

Report of the Fairfax County Electoral Board
Response to Recommendations of
The Bipartisan Election Process Improvement Commission



Adopted by the Fairfax County Electoral Board

May 7, 2014

Executive Summary

This report provides a detailed, formal response from the Fairfax County Electoral Board (“FCEB” or “the Board”) to the Fairfax County Board of Supervisors to the final report of the Bipartisan Election Process Improvement Commission (“BPEPIC” or “the Commission”). BPEPIC’s report addressed voter concerns surfacing during the 2012 presidential election. Upon receiving the BPEPIC report in March 2013, the Electoral Board and the Office of Elections initiated a review process to determine a response to commission’s recommendations and develop implementation plans where appropriate.

Over the past year – in addition to three scheduled elections, a statewide recount and a subsequent special election – the Electoral Board and the Office of Elections have been both reviewing these recommendations and working on implementation. On the whole, the Board agrees with the majority of the 57 BPEPIC recommendations. A few of the recommendations had been implemented, at least partially, even before the Commission was created. Significant headway has been made in the ensuing year, with many recommendations implemented (or at least tested) during the November 2013 General Election.

The Board is appreciative of the \$6 million provided by the Board of Supervisors for the initial purchase of new voting equipment. Sustaining our momentum and progress in improving the election process in Fairfax County, however, will require the continued support of the Board of Supervisors and all stakeholders in the election process.

This report provides updates on the implementation of Board accepted BPEPIC recommendations as well as a discussion of long-term issues and additional actions that address concerns raised by the commission. Key among them:

Equipment and Technology

- **Electronic Pollbooks:** Thanks to the Board of Supervisors’ additional funding to the base budget in FY2014, EPBs were deployed in all 238 Fairfax County precincts in the November 2013 election.
- **New Voting Equipment:** The procurement process is on track to have new voting machines purchased and in place prior to the November 2014 general election. The new equipment will be fully ADA and language compliant. As of the date of this writing, the procurement process is in its final stages.

- **Ballot-on-Demand:** The Office of Elections conducted a highly successful pilot program in 2013 and remains on track for having ballot-on-demand technology available for satellite voting in the 2015 General Election at the latest.
- **Mobile App:** Fairfax County’s mobile app made vital information available to voters on and before Election Day, helping get them to their correct polling place. We anticipate that the integration of live data from the state voter list, which occurred after the November election, will make the app even more useful in future elections.
- **Scanning:** The Office of Elections is set to begin scanning new voter registration applications in 2014.

Precinct Location and Setup

- **Co-Located Precincts:** New signs and maps are helping eliminate voter confusion. A review of all co-located precincts has been initiated to determine options for separating them. It is important to note that the creation or separation of precincts and polling locations lies with the Board of Supervisors.
- **Line Management:** Election officers are being provided additional training in line management. The availability of space for indoor queuing has been added to our criteria for new precinct selection.
- **Voter Parking:** The number of designated parking spaces most polling places are asked to provide has been increased. “ADA Parking in a Box” kits were distributed to precincts identified as needing them. Election office staff continue working to address parking issues in school-based precincts, and Secretary Schoeneman and General Registrar Quinn intend to meet with the superintendent of public schools to discuss, among other issues, avoiding FCPS teacher conferences on Election Day to ensure maximum parking availability.
- **Government Center:** Arrangements have been made to relocate absentee-in-person voting at the Government Center to the second floor (street level) conference center for the 2014 November General Election. New signage designates “voter only” parking and curbside availability at the Government Center.

Absentee Voting and Satellites

- **Extended Satellite Voting Hours:** Satellite facilities were open for absentee-in-person voting on more Saturdays and for extended hours on weekdays during the 2013 General Election, and the Board has approved a similar schedule for the 2014 General Election.

- **Encouraging Absentee Voting:** The office worked with stakeholders and the Office of Public Affairs to promote awareness of absentee voting options in 2013. Efforts to inform eligible voters (especially the disabled and elderly) of their ability to vote absentee will intensify leading up to the 2016 presidential election. The Board has also adopted policy and implemented training that emphasizes that potential absentee voters not be turned away for requesting “early voting,” rather than “in-person absentee voting.”
- **Absentee Ballot Efficiency:** Policies have been revised and an emphasis with staff has been made at all levels to emphasize full compliance with statutory deadlines for processing absentee ballot requests. Additional resources provided by the Board of Supervisors were directed to absentee voting in 2013. Staff is developing a proposal for a full-time position devoted to absentee ballot processing, which we anticipate will be requested for FY2016.

Election Officer Recruitment and Training

- **Increased Compensation:** The Board approved a significant increase in compensation for Election Officers at its August 20, 2013 meeting.
- **Recruitment:** Both the political parties and the Office of Elections’ outreach team have been engaged as partners in election officer recruitment. The office has worked with the political parties to put in place a realistic timeline for election officer recruitment and placement in time for the 2014 General Election. A part-time seasonal staffer focused solely on recruitment was added in summer 2013, and the Board of Supervisors approved a full-time EO recruitment position in the FY2015 County Budget.
- **Training:** Many of the Commission’s recommendations not already in place were incorporated into training during the 2013 election cycle. Enhanced training manuals for election officers and central absentee precinct workers are under development (including additional diversity training), timed to support roll-out of the county’s new voting equipment this fall.

The Board believes that the BPEPIC report has helped provide needed attention to the election administration system in Fairfax County. That additional attention has helped the Board and the Office of Elections implement a myriad of changes to the process that had a significant impact on the November 2013 General Election. Despite some well publicized issues during that election, the overall number of voter complaints in 2013 was down drastically over 2012. While lower turnout is certainly a factor, it is evident that the Board’s implementation of most of the Commission’s recommendations have had a positive impact.

Introduction

Article II § 8 of the Constitution of Virginia creates Electoral Boards in each county and city in the Commonwealth. The Code of Virginia vests the Electoral Boards with the power to appoint a General Registrar and Officers of Election. The Board, under Virginia Code § 24.2-109, also is responsible for the preparation of ballots, the administration of absentee ballot provisions, the conduct of the election and the ascertaining of the results of the election.

Following public concerns regarding the November 2012 general election, the Fairfax County Board of Supervisors created the Bipartisan Election Process Improvement Commission (“BPEPIC” or “the Commission”). In March 2013, the BPEPIC forwarded its final report, which was reported out unanimously, to the Board of Supervisors. The Board of Supervisors then provided the report to the Office of Elections (“FCOE” or “the Office”) and the Electoral Board (“FCEB” or “the Board”) for review.

The Office and the Board initiated a review process to determine how best to implement the recommendations made by the commission. This report constitutes the official, approved response from the Office of Elections and the Electoral Board to the Board of Supervisors regarding the commission’s recommendations, including updates on implementation, discussions of long-term issues, as well as actions that have been taken to address concerns raised in the Commission’s report.

Responses to Commission Recommendations

This report lists each specific BPEPIC recommendation and the response by the Office and the Board.

BPEPIC Recommendation #1 – Use of Electronic Poll Books:

Every precinct should use [Electronic Poll Books]. The Office of Elections should begin now to invest in additional EPBs so that every precinct will have at least three EPBs by the 2016 presidential election. In addition, Chief Election Officers (Chiefs) should have an independent method of checking voter issues, without taking an EPB offline.

Electoral Board Response:

The Electoral Board agrees with the Commission’s recommendation and implemented EPBs countywide for the November 2013 General Election. At its August 20, 2013 meeting, FCEB approved the purchase of up to an additional 120 laptop computers for use as electronic pollbooks (EPBs) to ensure that each of Fairfax County’s 238 precincts and the Central Absentee Precinct (CAP) could be fully equipped with at least two EPBs. A total of 90 EPBs were purchased, and as a result every precinct in Fairfax County used EPBs for the November 2013 election. Additional laptops were not purchased at that time to minimize impact on current

resources until the office decides whether to replace the current laptops and/or software prior to the presidential elections.

