Schedule "A" - Resident Comments

From: D P

To: Jennifer Astrologo; Nelson Santos; pgordonqueen@msn.com; Susanne Coghill; Tony Gaffan; Sandy McIntyre;

Thomas Neufeld; Larry Patterson

Subject: Submission for consideration during Council deliberations of 2018 Election process used for Kingsville

Date: April-04-17 12:55:22 PM

Apr. 3, 2017 Attention:

Mayor, Deputy Mayor, Members of Council, and Clerk Jennifer Astrologo.

Good day,

I respectfully submit this note to be considered during the discussion on Kingsville's election decisions for 2018.

My personal preference is for a re-visitation of a mixed system, electronic and mail out, as moved by G. Queen in 2013. With the lack of a tracking system that allows for a recount in the pure electronic system and with the problem of access for all citizens to appropriate computer systems I think this is a prudent use of resources.

From the Dec. 9 2013 minutes of the Regular Meeting of Council:

Director Orton - Pert presented her report

(Alternate Voting Method - Election 2014) and the Council addressed the changes as follows:

818 - 2013

Moved by G. Queen, seconded by B. Riddiford Council authorize electronic voting method and vote by mail method for the 2014 Election. LOST

819 - 2013

Moved by T. Stomp, seconded by B. Peterson Council authorize electronic voting method

(internet and telephone) for the 2014 Election and direct Administration to prepare the relevant by - law. CARRIED

In light of the following I believe more strongly than in 2014 that G. Queen's motion was the more rational and valuable in preserving voting rights of ourcitizens

As you will recall, during the 2014 Municipal election in Kingsville, there was a failure in the tabulation process admitted by Scytl (the organization responsible for administering the data collection and tabulation of election results.) The failure resulted in a three hour delay in result submission. According to Scytl, the three hour delay was due to the following:

- During processing election results, several files were mislabelled due to human error.
- The mislabelled files triggered a multi-step audit.
- This caused the election results to be re-processed which more than doubled the time originally promised.

This situation resulted in questions of our Elections Officer being able to provide the basic requirements of a free democratic election, namely, that of security, integrity, and privacy of vote. The option of a recount or physical verification of vote was lost due to the nature of the

system.

As the basic problems associated with an entirely electronic vote system have not been mitigated over the last 3 years I believe it is worth reviewing the following from my letter to Council from myself and 11 Candidates of Record dated Oct. 31, 2014:

In the lead up to the 2014 election, many municipalities had investigated internet voting. Relevant to this was that the City of Toronto, based on a report by Jeremy Clark (Concordia University) and Aleksander Essex (Western University entitled, *Internet Voting for Persons with Disabilities - Security Assessment of Vendor Proposals* rejected internet voting. The City of Toronto RFP #3405-13-3197 report dated February 14th, 2014 stated:

"Recommendation regarding the use of internet voting: Of the proposals evaluated in the context of the RFP process, it is our opinion that no proposal provides adequate protection against the risks inherent in internet voting. It is our recommendation, therefore, that the City not proceed with internet voting in the upcoming municipal election. If the City, contrary to this recommendation, remains committed to the use of internet voting, we advise that the system be limited to voters with disabilities, and not offered to the electorate at large." Page 2.

At that time we asked if the Kingsville Administration or Council examined potential security problem with this or other Internet voting software providers? What assurances did the municipality receive with respect to security, integrity, privacy, and the timely delivery of election results that lead to a different conclusion than did the City of Toronto?

I present these same questions for Kingsville Council and administration to address anew before considering the implementation of the same system.

I would like to know what assurances you might have received from any proposed provider of this same 'electronic voting system' that the issues encountered by Scytl on the 2014 election night have been addressed? I would add that the issue of loss of recount with the electronic system is still a problem. Perhaps a paper list or ticket system could be added?

It is incumbent on elected Council and supporting administration to hold elections with security and integrity as well as ensuring privacy of vote. In my opinion the purely electronic voting system does not provide this protection especially to any vulnerable voting population. It was not proven to my satisfaction that the cost of this system substantially benefited the tax payer.

If the security, integrity, and privacy of the voters is important to those involved in these decisions I would respectfully ask the Council to again consider a mixed electronic with paper safe guards / physical mail out system at the very least.

