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To: Mayor and Council

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RE: Alternative Voting Method-Election 2018

Report No.: CS-2017-007

AIM

To provide Council with information pertaining to various methods of election and recommend that council use electronic voting (both internet and telephone) for the 2018 municipal election.

BACKGROUND

The 2018 election will take place on October 22, 2018. The recent amendments to the *Municipal Elections Act* (the “Act”) indicate that a municipality wishing to use vote counting equipment, or authorizing the use of an alternative voting method must ensure that the requisite by-law is passed/in effect by May 1 in the year prior to the election.

In the past four elections, Council authorized the use of vote by mail or electronic voting. The 2000 election was the last time Kingsville conducted an election via traditional polling stations. For the 2003, 2006, and 2010 elections, vote by mail was the authorized method of election. In 2014, Council authorized the use of electronic voting to conduct the election.

The voter turnout for those elections is reproduced below:

2000 – 46%
2003 – 50%
2006 – 52%
2010 – 55%
2014 – 48%¹

¹ Reports of Ruth Orton, Director of Corporate Services, Alternate Voting Method – Election 2014 (December 3, 2013) and 2014 Municipal Election (March 19, 2015).

Overall, turnout for municipal elections in Kingsville is above the provincial average. In the 2014 election, the Town of Kingsville voter turnout was 48% which is above the provincial average of 43% as reported by the Association of Municipalities of Ontario.²

With respect to the 2014 election, Scytl Canada Inc. (“Scytl”) was chosen to provide electronic voting services to the Town. The Town received submissions from three (3) other election service providers and upon review of those submissions selected Scytl, as its proposal “contained the most comprehensive security measures and its fee was the lowest”.³ Three other local municipalities used Scytl’s services for the 2014 municipal election as well.

Voters experienced the following issues with the electronic voting system during the voting period:

- Insufficient telephone lines;
- 403 error messages; and
- Delay in election results (It took approximately two (2) hours following the end of the voting period for the results to be released).⁴

DISCUSSION

In anticipation of the upcoming election and as a result of the recent amendments to the Act, Clerk’s across the province are bringing reports to their respective councils to discuss the method of election for the 2018 election year. As part of this report, a discussion of electronic voting, mail-in ballots and the traditional polling station methods of election will be discussed.

Electronic Voting (internet and telephone)

Electronic service providers strive to provide a user friendly voting experience that allows the voter to navigate through their systems easily. During the 2014 election, 97 Ontario municipalities used electronic voting (Internet and phone) resulting in over 909,000 votes being securely cast.⁵ Although Town of Kingsville experienced issues with electronic voting, other municipalities have had more positive experiences with this method of election. For example, the Town of Tecumseh recently held a by-election via electronic vote and saw strong voter turn-out, efficient use of staff resources and reduced costs when compared to other voting methods.

² Vukelic, Snezana. “AMO-2014 Municipal Election Stats.” AMO.com. <http://www.amo.on.ca/AMO-Content/Elections/Municipal/2014/Counts-are-in-for-this-year%20%99s-municipal-election.aspx>. (Accessed: March 1, 2017).

³ Report of Ruth Orton, Director of Corporate Services, 2014 Municipal Election (March 19, 2015).

⁴ Orton, Ruth. 2014 Municipal Election Report. Town of Kingsville, 2015.

⁵ Smith, Dean. “Intelivote Releases Trends in Electronic Voting for 48 Ontario Municipalities.” AODA.Com <http://www.aoda.ca/intelivote-releases-trends-in-electronic-voting-for-48-ontario-municipalities>. (Accessed: March 13, 2017).

Security concerns are the most significant challenges faced when implementing electronic/on-line voting. A breach of the system can threaten the integrity of the voting process, compromise the election results and potentially jeopardize voter anonymity. In response to these concerns, electronic service providers continually review and enhance their security measures to reduce the risk of a breach of their system. Tools such as firewalls, encryption tunnels, enhanced passwords, digital certificates, live hack testing etc. are used by providers to ensure the security of their software. In addition to the various security measures in place to eliminate the risk of a security breach, service providers also implement systems to maintain voter anonymity by separating the ballot from the identification of the voter once the vote is cast.

In order to maintain confidentiality, all voters receive a voting package via mail which will contain a personal identification number (PIN) unique to that person, which the voter will use to authenticate their identity prior to voting. The package will outline instructions for voting, including how to access and navigate the on-line voting site. Simply stated, once the vote is cast and confirmed, the voter's name is automatically removed from the voters' list, their identification is separated from the cast ballot, and the information is encrypted.

