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*What Do Local Election Officials Think about Election
Reform?: Results of a Survey*

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June 23, 2005

Abstract. U.S. elections are highly decentralized, with much of the responsibility for election administration residing with local election officials (LEOs). There are thousands of such officials, many of whom are responsible for all aspects of election administration in their local jurisdictions - including voter registration, recruiting pollworkers, running each election, and choosing and purchasing new voting systems. These officials are therefore critical to the successful implementation of state and federal election laws, including the Help America Vote Act of 2002 (HAVA, P.L. 107-252). Nevertheless, there has been little objective information on the perceptions and attitudes of LEOs about election reform. This report discusses the results of a scientific opinion survey of principal local election officials¹ that was designed to help fill that gap in knowledge. The findings may be useful to Congress as it considers funding and possible reauthorization of HAVA.



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What Do Local Election Officials Think about Election Reform?: Results of a Survey

Updated June 23, 2005

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What Do Local Election Officials Think about Election Reform?: Results of a Survey

Summary

There are more than 9,000 local election jurisdictions in the United States. Local election officials (LEOs) are responsible for administering elections in those jurisdictions. LEOs are therefore critical to the successful implementation of the Help America Vote Act of 2002 (HAVA, P.L. 107-252) and state election laws, but there has been little objective information on the perceptions and attitudes of those officials about election reform. This report, which will not be updated, discusses the results of a recent scientific survey of LEOs. The findings may be useful to Congress in considering funding and possible reauthorization of HAVA.

The demographic characteristics of LEOs are unusual for a group of government officials. Almost three-quarters are women, and 5% belong to minority groups. Most do not have a college degree, and most were elected to their positions. Some survey results suggest areas of potential professional improvement, such as in education and in professional involvement at the national level.

Over the past 20 years, jurisdictions have turned increasingly to computer-assisted voting systems — especially optical scan and direct recording electronic (DRE) systems. The most important factors reported by LEOs in the acquisition of new systems are federal and state requirements and funding. HAVA encourages but does not require systems that detect voter error, but it does require that voting machines be available that are fully accessible to persons with disabilities. About half of jurisdictions with optical scan systems use central-count, which cannot help voters to correct mistakes before casting the ballot. However, most jurisdictions acquiring new voting systems are choosing either precinct-count optical scan or DREs, both of which can help voters avoid errors.

LEOs are generally highly satisfied with whatever voting systems they are using now. They have less confidence in the performance and security of other systems. DRE users generally oppose the use of voter-verified paper audit trails (VVPAT) for DREs, but users of other systems favor it. This result could mean that users are overconfident in DREs or that nonusers are insufficiently knowledgeable about them. LEOs also tend to favor new systems that have characteristics similar to what they have been using — for example, lever machine users tend to favor DREs. LEOs trust the voting system vendors they work with but do not believe that those vendors are very influential in decisions about acquiring new voting systems.

LEOs consider themselves knowledgeable about and familiar with HAVA. They support individual provisions of the act, most strongly for federal funding and least strongly for provisional balloting. To some extent, provisions rated more difficult to implement receive less support. Most LEOs believe that HAVA has resulted in some improvement in elections in their jurisdictions. Those rating HAVA higher overall tend to be younger, more comfortable with technology, and more familiar with the act. The areas for improvement of HAVA most commonly listed are federal funding and the requirements for registration, voter identification, and provisional balloting.

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What Do Local Election Officials Think about Election Reform?: Results of a Survey

U.S. elections are highly decentralized, with much of the responsibility for election administration residing with local election officials (LEOs). There are thousands of such officials, many of whom are responsible for all aspects of election administration in their local jurisdictions — including voter registration, recruiting pollworkers, running each election, and choosing and purchasing new voting systems. These officials are therefore critical to the successful implementation of state and federal election laws, including the Help America Vote Act of 2002 (HAVA, P.L. 107-252). Nevertheless, there has been little objective information on the perceptions and attitudes of LEOs about election reform. This report discusses the results of a scientific opinion survey of principal local election officials¹ that was designed to help fill that gap in knowledge.² The findings may be useful to Congress as it considers funding and possible reauthorization of HAVA.