Respectfully,

Derek Prowse,



To: Jennifer Astrologo, Director of Corporate Services/Clerk

Date: March 23, 2017

Re: Voting Method Recommendation for 2018 Election

Background

An administration report (prepared by our former Director of Corporate Services Ruth-Orton-Pert) dated December 3, 2013 regarding alternate voting methods recommended electronic voting for the 2014 election. This report claimed that we would realize the benefits of: making voting more accessible, have a greater voter turnout, would receive our results within minutes of the polls closing and that it would cost less.

The recommendation to change our voting process to an electronic voting method was supported by a telephone survey conducted for administration. This survey had 600 respondents. A petition requesting paper ballot was submitted to council signed by 3 times more people than had participated in the telephone survey. I have a copy of this petition with the names if you'd like to view it. Unfortunately, we were told due to a procedural by-law, the request for a paper ballot could not be granted.

As for the promises of electronic voting, we can start by looking to our own experiences here in Kingsville during and after the 2014 election:

Accessibility - although I have no official record of this to point to, several of the councillors will have heard these complaints from residents: some found the telephone option long and cumbersome (we had 25 council candidates) and mentioned various glitches in the process; some people accessing the online website were directed to the homepage of a different town; there were mail delays with pin numbers required to vote (mine personally arrived the day after the election). I heard from some that got frustrated and just gave up trying to vote and several (mostly seniors but not exclusively), not wanting to attempt any of the electronic options, didn't bother to vote at all.

Voter turnout - Kingsville has consistently had voter turnout results greater than the provincial average but the turnout for the electronic voting year was lower than all our elections taking place for at least the previous decade. While reading through various literature on alternative voting methods I've discovered that voter turnout is a result of many factors that have little to do with the voting process. Isolating variables that effect voter turnout seems near impossible and include such things as close mayoral races, campaigning efforts, specific election issues and the timing of other government elections. The culture of participation is also a factor and in Kingsville this has typically been high. Some studies suggest that attending polling stations results in constituents engaging in the democratic process as a collective which creates a feeling of inclusion and commonality and can lead to increasing of social networks. One study argues that civic engagement reaches a culmination during elections and that this may be lost with online voting. In an attempt to make voting more convenient for some, we can reduce our culture of participation. Further, it seems that voters will vote regardless of the method and

that an alternative method doesn't necessarily mean non-voters will suddenly engage in the voting process.

Timeliness of results - On the night of the election, the private software company, Scytl, reported anomalies that delayed election results for several hours (nearby communities that used paper ballots had results in before those in our area using electronic voting). Scytl reported that several files were mislabelled due to human error. This admission resulted in several unsuccessful candidates suggesting a recount - something that wasn't possible with this electronic voting method.

Cost - I'm not sure if we were ever provided a final cost of the 2014 election that included the extra hours town hall had to remain open to address the many problems and issues residents were having. Some reports I've seen show that internet voting is actually more expensive. However, if it is indeed cheaper than traditional voting methods, when outsourcing our election process to a private company, all of our election money leaves our community compared to when the election process is managed and operated locally, in which case the money goes to underemployed and retired individuals and would arguably mean our money stays in our community to benefit our local economy. So how much cheaper does outsourcing have to be to justify the loss of this economic benefit to the community? And what were the final figures including all related costs?

Elsewhere in the province, there were fewer than 100 municipalities that used electronic voting mostly as an addition to traditional methods, such as for advance polling, and not as a replacement. The remaining 300+ municipalities either didn't consider the option or reviewed and rejected it.

Markham required pre-registration and the creation of a unique security question.

Peterborough requires pre-registration.

Huntsville offered telephone and internet voting in 2010 but returned to paper ballots in 2014.

Chatham: advance polling only. Kitchener: reviewed and rejected

Waterloo: reviewed and rejected

Richmond Hill: recommended against internet voting in 2014 on the basis that the technology is not consistent with the principles of transparency and accountability. Staff recently recommended using electronic voting in the 2018 election for advance polling only and this was rejected by Council.

This is obviously not a complete list. And prior to the 2014 election less than 50 Ontario municipalities had used electronic voting so it will be interesting to see which communities, that experienced problems in 2014, stick with electronic voting or return to a traditional voting method.