In addition to the EPBs, it is important to note that Chief Election Officers had four independent methods of resolving voter issues for the November 2013 General Election that could be used without taking an EPB offline. To verify voter registration, Chiefs could work with the voter to use the mobile app on a portable electronic device, they could call into the interactive voice recognition (IVR) phone system, reference a paper copy of the pollbook, as well as call the Office's dedicated phone line for Chiefs.

The Board is also researching whether to implement a complete replacement of the current stock of EPBs with a new EPB system that can be integrated into the ballot-on-demand system and the new voting machines that will be purchased as part of the new equipment procurement that should be completed by the November 2014 General Election. If the Board moves forward with this proposal, the goal will be to completely replace the existing stock of laptops with dedicated EPBs prior to the November 2015 General Election.

BPEPIC Recommendation #2 – Electronic Pollbook Software:

The software licenses on the current EPBs will expire soon. The way the current EPBs search for names and addresses needs to be improved. The County should investigate whether better software and hardware is available that will allow a more integrated process, including the ability to monitor the flow of voters in the precincts throughout the day.

Electoral Board Response:

The Board agrees with this recommendation, and expects this recommendation will be implemented in conjunction with, or just after, the new voting system procurement. The Datacard license is a statewide license purchased by the State Board of Elections (SBE), which extended the contract through the November 2013 General Election. Additionally, the SBE extended its commitment to support the software for a longer, unannounced, period of time. (SBE informed the localities in January 2014 that that Datacard's software was sold to DemTech Voting Solutions, Inc. in November 2013, and SBE negotiated a contract with DemTech in December 2013). Given the time required to research and procure a new EPB software product, the Board determined that the Datacard EPB application would be used for the November 2013 General Election. The Board will review the software with a goal of replacing it before the November 2015 General Election, if not sooner, as part of a potential EPB procurement.

Additionally, the Board will be reviewing with staff the question of purchasing new EPB hardware to help accommodate the Commonwealth's new photo voter ID requirements that become effective July 2014.

BPEPIC Recommendation #3 – Greater Phone Access on Election Day:

Dedicated phone lines be allocated to the registrar and other forms of communications be available on Election Day, so that Election Officers can reach the Office of Elections in a timely

manner. This number should be available only to Election Officers and adequate staffing should be provided to handle multiple calls at one time. Members of the public should not have access to this number. There should be a different phone number dedicated for technical support.

Electoral Board Response:

The Board agrees with the Commission’s recommendation and implemented it during the November 2013 General Election. As part of its ongoing efforts to create the Election Day Operations Center (EDOC), initiated for the November 2012 election, the Board directed the General Registrar work with the county’s Department of Information Technology (DIT) to ensure that an adequate number of call-in phone lines were available for dedicated use by Election Officers on the day of the 2013 General Election. Different numbers were created and staffed to handle different issues and callers. In addition to the longstanding separate number for Chiefs/EOs to call if there are technical issues with equipment, a new number was established for Chiefs for all other kinds of calls, such as voter-specific registration or identification issues.

In addition to these two numbers for Election Officials, the General Registrar worked with DIT to ensure sufficient resources for public calls on the Office’s main number (0776), and also created a new dedicated number for calls from other stakeholders, such as candidates and party officials. The new IVR system, mentioned in response #1, which is incorporated in the main number’s system, also allowed some voters to get the information they were seeking without need to connect to a live operator, though that remained an option. On Election Day 2013, Office of Elections staff handled 3,788 calls: 533 on the technical support lines; 2,011 on the Chief lines (nontechnical calls from the precinct) and 1,244 on the public lines.

The EDOC for November elections is located in the Alternate Emergency Operations Center in the Fairfax County Government Center. The EDOC is fully staffed throughout Election Day, until after the election night results have been called in and posted. Calls from precinct officials are directed to the EDOC, while calls from the public are handled upstairs in the Elections Office. Each location is capable of supporting both types of calls, and phones in either location can be reassigned to accept the other type of call if necessary to alleviate backups. This management system will improve significantly the staff’s ability to provide immediate assistance to precinct officials and voters when the call volume is large.

The EDOC was successfully stood up for the November 2013 General Elections and it is the intent of the Board for it to be used in every major General Election in the county in the future.

BPEPIC Recommendation #4 – New Voting Equipment:

The County should move quickly to using only one integrated voting system throughout the County. The system should utilize electronically scanned ballots, and be an integrated system that is fully accessible to voters with disabilities.

Electoral Board Response:

The Board strongly agrees with the Commission's recommendation and has been working to implement an integrated voting system. Prior to the commission's creation, the County, Board and FCOE had begun the research to prepare for the multi-million-dollar procurement of new voting equipment for the county. As noted in the commission's report, the county's current voting equipment is nearing the end of its useful life. The combination of approaching obsolescence and the General Assembly's push to end the use of direct recording electronic ("DRE") touchscreen machines makes clear the need for a new, fully integrated system.

Since the commission's report was issued, the Board has worked diligently to move the procurement process forward, with a goal of having new voting equipment purchased and in place prior to the November 2014 General Election. Fairfax County's Office of Elections conducted two vendor demonstrations in 2013 – one in May and a more in-depth review in July that allowed vendors a full day to present their equipment. These fairs allowed internal and external stakeholders an opportunity to view and test a range of voting equipment and to ask questions of the vendors. Each participant was asked to rate the equipment from each vendor, and that survey data has been used by the board as it continued the process of evaluation and procurement.

The board then narrowed the County's options to three vendors. The Board voted in August 2013 to test equipment from each of the three vendors during the November 2013 General Election. However, in September 2013 – in contravention of prior policy – SBE denied the county's request to test voting equipment that was still in the certification process. At the same time, one of the Office of Elections senior staff members became incapacitated. Given both situations, the Board chose to postpone testing the new voting equipment until early 2014.

Demonstrations and extensive interviews with each of the three vendors were held in February 2014, followed by a series of "mock elections" that took the equipment to five different public sites over a two-day period. Again, survey information was received from stakeholders and members of the public who participated. With the test completed, the Selection Advisory Committee process began and completed its work in early April 2014.

At the time of this writing, a vendor selection recommendation has been made and the final contract negotiations with the selected vendor are underway. The Board remains optimistic that the procurement will be complete in time for the November 2014 General Election.

The county has provided funds (\$6 million) to begin the procurement process. However, the Board of Supervisors has recognized that this \$6 million represents only the first half of the procurement, and that the final expense is expected to be in the \$10 - \$12 million range. The office was assured by the county executive that the remainder of the cost will be funded as needed in advance of the 2016 presidential elections.

BPEPIC Recommendation #5 – Publicity Campaign for Paper Ballots:

In order to educate voters about voting on paper ballots, a publicity campaign should begin with the 2013 primary election to explain that these ballots are counted right at the time they are electronically scanned and are totaled at the end of Election Day, just like the DREs are. Voters have told Election Officers that they did not want to vote with paper ballots because they believed that the paper ballots were not counted immediately or at all.

Electoral Board Response:

The Board agrees with the recommendation and began implementation in the Spring of 2013. In June 2013, the FCOE and the Fairfax County Office of Public Affairs (OPA) began a campaign to encourage the use of “electronically scanned” ballots. This effort included specific training for Election Officers and Chiefs, as well as publicizing the new policy through OPA’s NewsWire, the Office of Elections website, and “Vote Notes,” its newsletter for Election Officers. Given the need to ensure the most effective use of the FCOE’s limited resources, it was determined that a paid advertising campaign would not be as cost-effective as these other, less costly, options at that time.

The Board, working with OPA, intends to develop a media plan as part of its roll out of new voting equipment to introduce the new equipment to the public, and an emphasis on the nature of electronically scanned ballots will be incorporated into that plan. Tying this recommendation to the voting machine procurement offers the greatest chance for significant earned media, which is the most cost-effective strategy for reaching the largest number of voters.