Who Are Local Election Officials?

There are more than 9,000 local election jurisdictions in the United States.³ In most states, they are counties or major cities, but in some New England and Upper Midwest states, they are small townships — for example, more than 1,800 townships in Wisconsin.⁴ Given that diversity and other differences among states — such as wealth, population, and the role of state election officials — responsibilities and characteristics of LEOs are likely to vary among the states. Nevertheless, some patterns emerged from the survey.

¹ The survey was aimed at officials with primary responsibility for elections within a local jurisdiction — for example, a town clerk or county election director.

² The survey was performed pursuant to a project sponsored by CRS and performed by faculty and students at the George Bush School of Government and Public Service at Texas A&M University. It was conducted after the November 2004 federal election, between December 2004 and March 2005, and consists of responses from more than 1,500 LEOs from all 50 states (privacy requirements prevented the inclusion of the District of Columbia, which has only one election official). Methodological details are described in the full report. Congressional offices may obtain a copy from CRS. Further information on the survey is also available through the Bush School.

³ Source: Election Reform Information Project, [<http://www.electionline.org>].

⁴ To avoid overweighting the results of the survey toward states with many LEOs, the maximum sample for any given state was limited to 150.

The demographic characteristics of LEOs are unusual for a group of government officials. According to the survey results, the typical LEO is a white woman between 50 and 60 years old who is a high school graduate. She was elected to her current office, works full-time in election administration, has been in the profession for about 10 years, and earns under \$50,000 per year. She belongs to a state-level professional organization but not a national one, and she believes that her training as an election official has been good to excellent.

As with any such description, the one above does not capture the diversity within the community surveyed. About one-quarter of LEOs are men, about 5% belong to minority groups, 40% are college graduates, and 8% have graduate degrees. They range from 24 to 89 years of age, and have served from 1 to 50 years. About one-third were appointed rather than elected to their posts. Reported salaries range from under \$10,000 to more than \$120,000. About one-third belong to regional, national, or international professional organizations.

The demographic profile of LEOs is unusual, especially for a professional group. While it is possible that some of the above results were statistical artifacts, it is likely that overall they reflect the demographic characteristics of LEOs in general. If so, those characteristics appear to differ from those of other local government employees. For example, according to U.S. Census figures, while women comprise a higher proportion of the local government workforce than men overall,⁵ men comprise a higher proportion of local government general and administrative managers.⁶ About 20% of those managers belong to minorities.⁷

The causes of those differences are not apparent. The patterns do not appear to be a result of the fact that most LEOs are elected, as the demographic characteristics of legislators appear to be largely similar to those for local government managers.⁸ Potential policy implications of the demographic characteristics of LEOs are discussed later in this report.

Perceptions and Attitudes about Voting Systems

The kinds of voting systems used in the United States have been changing over the past 20 years. In particular, the computerization of voting has climbed dramatically during that period. Increasingly, jurisdictions have turned to computer-assisted voting systems — especially optical scan and direct recording electronic (DRE) systems. In 1980, fewer than one-quarter of jurisdictions used computer-assisted systems, with under 5% using optical scan and DRE systems. In contrast, more than 75% used computer-assisted systems in 2004, with more than half of those

⁵ Women make up about 60% of that workforce: see U.S. Census Bureau, “2000 Supplementary Survey Summary Table P068,” available at [<http://factfinder.census.gov>].

⁶ About 53% of the managers are men: see U.S. Census Bureau, “Census 2000 EEO Data Tool,” available at [<http://www.census.gov/eo2000/index.html>].

⁷ Ibid.