For users that do not have access to a computer or internet, telephone voting is the other electronic option. This method offers an accessible option, whereby the voter can dial a dedicated toll-free or local number to cast their vote. Similar to on-line voting, users are prompted to authenticate their identity through the PIN number provided in the voter information package. The voter is greeted by a voice that guides them through the system. Votes are cast using the numerical keypad. Once their selections are confirmed, they are automatically removed from the voters' list and the information is encrypted and stored anonymously.

It is important to note that none of the issues experienced by Kingsville during the 2014 election were related to the security or integrity of the voting process. Rather, all concerns were either service related (not enough resources were allocated to Kingsville by Scytle), or were as a result of human error (delay in results). From the information available, there is no suggestion that the system was breached, that the election results were compromised, or that voter anonymity was jeopardized.

Since 2014, service providers have increased their ability to deal with the demands of increased traffic to their websites and telephone lines. They are able to successfully provide voting services to multiple jurisdictions simultaneously. There have been software improvements related to the merging of MPAC voter lists, compiling candidate data, and overall usability of the software for elections staff. Electronic voting will not allow for a spoiled ballot, however, voters can be provided with an option to "decline to vote".

There are a number of benefits associated with electronic voting. Firstly, electronic voting has the potential to make the voting process easier and more accessible for all electors. For persons with disabilities, election software meets the current AODA regulations of WCAG 2.0 Level A accessibility standards, and also uses standardized HTML and JavaScript to ensure its compatibility with all market leading screen readers and web

accessible devices.⁶ Additionally, font sizes and language can be modified to suit the needs of electors.

Secondly, electronic voting significantly reduces the resources expended in conducting a municipal election. In a traditional polling station election, administration would need to hire staff for all polling stations, provide training in managing the stations while still conducting the internal election preparation of voter cards, verifying voter lists, ensuring candidates' regulations and advertising. Additionally, compilation of election results is faster and more efficient, as the results are calculated by the software. Conducting an election is time consuming and an electronic method of election assists to reduce the demands on staff resources so that elections staff are able to attend to their everyday duties and responsibilities while simultaneously conducting the election.

Finally, this method is the most convenient option for the public. Electors have the option to cast their vote at any time while voting is "open" in the comfort of their home or office, or anywhere else that may be convenient for them. Should Council select electronic voting as the method of election, one polling station at the Municipal Office will be opened during the election for voters who would like assistance or have no access to internet. This option also eliminates long line-ups at the polling stations, providing enhanced electoral efficiency.

Mail in Ballots

For the three (3) elections that we held from 2003 to 2010, the municipality conducted the election by mail in ballots. Similar to electronic voting, voter packages are mailed to registered voters. The package contains instructions regarding how the vote is cast and mailed back to the Town. The Town would be required to rent tabulators to count the ballots and the ballots would be fed through the tabulators by elections staff.

Although this option eliminates the need for polling stations, similar to electronic voting, the Municipal Office would be open for extended hours on the final day of the election to allow for voters to drop off their ballot in the event that it was not placed in the mail on time.

This method of election is not without its challenges. This method is heavily reliant on a third party to deliver their ballot on time to the municipality. Other issues that were experienced by Kingsville during the vote by mail election have included: voter packages being returned as undeliverable, eligible voters not listed on the voters' list, and voters not receiving their package on time. While these issues are not exclusive to vote by mail and can occur with any method of election that mails information to voters, these were some of the issues that were identified in the review of those elections.

Finally, should Council elect to return to vote by mail, the 2018 procedures will have to account for ballots which are received after the voting deadline has passed.

⁶ Beamish, Stephen. Electronic Voting Services for 2018 Municipal Election. Toronto, ON. February 22, 2017.

Traditional Polling Stations

The Town has not conducted an election by traditional polling stations since 2000. Communication was received by the Director of Corporate Services from several residents expressing their opposition to electronic voting for the 2018 election and desire for the Town to conduct the election by traditional polling stations (see attached Schedule "A" – Resident Comments).

A traditional election with polling stations is extremely resource intensive: polling stations need to be staffed, paper ballots printed, voter packages compiled, tabulation equipment rented etc. The Corporate Services Department is comprised of 3 management staff and 1.5 office support staff and does not have the internal staffing resources to carry out these tasks and maintain service levels for the day to day functions of the department.