BPEPIC Recommendation #6 - Refer to Paper Ballots as “Electronically Scanned Ballots”:

To eliminate confusion, paper ballots should be referred to as electronically scanned ballots in order to better communicate this voting process.

Electoral Board Response:

The Board agrees with the recommendation and has implemented it. At its May 7, 2013, meeting, the Board adopted a policy provision directing all staff, including Election Officers, to refer to optical scan ballots as *electronically scanned ballots*. The Board also developed a script for Election Officers to use to explain the value of using electronically scanned ballots to voters, beginning with the May 2013 Town of Vienna election and the June 2013 primaries.

BPEPIC Recommendation #7 – Access to Optical Scanners:

Each precinct should have an optical scan with sufficient backup scanners available and a long-term goal of two scanners per precinct as necessary.

Electoral Board Response:

The Board generally agrees with this recommendation, which will be implemented with the new voting equipment purchase as part of an integrated system. As careful stewards of the County's resources in tight economic times, the Board recognizes there may be higher priorities than funding a second scanner in *every* precinct. Precincts vary significantly in size, serving between 1,000 and 5,000 voters. Within the funding provided by the county, the Board expects to put two scanners in each precinct, and using the November 2014 and November 2015 General Elections to determine whether two scanners per precinct are necessary, or whether some smaller precincts could be better served with one and a backup within a short distance that can be brought in as needed.

Currently, each precinct uses one optical scan machine and each of the FCOE's 17 rovers has access to back-up units that can be delivered to precincts on Election Day if needed. One advantage of using electronically scanned ballots is that, should a machine suffer a technical problem during the election, voting at the polls is not impeded. The ballot box attached to the machine has a separate compartment for holding unscanned ballots. Those ballots can be accessed and scanned when the machine comes back online or is replaced. In addition to allow every voter to vote in timely fashion, even with technical disruptions, electronically scanned ballots provide greater assurance that every vote is properly counted and provide a physical record of every vote should a recount be ordered.

BPEPIC Recommendation #8 – Privacy Booths:

The Commission recommends that Fairfax County maintain sufficient privacy booths well in excess of the statutory minimum of one per 425 registered voters. There should be one privacy booth for every 250 registered voters in a precinct.

Electoral Board Response:

The Board agrees with this recommendation and it has been implemented. The Board recognizes the importance of providing adequate privacy booths and feels confident that with the purchase of an additional 1,500 privacy folder during the fall of 2013, the county's current stock is sufficient to meet immediate needs. Further, the FCOE instructed Chiefs on setting up the booths to maximize privacy areas created.

The County currently uses cardboard privacy booths that are easy to store and weigh very little, but are susceptible to wear and tear. The Board has begun to look at replacement options for the cardboard booths, including reusable plastic booths. Based on the Commission's recommendation, the county would need to purchase at least 2,200 booths. More durable booths cost more than the current cardboard units and therefore would have a significant impact on election management resources.

The FCOE's investigation of long lines during the November 2012 election did not indicate that a lack of privacy booths contributed to the lines. Thus, given the FCOE's limited resources,

purchasing additional privacy screens currently is a lower priority that will be addressed prior to the presidential election.

BPEPIC Recommendation #9 – Bond Referenda in Presidential Elections:

The Board of Supervisors should not schedule multiple bond referenda in presidential election years in order to keep the ballot shorter and more manageable.

Electoral Board Response:

The Board strongly agrees with the Commission’s recommendation. A number of the localities in Virginia that experienced long lines in 2012 had two or more local bond issues on the ballot in addition to the two state constitutional amendments. Fairfax County tied with Arlington for jurisdiction with the most bond issues, each with four. Efforts were made to have voters read the bond issues and constitutional amendments while waiting in line, but reports from Election Officials at precincts and in-person absentee satellite locations made it clear that voters spent a significantly larger amount of time at the DRE machines than usual.

BPEPIC Recommendation #10 – Voter Parking:

Polling places must provide sufficient parking for voters.

Electoral Board Response:

The Board agrees with this recommendation, and will be discussing the issue with the management of venues used as polling places, as well as making adequate parking a priority for new polling places. However, it is important to recognize that this recommendation is difficult to implement.

One of the primary difficulties in finding appropriate polling places is ensuring sufficient parking for elections with large turnouts. While the Board and the FCOE have received anecdotal complaints regarding parking at specific precincts and have worked to address those complaints, there has been no formal system to track such Election Day issues. The General Registrar is working with the Fairfax County Department of Information Technology (DIT) to implement an issue-tracking system that would allow the FCOE to better track complaints, voter issues, and problems occurring in the precincts, including parking. A test of that system was implemented in the November 2013 General Election, and staff expects a fully realized system will be in place by November 2014.

Prior to selection, each potential polling location receives a site visit by FCOE staff, and one of their priorities is to evaluate parking based on the size of the precinct. FCOE staff working with the Fairfax County Public Schools (FCPS) has increased the number of voter-only parking spaces at school polling places from a minimum of 10 to a minimum of 20 for Presidential Elections. Non-school facilities also have been asked to reserve additional parking for all November elections. On Election Day, precinct officials delineate these voter-only parking spaces at polling locations with signs and cones. Although parking is marked for “voters-only,”

the FCOE has no ability or authority to effectively enforce parking restrictions at polling locations, which on occasion are ignored by others using the polling place for non-voter activities.

The FCOE has acted to address parking at specific precincts with known issues. And in addition to designation during absentee voting of “voter-only” parking, signage has been improved at the Government Center, with more visible curbside and designated space signs at both the north and south sides of the building. Additionally, "ADA parking spot in a box" kits were created and distributed to all precincts identified as needing additional handicapped parking in the most recent survey. The kit consists of a weighted plastic base and a “Voter Access” sign together with the handicap icon. These signs are placed in the parking spot(s) closest to the main entrance of the polling place or closest to an accessible ramp.

BPEPIC Recommendation #11 – FCPS Teacher Conferences on Election Day:

The Office of Elections should pursue discussions with FCPS regarding the feasibility of not having parent-teacher conferences scheduled on Election Day in presidential election years.

Electoral Board Response:

The Board agrees with this recommendation, and Secretary Schoeneman and General Registrar Quinn expect to meet with the new FCPS superintendent prior to the November 2014 General Election.

BPEPIC Recommendation #12 – Precinct Physical Size:

Rooms used as polling places need to be big enough to allow the Election Officers to efficiently operate the polling place and maintain sufficient privacy for voters.

Electoral Board Response:

The Board agrees with this recommendation, and notes that FCOE has long used the physical size of the room available for use as the polling place as a criterion in determining locations. While recognizing that some rooms used for voting will be larger than others, the Board believes that all existing polling places have rooms that are adequate to accommodate Election Day operations. Frustratingly, in some elections, facilities managers where the polling places are located unilaterally choose to move the polling location within the building, based on competing needs. (For example, a school may move voting from the gymnasium or cafeteria for non-November elections when school is in session and the turnout is not anticipated to be high, or may change locations if renovations are taking place.) Often this change occurs without notice to the FCOE, and precinct Election Officials only discover the relocation the night before or the morning of the election. When the FCOE meets with facilities directors, and particularly FCPS, this recommendation should assist in minimizing such relocations.

The Board does believe, however, that the use of the Office of Elections in the Government Center for absentee in-person voting prior to November election days should be discontinued.

Thus, it has arranged with the County Executive for the use of alternate space within the Government Center for in-person absentee voting in all future November elections.

BPEPIC Recommendations #13-14 – Determination of Precinct Locations:

When scouting for polling place locations, the Office of Elections should look for places where lines can form inside.

- *In existing polling places in schools, the Office of Elections staff should ask FCPS to ensure that the particular room used is in such a place that long lines can form inside; and*
- *Election Officers should be trained in ways to configure lines and room layouts to maximize efficiency.*

Electoral Board Response:

The Board agrees with these recommendations and has directed staff to ensure that, when scouting for new locations, these priorities are included in their review process. Additionally, given the concerns raised during November 2012, the Board and the FCOE have pinpointed effective line management as one key way to keep voters moving and decrease line lengths. In line with this, the current EO training curriculum includes a section on line management.