⁸ Ibid.

using optical scan.⁹ Over that 20-year span, the most dramatic changes have been the seven-fold increase in the use of optical scan by jurisdictions, from about 7% in 1990 to more than 45% in 2004, and the doubling in DRE use between the 2000 and 2004 elections, from 10% to 20%. The number of jurisdictions using punchcards, lever machines, and hand-counted paper ballots was declining even before the enactment of HAVA. Use of these systems fell by more than half between 1990, when they were used by more than 80% of jurisdictions, and 2004, with about 30% usage. The major alternative voting systems in use at present are therefore optical scan and DRE.

About half of jurisdictions with optical scan systems use precinct count. In general, the survey results reflect the patterns found in other studies.¹⁰ However, those studies, unlike the survey, did not distinguish between central-count and precinct-count systems. The distinction may be important from a policy perspective because for optical scan voting systems, only the precinct-count version provides for detection of improperly marked ballots by machine before the ballot is cast, allowing voters to correct mistakes such as overvotes (this is often called *second-chance voting*). Central-count systems rely entirely on visual inspection by the voter to detect errors. About half (49.9%) of the jurisdictions surveyed use optical scan voting systems. Of those, 44.9% are central-count systems.¹¹ HAVA promotes but does not require the use of voting machines that detect errors.¹²

LEOs are highly satisfied with whatever voting systems they are using now. Most LEOs (more than 85% altogether) reported that they are highly satisfied with their current voting systems and that the systems performed very well during the November 2004 election (more than 90%). There was little variation in the degree of satisfaction with different kinds of voting systems, but the differences are illuminating:

- The most highly rated systems were precinct-count optical scan and DREs, which are the most compatible of current systems with the goals and requirements of HAVA. Ratings for these systems were not significantly different from each other.

⁹ Election Data Services, “New Study Shows 50 Million Voters Will Use Electronic Voting Systems, 32 Million Still with Punch Cards in 2004,” Press Release, 12 February 2004; ———, “Voting Equipment Summary By Type as of: 11/02/2004,” Table, 5 August 2005; both available at [<http://www.electiondataservices.com>].

¹⁰ Ibid., and data from the Election Reform Information Project.

¹¹ This includes Oregon, with its mail-in voting system, and jurisdictions in states such as Washington, where more than half of balloting is by mail.

¹² Sec. 301(a)(1) of HAVA requires that voting systems, with some exceptions, notify voters of overvotes and permit them to verify and correct their votes before casting the ballot. This is sometimes called “second-chance voting.” The exceptions are for punchcards, hand-counted paper ballots, and central-count systems, for which voter education and instruction about preventing and correcting errors is sufficient to meet the requirement. The net effect is that all precinct-count systems except punchcards are required to provide for second-chance voting. Currently, those systems include lever machines, DREs, and precinct-count optical scan.

- Both precinct-count optical scan and DRE systems were rated significantly higher than lever machines, hand-counted paper systems, and central-count optical scan with respect to overall satisfaction.
- There were no significant differences in the performance ratings of different systems for the November 2004 election, except between DREs, which were rated highest, and central-count optical scan, which was rated lowest.¹³

While generally satisfied with their current systems, LEOs also indicated areas where improvements are needed. In rating a set of desired qualities of voting systems and the degree to which their current voting system has those characteristics, the four features rated highest for both the current and desired system were

- accuracy in counting,
- reliability,
- security, and
- ease of use by voters.

Current systems were rated lowest in comparison to desired features for

- prevention of voter errors,
- ease of use by persons with disabilities, and
- machine error.

Two features were rated higher as characteristics of the current voting system than they were in desirability:

- speed in vote counting, and
- cost of acquisition.

The characteristics rated lowest for both current and desired systems were

- impact on different socioeconomic groups, and
- alternative-language capability.

Not surprisingly, users of DREs and precinct-count optical scan systems rated them higher for prevention of voter error than users of other systems rated theirs. DRE users also rated their systems higher than users of other systems did theirs for ease of use by disabled persons and for multiple-language use.