A challenge of the results of a municipal electronic election have not been tested in a court-oflaw nor has the use of the technology been challenged. A successful court challenge in Germany essentially ended their use of electronic voting technology. France recently decided against the use of the technology due to hacking concerns. Quebec has had a moratorium on electronic voting for over a decade.

Unanswered Questions from the Previous Administration

Prior to and following the 2014 election, I had posed 3 questions to our administration that were never addressed.

On the issue of security - I asked how the election process can ensure that malware is not present on individual devices of the voting public? This is the most difficult link to protect when it comes to electronic voting. Malware could alter a voter's vote without anyone's knowledge, record voting activity or even display a ballot image that does not correspond to the data transmitted to election servers. Additionally, the only voter credential required to verify the identity of the voter was a birthdate. Anyone getting the mailed pin that was aware of the person's birthdate could easily vote on their behalf. Given the many inaccuracies on the voter registration list (deceased and those moved away are still on those lists) a greater effort needs to be implemented for confirming voter identity.

On the issue of integrity - I asked what recourse candidates or residents have for requesting a recount as prescribed in the Municipal Elections Act. Audit-ability means that there must be an independent and documented means of publicly verifying and recounting votes to confirm the result of an election. As a result of the anomalies reported by Scytl on election night, several candidates requested a recount that wasn't possible. Nor were these candidates allowed to have a scrutineer present to verify the integrity of the results. The company had claimed authority over the back-end system activity so under whose management did the breach occur? Errors in data management can lead to devastating results and a loss of integrity of the public's acceptance of results.

Finally, I had asked if any experts in the field were consulted before or during the decision process. It seems the only person to speak to council on this issue was the salesperson from the privately owned software company (with servers, storing our identity and votes, very likely located out of country and not even within the jurisdiction of our laws). When looking at our contract with this private software company, Scytl, several questions and concerns are raised. There was no guarantee that the product would provide any level of quality and no penalties for the failure to meet any criteria. It was unclear who would pay for an independent audit. And who, exactly, is in control of and owns the voter data collected after the election is complete?

What the Experts Say

There was a lot of independent expert information available on electronic voting prior to the last election that does not seem to have been conveyed to council and I want to detail some of it here for you:

1) The City of Toronto had an independent expert review of 3 different electronic voting products, including one from Scytl, for the consideration of this technology to be used in a municipal election solely for persons with disabilities.

"From a security design perspective, internet voting is a particularly challenging problem and carries the greatest number of risks of any ballot casting method. Online voting introduces a number of unique potential threats to the voting process: voters must submit secret ballots using a computing device potentially infected with malware or spyware, over a hostile

network, for storage on an internet-facing server."

"Recommendation regarding the use of internet voting: of the proposals evaluated in the context of the RFP process, it is our opinion that **no proposal provides adequate protection against the risks inherent in internet voting.** It is our recommendation, therefore, that the City not proceed with internet voting in the upcoming municipal election. If the City, contrary to this recommendation, remains committed to the use of internet voting, we advise that the system be limited to voters with disabilities, and not offered to the electorate at large."

The City of Toronto RFP #3405-13-3197 report dated February 14th, 2014. *Internet Voting for Persons with Disabilities - Security Assessment of Vendor Proposals Final Report*https://www.verifiedvoting.org/wp-content/uploads/2014/09/Canada-2014-01543-security-report.pdf

2) The Independent Panel on Internet Voting British Columbia Recommendations Report to the Legislative Assembly of British Columbia February 2014:

"Do not implement universal Internet voting for either local government or provincial government elections at this time. However if Internet voting is implemented, it should be limited to those voters with specific accessibility challenges. If Internet voting is implemented on a limited basis, jurisdictions need to recognize that the risks to the accuracy of the voting results remain substantial.

The risks of implementing Internet voting in British Columbia outweigh the benefits at this time. Therefore it is premature to implement Internet voting on a universal basis." http://www.internetvotingpanel.ca/docs/recommendations-report.pdf

3) Computer Technologists' Statement on Internet Voting

"Election results must be *verifiably accurate* — that is, auditable with a permanent, voterverified record that is independent of hardware or software. Several serious, potentially insurmountable, technical challenges must be met if elections conducted by transmitting votes over the internet are to be verifiable. There are also many less technical questions about internet voting, including whether voters have equal access to internet technology and whether ballot secrecy can be adequately preserved."