BPEPIC Recommendations #15-21 – Various Precinct Concerns:

Co-located precincts should be avoided, but if it is necessary to locate more than one precinct in a building, certain mitigating measures should be taken:

- *Co-located precincts should be adequately staffed so that a person can be located outside voting rooms to direct voters to the correct room and/or correct line. Pages could be especially useful in co-located precincts, but if pages are not available, then an Election Officer should be assigned to work outside if possible;*
- *Precinct maps must be posted outside each room so that voters can determine which room is their polling place;*
- *Signage should be improved to assist voters in finding the correct room; and*
- *The County should aggressively advertise how voters can find or confirm their precinct and polling place after they are already inside the building, such as a “mobile app” that allows voters access to their voter information from their mobile devices.*
- *The recommendations above are not limited only to co-located precincts.*

Electoral Board Response:

The Board agrees with these recommendations. The Board has directed FCOE staff to review the locations of all co-located precincts and determine if it is possible to move them to separate locations. If changes are feasible, the General Registrar will present staff recommendations and options to members of the Board of Supervisors who have co-located precincts in their districts. Given the difficulties in relocating polling place sites, the decision to relocate polling places is

one that must be evaluated carefully, and by law the final decision rests with the Board of Supervisors.

In an effort to better direct voters to the correct place, the FCOE already has implemented procedures to improve the quality and quantity of signage and maps at co-located polling places, as well as all precincts. The Board also is working to expand the high school student page program so more of these non-Election Officer volunteers are available to aid voters at targeted polling places, including co-located polling precincts.

It is important to note the huge challenge faced by FCOE to recruit sufficient Election Officers. Without sufficient officers, having Officers available to direct voters to the correct location is a lower priority. This Officer recruitment problem is further addressed in response #39, but despite significantly increased efforts in the past couple of years, FCOE is barely replacing those Election Officers who step down each year. The approved additional staff position focused on recruitment was based on Prince William County's recent success with the same problem.

The Fairfax County mobile app includes a link that allows users to check their registration status and polling location, and receive driving directions from their current location. The Office is working with DIT to enhance the mobile app and give voters the ability to follow their absentee ballot through every step of the process – from the time the FCOE receives the application to the time the completed ballot is received in the office. The Board intends to promote the mobile app aggressively during upcoming election cycles.

Voters without smart phones may confirm their registration status 24/7 by calling the Office of Elections main line at (703) 222-0776, and using the new IVR system, mentioned in response #1. Beginning in late July, the IVR system provides not only answers to the most frequently asked questions by voters, but allows voters to put in their information and confirm their voter registration status and find out where they go to vote. The IVR garnered 37 users its first week in service, with only 14 of them transferring to a live operator. By the last four weeks around the November 2013 election, 1342 calls were logged, and only 25% of them transferred to a live operator. In fact, during election week the transfer rate was under 10%, indicating that voters were getting the information they were looking for without need to talk to a live operator 90% of the time. Longtime staff commented in October 2013 that they could tell that calls to live operators were down, and voters who used the system were commenting very positively about the experience.

BPEPIC Recommendations #22-29 – Precinct Changes Recommendations:

Precinct Changes Recommendations:

- *In precincts where there are unusual circumstances in the configuration of the precinct or difficulty in finding an adequate single polling place location, or recurring late closings, e.g., Skyline precinct, it may be necessary for the Board of Supervisors to split the precinct even if it does not meet the maximum numbers required for splitting. Numbers should not be the only criteria.*

- *When new precincts are created, the name of the precinct should not be repetitive of other names (i.e., Lorton, Lorton Station, and Lorton Center), to avoid voter confusion.*
- *Curbside voting is an important part of making the electoral process accessible to persons with disabilities. In precincts with a history of high numbers of curbside voters, there needs to be a sufficient allocation of resources to avoid having curbside voting slow down other activities in the precinct. Electronically scanned ballots can be used for most curbside voting and they divert fewer resources from the polling place. Nevertheless, voters with disabilities who can't use paper also must be accommodated. Moreover, signage about the availability of curbside voting and how to access curbside voting continues to be a problem.*
- *Larger signs with writing large enough to be read from the car are needed. Oftentimes the phone number is illegible.*
- *The County should explore the use of technology to make it possible to make an appointment for curbside voting.*
- *The Commission recognizes the importance of complying with the Americans with Disabilities Act (ADA) and making voting easily accessible to all disabled voters. This includes training Election Officers to assist voters with disabilities as well as educating voters with disabilities about their rights to vote absentee. All polling places must be ADA compliant.*
- *The Board of Supervisors should be aware that there is a new class of voting equipment that the County will eventually be required to purchase beyond what is currently in use (for example, devices compliant with the federal Help America Vote Act). When the County purchases new voting equipment, it should be an integrated system that is fully accessible to voters who may have a variety of disabilities.*
- *Informational and directional signage at polling places generally needs to be enhanced.*

Electoral Board Response:

The Board agrees with these recommendations. While the decision to split and name precincts is within the jurisdiction of the Board of Supervisors, the FCEB agrees with the Commission that precinct size should not be – and currently it is not – the only or dominant criterion for determining precinct boundaries. Each precinct should have a name that distinguishes it from other precincts, accurately reflects a specific community, and is readily identifiable to voters in that community.

The Board and the FCOE have been exploring ways to improve the accessibility and ease of curbside voting for those who choose that option. Precincts with a history of a high number curbside voters received additional staff and training for the May, June and November 2013 elections. This will continue to be reviewed and refined after each election cycle.

Further, the Election Officer training curriculum and manual includes a discussion about working with individuals with disabilities. The Board has investigated purchasing additional

signage and a curbside notification system that will allow voters to communicate directly with election officers to notify them of their wish to vote curbside. Those investigations are on-going, as the currently known commercial solutions are not adequate.

Working with the Office of Public Affairs, the FCOE currently provides NewsWire notices before every election as well as regular promotional stories for appropriate county communications channels, including Channel 16, YouTube, Sound Cloud, and various publications aimed at different county populations, such as the Golden Gazette, that include information on the ways voters with disabilities may vote, including absentee and curbside options.

The Board is committed to ensuring that fully ADA-compliant equipment is in an integral part of the new voting system. For each of the three occasions over the past year that vendors have presented their voting equipment, the disability community was specifically invited to attend and provide feedback. Additionally, representatives of the disability community were appointed to the Technical Advisory Committee to ensure their input into the procurement process.

The Board has directed staff to review the existing signage for polling places and determine how best to implement the recommendation for improvements.

BPEPIC Recommendations #30-31 – Encouragement of Absentee Voting:

- *Absentee voting should be encouraged for those eligible to do so, particularly in presidential election years. The Office of Elections and the Office of Public Affairs should undertake a campaign to educate voters on the process of voting absentee, both in person and by mail.*
- *Voters with disabilities should be encouraged to vote absentee in person, especially if they cannot stand in line for long periods of time.*

Electoral Board Response:

The Board generally agrees with these recommendations. For the November 2013 General Election, the FCOE worked with OPA and various organizations, including the political parties, to expand awareness of absentee voting options and to urge voters who qualify to take advantage of the opportunity. Additionally, FCOE created a video with the assistance of OPA and Channel 16 that explains the process of voting absentee by mail ballot for the growing number of voters who prefer watching a video to reading written explanations. The video aired over Channel 16 for two months – twice a day, seven days a week – and had 181 views on YouTube.

The FCOE outreach team also has increased its efforts to work directly with retirement and assisted-living communities and nursing homes in encouraging absentee voting each fall. In the period leading up to the November 2016 presidential election, the board and the general registrar intend to focus on significantly increasing efforts to encourage absentee voting for all eligible voters, especially the disabled and elderly.