Most jurisdictions acquiring new voting systems choose those that help voters avoid errors. The length of time that jurisdictions reported using their current voting systems varied widely, from one year or less to more than 200

¹³ Results are based on single-factor ANOVA and post-hoc 2-tailed Student's t-tests at $p < .05$. Even though DREs were rated significantly higher than central-count optical scan, the differences were small, with most LEOs rating their systems as performing extremely well (more than half for central-count optical scan systems and about two-thirds for DREs).

years. The average is 12 years.¹⁴ About one in six jurisdictions reported that they had acquired a new voting system since 2000, and half of those obtained DREs, which prevent overvotes and can help voters minimize unintentional undervoting. The remainder chose optical-scan systems, and more than three-quarters of those acquired precinct-count versions. About 40% of respondents indicated that they are likely to replace their current voting system within the next five years, with similar proportions as above expecting to choose DREs, precinct-count, and central-count optical scan systems. Overall, 85% of recently acquired or planned voting systems assist voters in preventing or detecting many ballot-marking errors.

LEOs tend to choose new voting systems with similar characteristics to what they use at present. LEOs might be expected to choose new voting systems that behave in a similar manner to those they have been using. In particular, jurisdictions replacing punch-card and hand-counted paper systems might be more likely to choose optical scan, which is also paper-based. Those replacing lever machines might be expected to choose DREs, since neither system uses paper ballots. The survey results support that hypothesis: Lever machine users are four times more likely to switch to DREs than to optical scan. Lever machine users who switch to optical scan systems are five times more likely to choose precinct-count than central-count, which might be expected, as lever machines are also precinct-count systems. Users of punchcards are more likely to switch to optical scan systems than to DREs and are more likely to choose precinct-count than central-count. The results for LEOs using hand-counted paper systems are not conclusive but suggest a preference for optical scan over DRE systems.

LEOs have more concerns about the security and performance of voting systems they are not using themselves. While LEOs tend to be very satisfied with the systems that they are using, they have more reservations about other kinds. Average support for other systems was substantially less than that for the system in use. Punchcards, lever machines, and hand-counted paper ballots all received negative average ratings from those LEOs not using those systems. DREs and the two types of optical scan received positive ratings on average, with precinct-count rated the highest. Central-count optical scan was rated a bit higher than DREs, which is perhaps surprising given the finding discussed above that most jurisdictions planning to obtain new systems expect to adopt either DREs or precinct-count optical scan.

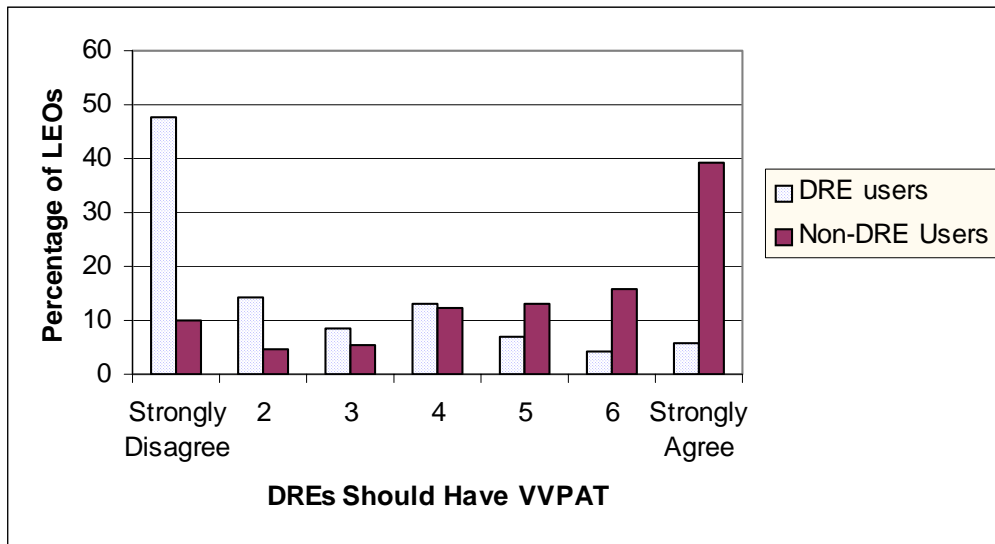
This issue was also examined more specifically for DREs and optical scan users. DRE users rated their systems higher than non-DRE users in all specific performance categories tested — including security, reliability, usability, and cost — except for multiple-language capability. The same patterns held in comparisons of optical-scan users and nonusers.¹⁵ The reasons why nonusers rated alternative-language capability higher than users is not clear.