The full statement signed by several computer technology experts and a partial list of the technical challenges they have identified can be found here: https://www.verifiedvoting.org/projects/internet-voting-statement/

4) Software Review and Security Analysis of Scytl Remote Voting Software. This review by experts appears to have been done for a different (superior?) Scytl product than what Kingsville used last election. However, it is relevant because it identifies unaddressed concerns and also shows the depth of review required to ensure a particular product can uphold the principles required in our elections: security, privacy and integrity. http://www.cs.cornell.edu/~clarkson/papers/scytl-odbp.pdf

The MOST RECENT in Canada

Electronic voting was extensively studied and reviewed by the federal Special Committee on Electoral Reform (ERRE) which recommended not using internet voting. There is a plethora of reports submitted to this committee both for and against.

"The Committee acknowledges that many Canadians are open to the idea of online voting as a way of making voting more accessible. However, both supporters and detractors of online voting agree that the secrecy, security, and integrity of the ballot and the federal electoral process are fundamental. The Committee heard significant testimony (and received submissions), particularly from experts in technology, that the secrecy and integrity of an online ballot cannot be guaranteed to a sufficient degree to warrant widespread implementation in federal elections. The Committee agrees."

"Furthermore, the vast majority of Canadians who completed the Committee's e-consultation noted that they are very concerned (51.1% of respondents) or concerned (17.7% of respondents) about the reliability and security of online voting."

This is a link to the committee's electronic voting portion of their report:

http://www.parl.gc.ca/HousePublications/Publication.aspx?

Language=e&Mode=1&Parl=42&Ses=1&DocId=8655791&File=291

There were MANY relevant reports submitted to the ERRE committee and I've highlighted only a few here:

1) Internet Voting Canada: A Cyber Security Perspective by Aleksander Essex Department of Electrical and Computer Engineering, Western University, Canada

"From a security perspective, this architecture introduces a host of potential threats not found in Canada's current in-person hand-counted paper ballot method." The report details these threats which includes: vote selling and coercion, phishing, automation bias, denial of service attacks, client-side malware/spyware, network attacks, server penetrations, insider influence: "there is a risk of insiders (election officials, vendors, technicians etc) viewing or modifying ballot selections on the server, making it vital for there to be strong mechanisms to prevent undetected changes to votes."

http://www.parl.gc.ca/Content/HOC/Committee/421/ERRE/Brief/BR8610535/br-external/EssexAleksander-e.pdf

2) Barbara Simons, a computer scientist and former President of the Association for Computing Machinery (ACM), the world's largest educational and scientific computing society, presented to the committee opposed to electronic voting:

"If there is even a small chance that Internet voting might result in our elections being hacked, it doesn't matter how many people want it. If Internet voting puts our elections at risk—and it does—we must reject it until such time as it can be proven secure."

You can find her presentation to the committee detailing many concerns and breaches that have already occurred within government and non-government web-based products at this link - search her name in the field: explore by witnesses

http://www.parl.gc.ca/HousePublications/Publication.aspx?

Language=e&Mode=1&Parl=42&Ses=1&DocId=8454527

3) An Evolution of Online and Electronic Voting for Canadian National Elections by Richard Akerman

"The use of online voting or electronic voting machines would greatly increase risks, without bringing sufficient benefits.

For these reasons, the Special Committee on Electoral Reform should recommend against the use of online voting and electronic voting in Canadian elections." The report goes on to detail various concerns of electronic voting including auditability, coercion, chain-of-custody, voter turn-out and more.

http://www.parl.gc.ca/Content/HOC/Committee/421/ERRE/Brief/BR8529813/br-external/AkermanRichard-e.pdf

It would take me weeks to get through all the submissions to this committee that resulted in their final conclusion recommending NOT to use electronic voting at this time. I have come across some support for electronic voting but even then the authors admit that security, integrity and privacy are concerns made greater with electronic voting.

Conclusion

The case for electronic voting has not been made. Our own trial with this method demonstrated none of the benefits we were supposed to realize. We had lower voter turn-out, we had delayed results with reported anomalies and we had an outcome that was not transparent and not auditable. The experts agree that electronic voting has more risks than perceived benefits.