The Board notes, however, that encouraging absentee voting specifically to reduce the number of voters on Election Day is not necessary. When the system works properly, each precinct is of sufficient size and, if well managed, can accommodate all voters without extensive delays. Absentee voting exists to ensure that voters who are not available on Election Day to vote in their precinct may still have their vote counted. Those who can vote on Election Day should do so.

BPEPIC Recommendation #32 – Move Absentee In-Person Voting at the Government Center:

The space used in the Office of Elections for absentee in person voting is too small, in the hall, and provides no privacy. The Office of Elections needs a larger, dedicated room for absentee in person voting in the Government Center. More parking spaces should be reserved for voters.

Electoral Board Response:

The Board strongly agrees with this recommendation and it has been implemented. The General Registrar has worked with the county executive to relocate the in-person absentee voting location from the Office of Elections to another space, conference rooms 2/3, within the Government Center complex.

Further, as noted above, the FCOE, working with the county’s facilities management staff, has instituted “voter only” and curbside signage that is positioned at parking spaces nearest the building for all periods when absentee voting is occurring at the Government Center.

BPEPIC Recommendation #33 – Treat Satellites Like Precincts:

Satellite locations for absentee in-person voting should be treated as precincts, even though that is not required by law.

Electoral Board Response:

The Board generally agrees with this recommendation and has adopted a policy statement that the satellite absentee in-person voting locations will be treated, to the greatest extent practicable, as standard polling places, including allowing proximate observation by party- and candidate-authorized representatives. This policy was in effect throughout the 2013 in-person absentee voting season.

The Board notes, however, there are some legal and logistical distinctions that must be maintained. For example, it is not possible to have such authorized representatives “behind” the check-in table at the in-person absentee precincts because they would have access to non-public information such as social security numbers. While regular precinct polling places use electronic pollbooks that do not display such private information, in-person absentee voting locations need to be able to readily access and serve voters who may come from any of the 238 Fairfax County precincts. As a result, they use the statewide database, VERIS, which displays private social

security and other protected information (as required by law). The parties do receive a daily list of absentee voters.

BPEPIC Recommendations #34-35 – Satellite Voting Extensions:

Particularly in presidential election years, satellite voting hours should be increased in the later weeks. More Saturdays should be added earlier in the fall and its success should be evaluated.

Electoral Board Response:

The Board generally agrees with this recommendation and has implemented it. At its May 7, 2013, meeting, the Board adopted an expanded schedule for Saturday voting for the 2013 elections. Saturday voting began on September 28, 2013, for the November general election and ran for six Saturdays, rather than the traditional three Saturdays, through November 2. All satellite voting locations were open from 9 a.m. to 5 p.m. on each Saturday, and were open from 3:30 p.m. to 7:00 p.m. Monday through Friday beginning October 15, 2013, when satellite absentee voting began to operate six days a week. At the Government Center, absentee in-person voting was available weekdays during regular business hours, 8 a.m. to 4:30 p.m. and from 8 a.m. to 7 p.m. on Thursdays beginning 45 days prior to election day. Government Center hours were extended through 7 p.m. weekdays and on Saturdays during the time the satellite absentee voting locations were open. At its March 4, 2014, meeting, the board approved a similar schedule for the 2014 General Election. The satellite locations will be open daily, except Sundays, beginning on Tuesday, October 14 through Saturday, November 1. The satellite locations also will be open for three additional Saturdays preceding the daily hours (September 27, October 4 and October 11) for a total of six Saturdays. The hours of operation will again be 3:30 p.m. to 7:00 p.m., Monday through Friday, and Saturdays, 9:00 a.m. until 5:00 p.m. The office will be closed on Monday, October 13, for Columbus Day. The Board wants to give the additional three Saturdays a four year test to determine if the additional hours actually increase in-person voting turnout, or merely are a costly additional convenience that does not impact turnout.

BPEPIC Recommendation #36 – Use of Ballot-On-Demand Technology:

The use of optical scan voting equipment in satellite voting locations will require the County to provide all of the ballot combinations in use throughout the County for each election. The County should move to the use of technology that would allow the printing of ballots on demand in the satellites.

Electoral Board Response:

The Board agrees with this recommendation and is in the final stages of completing the purchase of a ballot-on-demand system, as part of the integrated voting system procurement. The Board expects to have ballot-on-demand available for satellite absentee voting in the November 2014 General Election. The 2015 General Election (which includes most state constitutional and local offices as well as all state House of Delegates and Senate races) represents the largest number of different ballot combinations of any general election cycle. The Board expects that the

November 2015 General Election will give staff and voters the chance to get used to the new ballot-on-demand system prior to its use in the Presidential Election.

BPEPIC Recommendation #37 – Do Not Turn Away “Early Voters”:

Voters who come to satellite polls asking to “vote early” should not be turned away, but given an application which includes the rules for eligibility to vote absentee.

Electoral Board Response:

While the Board does not believe that staff and satellite workers were regularly turning away voters who may have used the phrase “early voting,” it adopted a policy statement to ensure this was understood at its June 12, 2013, meeting. That statement directs FCOE staff and all satellite workers not to turn away a voter visiting an absentee in-person location because he or she asks to “vote early.” The Board’s policy was specifically incorporated into the new satellite and in-person training materials developed in September 2013 and was highlighted in training sessions. The Board is aware of voters who were clearly testing satellite workers on this issue during the November 2013 election cycle and was pleased to note that there were essentially no issues, to the chagrin of some testers.

On a related note, in its 2013 session the Virginia General Assembly reduced the amount and level of detail required on an absentee ballot application to justify an absentee request. In response, the Board adopted a policy statement to make clear satellite workers and staff may not ask a voter for more information than is required on the state’s absentee ballot application form.

Again, it became clear to staff that there were incidents of “testing” where voters were providing answers clearly intended to “push the envelope” on this policy to obtain a reaction from staff. For example, one voter who selected 1C (Business outside County/City of residence on election day) as his reason for voting absentee, and where name of employer or business was to be provided for supporting evidence wrote only “family,” claiming he would be away for “family business.” Another wrote “Don’t know.” Despite such tests, satellite staff almost uniformly followed Board policy from the beginning of absentee voting in the fall of 2013.

BPEPIC Recommendation #38 – Improve Absentee Ballot Efficiency:

When a voter properly applies by mail for an absentee ballot within 45 days of the election, the Office of Elections is required to respond by sending a ballot within three days after receiving a completed application. In order to address the surge of applications, the Office must employ and train enough workers to meet that requirement to ensure that voters get their ballots in time to vote.

Electoral Board Response:

The Board recognizes the Commission’s concerns regarding timely processing of absentee ballot applications and returned ballots in 2012. The process that year was particularly challenging both as a result of delays caused by Hurricane Sandy and because the political parties and campaigns

had absentee ballot applications returned to Richmond, rather than Fairfax, and that sometimes resulted in several weeks passing before the applications were forwarded to the County for processing. It was frustrating for staff to have voters believing the delays were due to the FCOE staff, when hundreds of applications were received in the office weeks after voters had signed them due to the transit through Richmond party headquarters for data-mining.

The Board and the FCOE have revised the process to ensure that the statutory deadline is met in all cases. The FCOE used some of the additional funding provided beginning in FY 2014 to ensure that sufficient staff was available to handle the surge in absentee ballot applications for the November 2013 election, and will continue to do so. In addition, FCOE continues to improve training and written procedures regarding absentee ballots. Moreover, new changes planned to the mobile app should allow voters to check and realize when the office has not received their application. This will allow them to send a new application in directly to the office to more timely receive the ballot they thought they had requested.

BPEPIC Recommendation #39 – Recruitment of Election Officers:

The Office of Elections and the political parties should aggressively recruit Election Officers and obtain their commitments to serve sufficiently in advance of Election Day to allow for training as required by law.

Electoral Board Response:

The Board strongly agrees with this recommendation. As part of on-going recruitment efforts, the Board has devoted a significant amount of time to working with the political parties to encourage their active participation in the recruitment process. The FCOE has improved the information the political parties receive from the office so that they can more effectively assist in Election Officer recruitment efforts.