¹⁴ The distribution was highly skewed, so the average reported here is the median. The mean was 26 years.

¹⁵ This analysis did not distinguish between precinct- and central-count users.

DRE users do not support the use of voter-verifiable paper audit trails (VVPAT), but nonusers do. One of the most striking differences between users and nonusers of DREs is in their attitudes toward the proposal that DREs be required to produce paper ballots on which voters can verify their choices before the ballot is cast (Fig. 1) — a system also called *voter-verifiable paper audit trail (VVPAT)*.¹⁶ Most DRE users (70%) do not support the use of VVPAT and most do not plan to add them to their voting systems, whereas about 70% of LEOs not using DREs do support VVPAT. DRE users opposing VVPAT most commonly cited risk to voter privacy, printer reliability, and cost as the reasons. While lack of utility was not listed as an option, it was written in by 9% of those respondents. However, even those respondents (DRE users and nonusers) who expressed support for VVPAT were generally willing (65%) to spend only \$300 or less for the feature.

Figure 1. Support for Voter-Verified Paper Audit Trails (VVPAT) among Local Election Officials Who Use DREs and Other Voting Systems



Source: Texas A&M University, in coordination with the Congressional Research Service.

Both DRE and optical scan users do not generally believe that their voting system software is vulnerable to attack by viruses or hackers. They also believe that current state and federal certification procedures for software and hardware are adequate and that any security concerns with their systems can be adequately addressed by good security procedures. For both systems, nonusers are less confident in security and certification and more concerned about software vulnerability. However, they had greater concerns about the vulnerability of DREs than optical scan systems.

¹⁶ This is sometimes also called *contemporaneous paper record (CPR)* or *voter-verified paper ballot (VVPB)*.

Table 1. Importance of Different Factors in the Recent and Planned Acquisition of New Voting Systems by Local Election Jurisdictions

Factor	Importance	
	Recent	Planned
State requirements	10	10
HAVA requirements	9	10
HAVA funding	9	10
State funding	9	10
Local requirements	5	6
Concern about age or condition of former system	5	5
Publicity from the Florida 2000 election	5	5
Concern about speed of former system	5	4
Concern about reliability of former system	3	3
Media or public pressure to change system	2	4
Concern about costs of former system	2	3
Concern about accuracy of former system	2	2
Perception of a success or failure in a nearby jurisdiction	1	4

Note: Respondents were asked to rate the importance of each factor from 0 (not at all important) to 10 (extremely important). Recent systems are those acquired within the last three years. Planned systems are those expected to be acquired within five years. The number reported is the median response.

Source: Texas A&M University, in coordination with the Congressional Research Service.

The Help America Vote Act (HAVA): Impacts and Attitudes

HAVA requirements and funding have been a major factor in the adoption of new voting systems by LEOs. Among the 17% of jurisdictions reporting that they acquired voting systems since 2000, about half reported receiving federal funding for that purpose, with about one-third reporting that most of the funding was from federal sources. About 40% of respondents expect to acquire new systems within the next five years. HAVA and state requirements and funding were listed as the most

important factors in those decisions (Table 1).¹⁷ Concerns about the accuracy or cost of the previous or current systems were among the least important factors. Most respondents who plan to replace their current systems expect to change all voting machines in the jurisdiction, but 42% anticipate acquiring one new system per precinct to meet HAVA accessibility requirements.¹⁸

Most LEOs consider themselves familiar with and knowledgeable about HAVA. The requirements and other provisions of HAVA have substantial impacts on local jurisdictions, and some requirements, such as provisional balloting, are aimed directly at local officials. It would therefore be expected that most local election officials would be familiar with HAVA provisions, and that is in fact the case. Only 10% of LEOs reported a lack of familiarity with the act, and more than half consider themselves to be very familiar with its requirements.