When thinking of Kingsville and our specific situation it is curious that we would support electronic voting when we do not even presently have access electronically to council meetings (such as Essex does) or to the local news source (Kingsville Reporter is not available online).

Paper ballots remain the only method that can guarantee privacy, security, integrity of results, transparency and auditability. Kingsville should return to this tried and true election method.

Thank you kindly and sincerely,

Kimberly DeYong

From: Rpatrick
To: Jennifer Astrologo

Cc: <u>Kimberly DeYong</u>; <u>Ron Patrick</u>

Subject: Election Method

Date: March-17-17 12:52:24 PM

First let me introduce myself. I am Ron Patrick. I was one of the many that ran for council in 2014. I would like to voice my opinion on internet voting. First of all, the election results were not on the timely matter as was promised. We were told results would be one half hour to one hour after election. Well 3 plus hours later we received results. The security of the internet method of voting is not secure, As can be proven by U.S. elections. Also the elderly have problems with internet voting or voting by phone. They stated to me while campaigning that most elderly do not have computers or tablets, and were not going to vote at town computers because they did not know how to run said computers, or have individual stand over them as they voted. Not Private vote. Even some of the young stated they would not vote on internet for they did not feel that this method was private or safe way to vote. Phone method was a problem also for some, they had hard time trying to input numbers for vote. They had to wait a long time or could not get through they gave up. So increased voter turnout was not realized. Some petitions were brought to council against internet voting prior to elections, but because internet voting was voted on 2 times prior this issue could not be addressed again, at this time. We the voters felt that this was pushed on us by prior council. The voting public did not know that internet voting was going to be only way of voting. Even people running for election did not understand that we would not be able to file a PAPER BALLOT. At this time we checked the internet about voting electronically and found out that Federal Government did not consider electronic voting safe from hackers at this time if ever. This is proven time and again when you read private information is being hacked and everyone is in a panic trying to resolve the issue. Also there is no way you can have a recount. The only way to have a safe and private election is with Paper vote ballot and individuals placing their BALLOT in BALLOT BOX. It was also stated that electronic voting method was going to me more cost effective than paper ballot. I believe that for the few dollars more the integrity of our voting should be maintained with the paper ballot, and phone if needed for early voting. These are my feelings on the voting system.

Ron Patrick.

TAMARA STOMP

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Jennifer Astrologo Director of Corporate Services/Clerk Town Of Kingsville Division St. North Kingsville, Ontario

via email

Dear Ms. Astrologo

RE: Voting Method for 2018 Election

Please be advised that I sat on Kingsville Town Council as Deputy Mayor when approval was authorized for internet voting for the 2014 election. I had hoped that it would encourage younger voters to exercise their constitutional right to vote. I also expected that it would be more convenient, and more reliable, with quicker results after the polls closed. Certainly, I did not expect any disadvantages to the senior residents of our community.

I was present to hear the report after the election and it was not heartening. I voiced that I would likely not have voted in favour of internet voting if I knew it was being outsourced to a company across the Atlantic. This is because I believe in local sourcing. But it is also because I am concerned about security, privacy and accuracy. Even a company in Canada could breach security and privacy which is a constant concern. So now that we have had so many internet breaches of security, all the way into upper eschelons of government and large corporations who supposedly have the money to thwart such attacks, I am not at all confident of internet voting privacy and security. In addition, the 'glitches' that resulted in the delay in receipt of results of the 2014 election was unacceptable. Clearly neither the company nor its concept of internet voting were competent and thus were insecure. All of which is unacceptable.

Therefore, I urge that there be a return to the 'good old days' of voting where the voter is required to attend in person at a polling station which is filled with attendants whose specific job it is to ensure accuracy of the process and counting of votes. Our solution to maintain this most fundamental and honourable right to vote for every resident can be enhanced by education and convenience measures instead of a computer.

Thank you for your consideration.

Yours truly,

TAMARA STOM

From: Yolanda Sullivan Asschert

To: Jennifer Astrologo; Nelson Santos; pgordongueen@msn.com; Susanne Coghill; Tony Gaffan; Sandy McIntyre;

Thomas Neufeld; Larry Patterson

Subject: 2018 Election Method

Date: April-04-17 11:56:12 AM

Good Morning All!