This issue was a central focus in the lawsuit filed by the Fairfax County Democratic Committee (“FCDC”) against the board and general registrar in October 2012, and the FCDC has been especially helpful in aiding the office to recruit an adequate number of Election Officers approved by the FCDC Democratic to serve on Election Day. The Board and FCOE continue to work with both parties to ensure an adequate number of party-approved election officers are available to work the polls. Further, the Board intends to work with FCDC, the Fairfax County Republican Committee (“FCRC”) and other stakeholder groups to develop and implement a realistic timeline for election officer recruitment and placement. The goal is to have the timeline in place for the November 2014 general election – and to be able to adapt it for future elections.

Frustratingly, many of these new recruits merely replace those that are lost each year as Officers move from the county or decline to serve for other reasons. As of last fall, 30% of all Election Officers in Fairfax are over the age of 70, and only 15% are under the age of 50. Continued, enhanced recruitment efforts are critical. This is not a problem unique to the county, as the U.S. Election Assistance Commission found after the 2004 election that almost 6% of all polling places did not have enough Election Officers. Anecdotally, the problem has continued to get worse over the past decade.

In addition to efforts with the political parties, the FCOE is pursuing other avenues that will enhance Election Officer recruitment. Since 2012, the outreach team has made election officer recruitment a key part of all outreach efforts. Also in 2012, the General Assembly passed legislation requested by the general registrar to allow election officers to serve voluntarily. This legislation addressed a long-standing frustration by individuals who wanted to serve through their company's volunteer leave programs, but were not allowed to do so because of a state law requiring that election officers be *paid*. In the first subsequent fall elections, 117 election officers volunteered without compensation.

Another local effort undertaken to increase Election Officers in 2012 was a program developed by an area member of the American Bar Association (ABA) in which FCOE and the Fairfax Bar Association were initial pilot partners. Using technology to make it easier for lawyers to sign up, and use of the megaphone of ABA communications and outreach, a number of additional Election Officers were recruited. It is anticipated that this will again be encouraged by the ABA during this November's federal elections.

Beginning early in 2013, FCOE was also able to get masters level students from the University of Southern California's online MPA program to do a literature review of publications to try to identify successful Election Officer recruitment techniques. Sadly, there was so little in the literature, the students had to revise the project to do structured interviews with key national election offices to see if they had any successful recruitment techniques they could recommend. And tellingly, no specific methods were routinely successful. Localities found the same techniques produced mixed results in other localities, which indicates to the Board that Fairfax will have to develop a system that works for our County and may not work elsewhere.

During the summer of 2013, a part-time seasonal staffer was added to focus solely on recruitment. In two months she was able to reach out by email and telephone to hundreds of individuals, including dozens who were key contacts for a number of civic or homeowner organizations. This resulted in close to a dozen presentations to groups such as NARFE, Rotary and other service groups, and homeowners associations. Frustratingly, while there were results, these were not dramatic, nor easy to directly measure. According to literature produced by the U.S. Election Assistance Commission, recruitment efforts work best when they are sustained throughout the year, and not just during key election periods. This appeared to work in Prince William County recently. As noted above, they created a dedicated EO recruitment position. After a year, they were getting significant results. It is hopeful that the new position funded by the Board of Supervisors here in Fairfax can achieve similar results.

BPEPIC Recommendation #40 – Election Officers Compensation:

There was discussion about whether the compensation paid to Election Officers should be raised and whether training time should be compensated. It is recommended that the Electoral Board should investigate whether raising the compensation would have a significant effect on recruiting more Election Officers. Formally surveying Election Officers and former Election Officers would provide useful information.

Electoral Board Response:

The Board agrees with this recommendation and is pleased to report that it already has addressed the issue. After surveying past election officers, at its August 20, 2013, meeting, the Board increased compensation for Election Officers, Assistant Chiefs and Chief Elections Officers. Effective beginning with the November 2013, election, Election Officers are paid \$175 for the day (a \$75 increase), Assistant Chiefs are paid \$200 (a \$50 increase) and Chiefs are paid \$250 (a \$50 increase). Of those increases, \$25 specifically compensates Election Officers for training. Initial anecdotal reports are that the new pay rates had an effect on the increase in first-time election officers, as well as an increase in election officer retention.

The Board also adopted a one-time bonus for Central Absentee Precinct (CAP) officers working on November 2013, in recognition of their long hours and difficult duty (particularly after CAP was again not able to be completed by a reasonable hour on election night 2012). Officers who worked the early shift received a \$25 bonus and those who worked the late shift, a \$50 bonus. Any officer who worked the entire day, including Chiefs and Assistant Chiefs, received a \$75 bonus. This bonus was on top of the standard pay rate. Here the additional bonus was seen to have a significant impact, as CAP officer positions – traditionally the hardest positions to fill - were completely filled for the first time in a number of years, and the positions were all filled prior to Election Day, which was unprecedented.

The Board believes it will not be necessary to repeat the one-time bonuses for CAP in future elections, as the integrated voting equipment procurement includes a high-speed scanner that should dramatically reduce the time CAP requires to process absentee ballots on Election Day.

BPEPIC Recommendations #41-43 – Training and Polling Place Rehearsals:

- *Effective training is critical to the successful operation of the polling place on Election Day. Hands-on training as well as class room training would be beneficial for Election Officers. In addition, the Office of Elections should consider adding diversity training to the Election Officer training to increase officials' sensitivity to diverse voters.*
- *Chiefs should assemble their team together and set up the polling place the night before each election, giving the team the opportunity to know each other and to address issues of how the precinct operation will flow. Therefore, all polling places should be available exclusively for election purposes the night before the election after 6 p.m.*

Electoral Board Response:

The Board agrees in part with these recommendations. The curriculum for Election Officials, Chiefs and Assistant Chiefs already includes hands-on training on all three machines (EPBs, DREs and Optical Scan) as well as diversity training. The FCOE continues to refine its training materials on all of these topics.

In addition, the State Board of Elections recently introduced a new online training program that allows general election officers to learn at their own pace. The SBE training covers a variety of topics that amplify the county's training, including diversity issues. As the FCOE begins to use more online training of election officers, the office will provide additional modules that further amplify topics that cannot be covered in depth in a three-hour training session. The Board continues to work with stakeholders and the FCOE to further standardize and harmonize training materials in preparation for the November 2016 general election.

It is important to note that the new voting equipment procurement will require a complete retraining of all Election Officers prior to the November 2014 election.

Regarding precinct teams, the FCOE already encourages Chiefs to assemble their teams early, and most chiefs do reach out and meet with their teams once they have been finalized. But insufficient numbers of Election Officers means the teams may not be finalized until very close to Election Day. Thus, the Board does not require and will not require that Chiefs assemble their teams prior to Election Day to set up the polling place prior to Election Day.

Another issue that precludes early set up is limited, non-uniform and semi-secure access to polling locations. Significant early access to polling locations, particularly in schools, is not always possible or feasible. Some locations are also not secure enough to allow equipment and materials be left in the open overnight. Given the difficulty in ensure uniform and secure access to each polling location prior to Election Day, the Board does not believe it would be prudent to mandate the set up of locations prior to Election Day.

BPEPIC Recommendations #44 – Polling Place Resource Allocation:

Although the Office of Elections uses June registration numbers to plan the allocation of resources to precincts, the Office of Elections should review updated voter registration numbers in the fall before finalizing the assignment of Election Officers and equipment to precincts.

Electoral Board Response:

The Board agrees with this recommendation and notes that the FCOE staff continually review updated voter registration numbers prior to making final determinations on staffing and equipment allocation at the precinct level. The greatest difficulties in ensuring adequate resources are predicting voter turnout, which has fluctuated significantly over the last decade, and Election Officer drop-out rates, which also fluctuate and impact resource utilization.