Most LEOs support HAVA provisions. When asked about the specific provisions of HAVA, LEOs on average rated each of them positively (Table 2), with the highest support given to the provision of federal funding and the lowest to the provisional voting requirement. However, even with respect to federal funding, there were complaints, many relating to a perceived slowness in distribution of funds. LEOs were also concerned that federal requirements would lead to higher operating costs that local jurisdictions would not be able to afford.

The results suggest that support is associated to some degree with ease of implementation, although none of the provisions was rated especially difficult or especially easy to implement on average. For example, the two provisions requiring implementation that received the highest levels of support — facilitating participation for military or overseas voters, and provision of information for voters — were also rated as the easiest to implement, and provisional voting was considered the second most difficult. However, the disability access requirement received a substantially higher level of support than the identification requirement for certain first-time voters, even though the former was considered the most difficult to implement while the latter was among the least difficult. A common remark about the disability requirement was the perception that it is unnecessary or onerous for jurisdictions with small populations. This argument was also made before HAVA was enacted. Proponents of the accessibility provision counter that the mobility of U.S. society and the presence of “hidden” disabled persons, as well as other factors, make the uniform application of this provision necessary.

The creation of the federal Election Assistance Commission (EAC), which has been somewhat controversial, was seen as an advantage by most LEOs, with only one in seven seeing it as a disadvantage. During the debate on HAVA, some observers argued that the EAC should be permanent, and others that it should exist only until

¹⁷ It is possible that the influence of state requirements per se is somewhat less than it appears from the results, since HAVA requirements are generally administered through state election officials.

¹⁸ Sec. 301(a)(3) of HAVA requires that jurisdictions provide accessible voting for persons with disabilities “...through the use of at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place.”

all requirements payments authorized in the act are distributed. In February 2005, the National Association of Secretaries of State took the position that the EAC should be temporary, although that position was tempered in subsequent statements.

Provisional voting received the highest percentage of negative assessments, with 35% of respondents considering it a disadvantage, and 48% an advantage. It was the only category for which responses were strongly polarized, with many LEOs rating it a strong advantage and almost as many a strong disadvantage. It was not possible to determine for this report what factors might account for the polarized response.

Table 2. Ratings of Individual HAVA Provisions as Advantage or Disadvantage

Provision	Percentage Rating Provision as		
	Disadvantage	Neutral	Advantage
Provision of federal funds to states	4	6	90
Facilitating participation for military or overseas voters	7	11	83
Provision for information for voters	5	16	79
Requirements for voter-error correction	8	13	78
Process for certification of voting systems	7	15	78
Requirements for disabled access to voting systems	11	13	75
Codification of voting system standards in law	8	19	74
State matching requirement for federal funds	13	14	73
Requirements for centralized voter registration	14	16	71
Identification requirements for certain first-time voters	17	15	68
Creation of the Election Assistance Commission	15	23	63
Requirement for provisional voting	35	16	48

Note: Respondents were asked to rate each provision on a scale of 1 (disadvantage) to 7 (advantage). The *disadvantage* column lists the percentage who rated a provision at 1, 2, or 3; the *neutral* column the percentage who chose 4; and the *advantage* column those who chose 5, 6, or 7.

Source: Texas A&M University, in coordination with the Congressional Research Service.

LEOs believe that HAVA is making some improvements in the electoral process. The survey asked LEOs to rate the degree to which HAVA has resulted in improvements in elections in their jurisdictions — from no improvement to major improvement. Only 12% of LEOs responded that it led to no improvement, but only 7% responded that it led to major improvement. The average response was halfway between those two extremes. A comparison of how LEOs rated HAVA overall with other characteristics of the officials suggests that younger officials who are comfortable with technology and familiar with HAVA tended to be supportive of the legislation. Not surprisingly, those who believe that there is too much federal involvement in the election process tended to be less supportive. Less obvious was the finding that college-educated LEOs also tended to be less supportive, although the effect was smaller than for the other factors. About 23% of respondents provided suggestions for improving HAVA. The three most common areas for improvement listed were federal funding, registration and voter identification, and provisional ballots.

