.

Leaving a polling place with a piece of paper showing your vote does nothing to guarantee the individual that their ballot will be counted and included with the final tally of any given election.

There are technical solutions available that allow a voter's identity to be separated from the voter's ballot data and still allow the voter to verify the votes from that ballot were counted. It can be done.

Obviously this is a goal that will only come after much study and a phased adoption by the public. It's not hard, however, to envision younger voters very quickly adapting to an internet based (Is there an app for that?) balloting system. Just as disabled voters can select to use an AFB today, voters in the future could select which media they prefer to use to vote.

I know my young adults would have no problem voting on their smart phones. Especially if they could verify their vote and know it actually was counted.

*(The contents of this paper represent the opinions of OakTree Digital and do not reflect Oregon public policy or the views of the Secretary of State's office).*

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