BPEPIC Recommendations #45-47 – Election Officer Issues:

- *There needs to be a pool of Election Officers in reserve, but immediately available, to substitute in for Election Officers who are assigned to polling places but then do not show up to work on Election Day or are unable to complete their assignment.*
- *Election Officers with significant difficulties in performing their tasks effectively must receive additional training or not be retained.*

- *There is a need for more language diversity among Election Officers. The Office of Elections and the Office of Public Affairs should aggressively work with diverse community organizations and foreign language media to recruit Election Officers.*

Electoral Board Response:

The Board strongly agrees with these recommendations. To the extent possible, the FCOE keeps a list of unassigned Election Officers who can be available to replace no-shows on Election Day. However, given past difficulties in recruiting significant numbers of election officers and the requirements of partisan balance, implementation of this recommendation remains a challenge.

Following each election, the Board reviews all of the Chiefs' notes and identifies specific precincts and specific Election Officers who have been flagged for various concerns. As necessary, staff has worked with those officers to provide greater training. Officers who staff feels are no longer capable of performing the duties are not assigned for future elections.

On the issue of language diversity, with the 2010 census triggering language accessibility requirements for Spanish under the Voting Rights Act, the FCOE has made recruiting bilingual Election Officers a critical priority. Over the past two years, the office has been able to significantly increase bilingual staff. The FCOE currently has 313 appointed Election Officers who are bilingual in Spanish, 192 of whom served in the November 2013 General Election. The Office also has 88 election officers who are bilingual in other major county-required languages of Arabic, Chinese, Korean, and Vietnamese, 56 of whom served in the November 2013 election.

Additionally, efforts to increase the number of high school pages, as discussed elsewhere, have supplemented bilingual assistance at polling places. Many of the 403 student pages and Election Officers serving in the November 2013 election were bi- or tri-lingual in over 20 different languages. Of this total, 13 percent were bilingual in Spanish and English. These bi- and tri-lingual pages were placed strategically at precincts where their language skills were particularly needed.

BPEPIC Recommendations #48 – Bonuses for Election Officer Skills:

In recruiting Election Officers, the County should explore providing a bonus for workers with special skills, e.g., language or technology.

Electoral Board Response:

The Board, working with FCOE staff, explored a proposal for providing bonuses for election officers with specific skills, particularly language skills. The Board also explored referral bonuses and other forms of potential compensation that could help the office recruit election officers with desired skills.

Following that review, the Board chose not to move forward with any bonus programs at least through the November 2014 election. Staff presented serious concerns regarding the effective

administration of these bonus programs, which persuaded the Board that it was premature to consider them. Determining what level of technological skills was sufficient to warrant a bonus was one concern, as well as requiring some kind of language proficiency testing to ensure that only recruits with sufficient language skills qualify for the bonus. Finally, FCOE staff felt strongly that the overall increase in the pay for election officers may resolve this problem without the need for the bonus programs.

The Board may reevaluate this decision in the future if the pay increases for election officers does not achieve adequate results.

BPEPIC Recommendation #49 – Increase the Rover Pool:

The County should retain more rovers. Some rovers were unable to get to several precincts because of emergency demands.

Electoral Board Response:

The Board agrees with this recommendation. The FCOE already had planned to increase the number of rover slots prior to the November 2016 election. Decreasing the territory each rover covers in a general election facilitates prompt response to emergency situations while ensuring all precincts can count on at least one visit by a rover on Election Day. The FCOE will be increasing the total number of rovers gradually over the next two general election cycles. Because rovers are generally recruited from among the best chiefs at the polling precincts, the FCOE believes a gradual approach is the best way to ensure that expanding the pool of rovers does not compromise precinct operations.

The FCOE also is exploring with the Office of Geographic Information Systems (GIS) and DIT ways to use of mapping and other technology to help the board know where rovers are at all times on Election Day. This information will improve response time in emergency situations by allowing the closest rover to be deployed, even if the precinct is not on his or her regular route.

BPEPIC Recommendation #50 – Expand and Encourage the Page Program:

The Page program, run in conjunction with FCPS, is extremely successful and is to be encouraged and expanded.

Electoral Board Response:

The Board wholeheartedly agrees with this recommendation and is working with the page program coordinator to plan for an expansion of the program so that by the 2016 presidential election there will be at least two pages for each precinct.

BPEPIC Recommendations #51-53 – DMV Concerns:

- *The DMV should electronically transfer customers' voter registration application data from DMV to State Board of Elections' VERIS for registrations and address changes to eliminate the need to retype the data into VERIS.*

- *Given that an ink signature is required by Code, change the DMV Customer Service Center process to require an applicant to electronically complete and verify all application information, including those questions specific to voter registration, before it is printed and signed, and do not allow the application to be printed until all required fields have been completed.*
- *The DMV should make the records of who applied to register to vote available electronically to registrars to search to see if a voter tried to register and whether the registration process was done at a DMV Customer Service Center or when using the on-line or phone options.*

Electoral Board Response:

The Board agrees with these recommendations, which have been made both by the commission and by the FCOE. The Board has passed these recommendations on to the State Board of Elections for discussions with the Department of Motor Vehicles (DMV).

BPEPIC Recommendation #54 – Greater Use of Technology – Mobile App:

[T]he County has a “mobile app” that will allow voters to find their polling places via their cellphones and this should be better publicized.

Electoral Board Response:

The Board strongly agrees with this recommendation. The SBE finally has provided the link for Fairfax to provide live data from VERIS, and DIT currently is working to make this upgrade, as well as to provide better ability from the mobile app to allow voters to follow the progress of their absentee ballot application. Once DIT finishes these improvements, FCOE, in conjunction with OPA, will aggressively publicize the app during election periods when voters are paying attention.

BPEPIC Recommendation #55 – Greater Use of Technology – Ballot on Demand:

Ballot on Demand technology will facilitate use of optical scan machines in satellite absentee voting locations, because it will allow voters from any part of the County to vote in any absentee satellite, without the need for the Office of Elections to provide numerous paper copies of each one of the many ballot combinations in use for a November General Election.

Electoral Board Response:

The Board strongly agrees with this recommendation. The Board has included a ballot-on-demand system as part of the integrated procurement for new voting equipment that should conclude by mid-May. It is expected that the ballot-on-demand system will be in place for the November 2014 General Election. This will allow a year of experience prior to the 2015 general election, which includes most state constitutional and local offices as well as all state House of Delegates and Senate races and represents the largest number of different ballot combinations of any general election cycle.

Ballot-on-demand technology will simplify absentee voting now that optical scan ballots are used at all satellite locations, making it unnecessary to order more than 100% of the ballots, or to institute a complex and costly logistics system to ensure sufficient ballots at all times at all locations.

BPEPIC Recommendation #56 – Greater Use of Technology - Scanning:

Scanning of voter registration applications and absentee ballot applications will minimize errors in voter registration records and processing of absentee ballot applications and minimize problems with finding voters when they show up to vote.

Electoral Board Response:

The Board generally supports scanning of records, primarily because the amount of space required to maintain and store hand printed applications is significant and represents a space-related burden on the Office to maintain those files.

The Board has already implemented a scanning project to help reduce our paper burden. The Board appreciates the additional funding provided by the Board of Supervisors to move this project forward, beginning with FY 2013. The FCOE, in conjunction with DIT and the State Board of Elections, determined that the best way to proceed was to work with SBE to modify SBE’s statewide database (VERIS). Initial modifications were finally made to VERIS as of August 2013 (unfortunately, these were delayed almost eight months due to other SBE priorities.) Over the past year, FCOE staff, DIT staff and SBE staff have been working through the integration of these changes and appear to have almost finished the necessary modifications. The office anticipates that it should be able to begin scanning voter registration applications going forward sometime this spring. The office will then begin working with the county’s archives staff to determine a vendor to assist with scanning of the more than 700,000 previously processed voter registration applications that currently are kept in filing cabinets on site, as funding allows.