The Role of Voting System Vendors

There has been some debate and uncertainty about the role and influence of voting system manufacturers and vendors in the selection of voting systems by local jurisdictions. Some observers have argued that vendors have undue influence in what voting systems jurisdictions choose. Others believe that such concerns are unwarranted. But little has been known of how LEOs view vendors and their relationships with them. The results of the survey were mixed with respect to the importance of vendors. LEOs appear to have high trust and confidence in them but do not rate them as being especially influential with respect to decisions about voting systems.

LEOs trust and have confidence in the voting system vendors they work with. Most jurisdictions using computer-assisted voting reported that they had interacted with their voting-system vendors within the last four years.¹⁹ More than 90% of LEOs considered their voting system vendors responsive and the quality of their goods and services to be high. They felt equally strongly that the recommendations of those vendors can be trusted. However, about a fifth of respondents thought that vendors are willing to sacrifice security for greater profit, although 60% disagreed. Also, a quarter felt that vendors provide too many aspects of election administration.

LEOs do not believe that vendors are very influential in decisions about acquiring new voting systems. When LEOs were asked what sources of information they relied on with respect to voting systems, state election officials received the highest average rating, with about three-quarters of LEOs indicating that they rely on state officials a great deal. Next most important were other election officials, followed by the EAC and advocates for the disabled. About one-third stated that they rely on vendors a great deal, a level similar to that for professional

¹⁹ Not surprisingly, the lowest interaction (13% of LEOs) was in paper-ballot jurisdictions, and the highest was in optical scan and DRE jurisdictions (about 85%).

associations. Only 2% rated vendors higher than any other source, whereas 20% rated state officials highest. Interest groups were rated lower than vendors, and political parties and media received the lowest ratings.

When LEOs were asked about the influence of different actors on decisions about voting systems, the overall pattern of response was similar to that for information sources. Once again, state, local, and federal officials were judged the most influential,²⁰ and political parties and the media the least, with vendors in between. An exception was that local nonelected officials were considered less influential on average than vendors. Both voters and advocates for the disabled were rated as more influential on average than vendors. No LEOs rated vendors as more influential than any other source. In contrast, 12% listed themselves as the most influential. About two-thirds of LEOs believe that local elected officials should have more influence, about one-third that state elected officials should, and about half believe that the federal government has too much influence.

Fewer than 10% of LEOs believe that there is insufficient oversight of vendors by the federal government and states, but about one in six believe that local governments do not exercise enough oversight. About half of LEOs believe that the federal government exercises too much oversight of vendors, about a third believe that states do, and about one in six that local governments do.

Possible Caveats

As with any survey, care needs to be taken in drawing inferences from the results discussed above. One question that could arise is whether the sample is representative of LEOs as a whole. Steps were taken in the design of the study to minimize the risk that the sample would not be representative. For example, simply drawing the sample at random from the nationwide pool of election administrators would have resulted in a disproportionately large number of jurisdictions from New England and the upper Midwest, where elections are administered by townships rather than counties.²¹ To prevent such regional overrepresentation in the sample, no more than 150 officials were chosen to be surveyed from each state. For states with fewer than 150 election jurisdictions, all were included in the sample; for other states, 150 LEOs were chosen at random to be included in the sample. Overall, neither the sample design nor the characteristics of the responses suggest that the results are unrepresentative of the views and characteristics of local election officials.²²

²⁰ For this question, LEOs were also asked to rate their own influence, which received the highest average score. The question also asked about the influence of some other actors, such as courts and voters, and it listed elected and nonelected state and local officials but not election officials specifically except the respondents themselves and the EAC.