Currently, the Town is divided into 33 polls and each of those polls will have to be staffed by at least 2 employees. Hiring additional staff to conduct the election will consume significant resources. In addition to going through the hiring process for these contract employees (i.e. resume review, interviews, employment contract preparation, payroll set up etc.), a significant amount of time will be spent preparing training material and conducting training to ensure that elections staff are aware of and able to fulfill their election responsibilities. Moreover, any mailings or packages delivered to voters will be compiled and prepared by Corporate Services. This is in contrast to both electronic voting and mail in ballots, in which voter information packages would be prepared and mailed out by the service provider.

Finally, residents should expect a longer delay before receiving election results when compared to mail in ballots or electronic voting.

Voter Education/Outreach

Regardless of the method of election that is selected, there will be voter education/outreach. If Council chooses to conduct the election via electronic voting, Corporate Services would reach out to voters to educate them about this method of election.

In the 2014 election, Corporate Services organized several initiatives to educate eligible voters: informational material was provided with tax and water bills, direct mailings were undertaken, and public meetings were held. Every effort was made to ensure that eligible electors understood the internet voting process. During the voting period, elections staff were available to assist voters and answer questions about the process. In addition to the negative feedback (discussed above) that was received, Administration received a lot of positive feedback about the ease and convenience of electronic voting.

Summary

Each election method has its benefits and challenges. However, in considering the various election methods discussed Council should consider the following elements:

1. Accuracy of results;
2. Convenience; and
3. Efficiency.

As there is more “human” involvement, there is a greater opportunity for human error. Electronic voting would provide the most accurate results in the shortest duration of time as votes are tabulated by computer software. It is the most convenient method of election for voters and is the most efficient use of municipal resources when compared to mail in ballots and the traditional voting method. It eliminates the implementation of several polling stations; rental of equipment, paper ballot associated fees, reduces staff resource costs, and is user friendly for the voter. For those voters who do not have access to the internet and/or accessibility, the Town has the option of the telephone or setting up a laptop at the Town office for residents to come and cast their ballot.

While there is no doubt that security is a legitimate concern surrounding electronic voting, this concern must be put in perspective. Each day millions of people transact using technology (ex. Banking and shopping) and not because they are ignorant to the risks; rather, those individuals balance those risks against the benefits of conducting their business in this manner. Security is a consideration for any electronic transaction, from sending an email to viewing a webpage. However, users and service providers are aware of these risks and continue to take steps to prevent their software from being compromised.

There are several reports and papers published on the Elections Canada website which discusses federal electoral reform and examines electronic voting. Those papers recommend, amongst other things, that caution be exercised before moving forward with electronic voting, that the requisite professionals are consulted, that the public is consulted, and that the scope of who is able to vote electronically be considered. However, the magnitude of a federal election and the considerations associated with same are on a much larger scale than those at the municipal level. This is not to suggest that the concerns at a municipal level are any less significant. On the contrary, it is suggested that the concerns at the municipal level are better managed and addressed given the scale on which they fall. Of the 97 municipalities which used electronic voting in 2014, Administration is not aware of any instance in which the integrity of that election was compromised or challenged.

There has been some suggestion that Council may wish to utilize an alternative voting method plus traditional paper ballots. Firstly, if Council chooses to conduct its election in this manner, elections staff would need to arrange for a minimum of four polling stations to ensure access for all voters in Kingsville. This would significantly increase the costs of the election as identified in the “Financial Considerations” section of the report because the Town would be using two (2) methods to conduct the election. Secondly, adding traditional voting to any of the election methods would cause a strain on staff resources as discussed above. Finally, there would be logistical issues associated with removing names from the voters’ list to ensure that anyone who votes at a polling station has not voted by the alternative method.

LINK TO STRATEGIC PLAN

No direct link to the strategic plan.

FINANCIAL CONSIDERATIONS

In the 2014 election, the amount allocated was \$50,000 and the actual amount spent was \$51,000. For the 2018 election, it is expected that election costs will exceed those of previous elections. These following numbers are based on initial consultations with election service providers.

1. Electronic Voting: \$55,000 to \$65,000
2. Electronic Voting and Traditional Ballots (3 polling stations): \$85,000 to \$95,000
3. Vote by Mail: \$55,000 to \$65,000
4. Traditional Polling Stations: \$70,000 to \$80,000

CONSULTATIONS

County Clerk's Group

Election Services: Simply Voting, Dominion Voting, Intelivote Systems Inc.

RECOMMENDATION

That Council approve electronic voting as their alternative method for the 2018 election.

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