In regards to the Commission’s contention that scanning would reduce errors in records, the Board does not believe that scanning alone will reduce errors. Scanning bad handwriting can create inputs that are as bad or worse than inputs by a person interpreting handwriting. Boxes that are poorly checked and misinterpreted by a human can just as easily be misinterpreted by a scanner. The Board does, however, support increased use of on-line forms, both for voter registration and for absentee ballot applications, that would allow voters to input data without handwriting (other than for a signature).

The Board believes that the State Board of Elections new on-line registration system does achieve the goal that the Commission intended with this recommendation.

BPEPIC Recommendation #57 – Enterprise Fund for Equipment Procurement:

That the County establish an enterprise fund for voting equipment replacement like the fund established to replace computers and other assets. This would smooth out the large financial investments needed all at once when voting machines must be replaced.

Electoral Board Response:

The Board agrees with this recommendation. The Board notes that the Board of Supervisors already allocated \$6 million in carry-over funds in FY 2014 for the first phase of the election equipment procurement and has indicated the remainder of the funding is expected in time for the 2016 election. The Board is appreciative of the support from the supervisors and looks forward to working with them in determining how and when such an enterprise fund would be established and funded.

Appendix

Bipartisan Election Process Improvement Commission Recommendations, Response, and Status

BPEPIC Recommendation	Board Response	Status
#1 – Use of Electronic Poll Books	Agrees with recommendation	Implemented for fall 2013 election in all 238 precincts
#2 – Electronic Pollbook Software	Agrees with recommendation	To be implemented in conjunction with or just after purchase of new voting equipment
#3 – Greater Phone Access on Election Day	Agrees with recommendation	Worked with DIT to implement for fall 2013 election
#4 – New Voting Equipment	Strongly agrees with recommendation	Procurement process underway w/ goal of having new equipment for fall 2014 general election
#5 – Publicity Campaign for Paper Ballots	Agrees with recommendation	Implemented via Office of Public Affairs resources and election officer training (paid media campaign to be integrated with media plan for introducing new voting equipment to the public)
#6 - Refer to Paper Ballots as “Electronically Scanned Ballots”	Agrees with recommendation	Implemented in Spring 2013 (Policy provision adopted by Board)
#7 – Access to Optical Scanners	Generally agrees with recommendation, will determine actual need based on new system implementation	To be determined with new voting equipment purchase (for 2013 general election, at least one scanner per precinct with rovers equipped with backups)
#8 – Privacy Booths	Agrees with recommendation	Implemented during 2013 general election (current stock sufficient to meet immediate needs; Board has begun to look at replacement options)
#9 – Bond Referenda in Presidential Elections	Strongly agrees with recommendation	Action lies with Board of Supervisors
#10 – Voter Parking	Agrees with recommendation	To be discussed with management of venues used as polling places; Office of Elections has taken action to address parking at specific precincts with known parking issues (including ADA accessibility)

#11 – FCPS Teacher Conferences on Election Day	Agrees with recommendation	General Registrar / Secretary to meet with FCPS Superintendent
#12 – Precinct Physical Size	Agrees with recommendation	BPEPIC recommendation reinforces Office of Elections efforts with precinct facilities managers to reduce relocations (all existing polling places <i>have</i> adequately sized rooms); has worked with County Executive to secure new location for absentee voting beginning in November 2014
#13 – 14 Determination of Precinct Locations	Agrees with recommendations	Staff directed to ensure line-management priorities reflected in review process for new precinct locations; line management included in election officer training curriculum
#15-21 – Various Precinct Concerns (Co-Located Precincts)	Agrees with recommendations	Implemented improved signage and maps at co-located precincts; review initiated of all co-located precincts with general registrar to present options to Board of Supervisors, where final decision rests
#22-29 – Precinct Changes Recommendations	Agrees with recommendations	Decision to split and name precincts within jurisdiction of the Board of Supervisors; exploring ways to improve accessibility, including staffing, training, signage, and publicity; new voting equipment will be fully ADA- and language-compliant
#30-31 – Encouragement of Absentee Voting	Generally agrees with recommendations	Worked with various stakeholders and Office of Public Affairs to expand awareness of absentee voting options for the November 2013 general election; board and general registrar intend to intensify efforts to encourage absentee voting for all eligible voters, especially the disabled and elderly, in period leading up to November 2016 presidential election
#32 – Move Absentee In-Person Voting at the Government Center	Strongly agrees with recommendation	General Registrar and Secretary have obtained suitable location for 2014 fall election from County Executive; “voter only”

		signage implemented for parking
#33 – Treat Satellites Like Precincts	Generally agrees with recommendation	Board-adopted policy in effect throughout 2013 absentee voting season; legal and logistical distinctions must be recognized
#34-35 – Satellite Voting Extensions	Generally agrees with recommendation	Implemented for 2013 elections
#36 – Use of Ballot-On-Demand Technology	Agrees with recommendation	Ballot-on-demand will be implemented for 2014 elections
#37 – Do Not Turn Away “Early Voters”	Agrees with policy but does not believe staff and satellite workers were regularly turning away voters using phrase “early voting”	Policy statement adopted 6/12/2013 and incorporated into training
#38 – Improve Absentee Ballot Efficiency	Recognizes concerns regarding timely processing of absentees in 2012	Prioritized ensuring that statutory deadline met in all cases and revised policies accordingly; additional funding directed to staffing for absentee voting in 2013
#39 – Recruitment of Election Officers	Strongly agrees with recommendation	Working with political parties to encourage participation in recruitment process and with parties and other stakeholders on timeline to be in place for November 2014 general election; new legislation facilitates “volunteer” election officers; seasonal staffer devoted to recruitment added in summer of 2013; new full-time position for recruitment will be implemented in 2014
#40 – Election Officers Compensation	Agrees with recommendation	Board approved increased compensation at 8/20/2013 meeting
#41-43 – Training and Polling Place Rehearsals	Agrees in-part, disagrees in part.	Enhanced training and manuals for election officers and central absentee precinct workers under development (including diversity training), timed to support roll-out of new voting equipment with further work with stakeholders to standardize and harmonize training materials in preparation for November 2016 general election; Board will not mandate pre-election setup.
#44 – Polling Place Resource Allocation	Agrees with recommendation	Staff continually review updated voter registration numbers prior

		to making final determinations on staffing and equipment allocation on a precinct level (voter turnout fluctuates and is unpredictable)
#45-47 – Election Officer Issues	Strongly agrees with recommendation	Ongoing efforts to meet implement noting recruitment challenges; outreach increasing bilingual polling officials, supplemented by high school pages proficient in second and third languages
#48 – Bonuses for Election Officer Skills	Chose not to move forward	Board explored bonuses for November 2014 general election but decided premature to move forward; may reevaluate decision in future in pay increases do not achieve adequate results
#49 – Increase the Rover Pool	Agrees with recommendation	Number of rover slots being increased gradually over next two general election cycles; exploring with GIS and DIT ways mapping technology can improve rover response time
#50 – Expand and Encourage the Page Program	Wholeheartedly agrees with recommendation	Working with page program coordinator to plan for expansion with goal of at least two pages per precinct by 2016 election
#51-53 – DMV Concerns	Agrees with recommendation	Recommendations passed on to the State Board of Elections for discussion with DMV

#54 – Greater Use of Technology – Mobile App	Strongly agrees with recommendation	DIT upgrade to app to provide live data from voter database (VERIS) pending; OPA/Office of Elections plan for app to be aggressively publicized during election periods
#55 – Greater Use of Technology – Ballot on Demand	Strongly agrees with recommendation	Actively pursuing procurement of technology for satellite voting locations; goal to have in place for November 2014 general elections
#56 – Greater Use of Technology - Scanning	Agrees with scanning concept, but not for the Commission’s reasons.	After working through technical issues, scanning new applications expected to begin in spring 2014; working with vendors re scanning 700,000 existing applications in files;
#57 – Enterprise Fund for Equipment Procurement	Agrees with recommendation	Board looks forward to working with supervisors on how and when for establishing enterprise fund