I'm writing to you all, both Elected Officials and CAO to make certain that my preference for the 2018 Election Method is on record.

My preference is that we go back to the tried and proven method of using PAPER BALLOTS. Never mind that there was nothing wrong with paper ballot voting, using paper ballots allows us to double check should questions arise for "any" reason. This is even more critical in our political climate today. Privacy issues with electronic mail are a real concern. When I think of my aging parents, both in their 80's and neither computer literate, both requiring a third party to assist them in the process meaning that their privacy most definitely comes into question, also the risk of their votes being tampered with, stollen, the real possibility of either of them being influenced or pushed into changing their selections, double voting and the fact that it does in fact violate privacy rights etc etc are all very real and huge concerns. Personally, I do not feel electronic voting is a safe, reliable method of voting and do not want to be forced to vote using a method where I feel my rights to privacy are being violated. Finally cost wise, I do not believe electronic voting has proven itself to be cost saving over paper ballots and at least with paper ballots we can employ local residents and provide a job for some who could use it and not to mention the human connection, that alone, in a small town would be reason enough for me to choose paper voting.

Community, small town, childhood memories of my folks bringing me along when they went to vote and me teaching my son the same way, what a great teaching method and that is just not possible electronically. Please bring back paper ballots, it's reliable, it is a wonderful part of our Kingsville history, it is a great opportunity for our community to come together and participate in our fundamental right to vote! Please bring back paper ballots and show me and fellow residents that you value and respect the Trust we all have in this tried and true method and the trust we put in you to ensure our rights to Privacy and to Vote and being SAFE doing so are met.





Sent from my iPhone

From: Cyndie Burton

Jennifer Astrologo; Nelson Santos; pgordonqueen@msn.com; Susanne Coghill; Tony Gaffan; Sandy McIntyre; Thomas Neufeld; Larry Patterson To:

Kim And Dean Deyong Cc: Bring Back Paper Ballot Subject: April-05-17 2:10:56 PM Date:

One of the Most Important parts of our town is

Our Community Being A Community where we interact with each other, support each other, and love on one another!!

BRING BACK PAPER VOTING BALLOTS!!

Thank you

Sent from my iPhone

Katherine Gunning



April 4, 2017

Town of Kingsville Council; Mayor Nelson Santos, Deputy Mayor Gord Queen, and Councillors:

I have been notified by a phone call and postings on facebook, that there will be a discussion on the voting method for the next election and that there was a limited time frame for comments to be accepted. If this is accurate my first concern is that all the residents of Kingsville have not be informed of this being discussed and I apologize if there is a planned public meeting, but there are times when decisions are made without public input. Whether there will be further meetings or the decision will be made soon I wish to make my comments known regarding the method to be used.

For many years as a resident I have experienced the traditional voting method of voting polls and paper ballots, then the vote by mail was introduced, consequently as technology has advanced internet and telephone voting. But as we read every day that as technology advances the problems and issues also increase. If the Canada Revenue Agency can be hacked, a municipal election can have its own share of problems, which the Town did experience last election.

It is not only my personal view but many have spoken to me especially following the 2014 election regarding their dismay and concerns at the Council of the day making the decision on the method and voting procedure.

There are many arguments that could be made regarding the pros and cons to all the different methods, and of course costs associated with each. I am sure all of you have heard the arguments many times. I am of the view that if everything is done for ease and convenience and no consideration given to all those that want to participate, there will be anxiety with the end result. All things worthwhile are worth the effort especially the democratic process of voting.

Some felt it was necessary to identify those that did not want to use a computer to vote were living in the dark ages. We all know that many who want to vote in the traditional method are on social media, use their computers every day and are a friend of google chrome. Does that mean for those that are not attached to an electronic gadget or do not feel comfortable making their choice on the phone that they do not have an opportunity to vote? My concern and those of many others is that when any Kingsville resident feels that they cannot participate because of your decision on how the voting will be done, that is an injustice to those members of our community.

There are some that feel their voice cannot or will not be heard with electronic voting. Please consider those that would only be comfortable with the voting poll method and paper ballot. I am hoping this council will give serious consideration to the residents who wish to participate in a traditional voting method.

Respectfully submitted by Katherine Gunning