²¹ For example, Maine ranks 37th among states in population, with 1.3 million residents, but it ranks 4th in the number of election jurisdictions, with 518.

²² A contemporaneous survey of state election officials did not have a sufficiently high response rate to produce a statistically valid sample and is therefore not discussed in this (continued...)

Another potential caution for interpretation relates to the inherent limits of surveys such as this one. In particular, there is no way to guarantee that the responses of the election officials correspond to their actual beliefs. In addition, there is no way to be certain that any particular belief corresponds to reality. The question of vendor influence provides an illustration of the possibility for disparity. For several reasons, LEOs might be reluctant to rate vendors as having the level of influence on decisions about voting systems that they actually believe is the case. Alternatively, they might believe that vendors have only modest influence whereas in fact the influence is much greater. The possibility of a disparity is raised in this case because LEOs indicated a very high level of trust and confidence in vendors but indicated that their influence was comparatively minor.

A final caution involves how survey results might be used to inform policy decisions. On the one hand, the results could be used to support the shaping of policy in directions expressed by LEOs in their responses. In many cases, such policy changes might be appropriate. On the other hand, it is possible that at least some of those desired changes would not in fact yield the most effective or appropriate policies. In such cases, the results might more constructively be used to help policymakers identify issues for which improvements in communication and understanding are needed.

Potential Policy Implications

The survey results may have policy implications for several issues at the federal, state, and local levels of government. Some issues that may be relevant for congressional deliberations are highlighted below.

Election Officials. Many observers have commented favorably on the experience and dedication of the nation's local election officials. Survey results are consistent with that view. At the same time, other observers, including some election officials, have called for increased professionalism in election administration. Some survey results suggest areas of potential professional improvement, such as in education and in professional involvement at the national level. Congress could address this potential need by means such as facilitating educational and training programs for LEOs and promoting professional certification of election officials by entities accredited through the EAC.

The seemingly unique demographic characteristics of LEOs as a group of government officials may have other policy implications, but they are not altogether clear. However, some observers may argue that efforts should be undertaken to ensure that LEOs reflect the diversity of the workforce or voting population as a whole, especially with respect to minority representation.

Voting Systems. Since the enactment of HAVA, controversy has arisen over whether DRE voting systems are sufficiently secure and reliable. The survey

²² (...continued)
report.

revealed that LEOs who have experience with DREs are very confident in them and do not generally support the addition of a voter-verified paper audit trail (VVPAT) to address security concerns. However, LEOs using other systems are much less confident in DREs and more supportive of VVPAT. The strongly dichotomous results suggest that as Congress considers whether to require the use of VVPAT or similar security mechanisms, it might be useful to determine whether DRE users are overconfident in the security of their systems or, alternatively, whether nonusers need to be better educated about the reliability and security of DRE systems.²³

The Help America Vote Act (HAVA). The survey results suggest that HAVA is in the process of achieving several of its policy goals. The general support of HAVA provisions — including those such as the creation of the EAC and the provisional ballot requirement that have been somewhat controversial — implies that LEOs are in agreement with the goals of the act and are active partners in its implementation. The overwhelming choice of new voting systems that assist voters in avoiding errors indicates that the HAVA goal of reducing avoidable voter error is in the process of being met. The areas of concern expressed by LEOs — such as how to meet the costs of ongoing implementation of HAVA requirements — raise issues that Congress may wish to address as it considers HAVA appropriations and reauthorization.

The close relationship between LEOs and the vendors of their voting systems seems unlikely to change as a result of HAVA. However, with the codification by HAVA of the voting system standards and certification processes, the influence of the federal government in decisions about new voting systems might be expected to increase in relation to that of vendors and others. However, the influence of state elected officials seems unlikely to decline, especially given the responsibilities that HAVA places on state governments with respect to election administration.

Research Needs. Scientific opinion surveys of local election officials are rare,²⁴ and additional research may be useful to address some of the matters raised by this study. For example, a survey of state election officials might provide useful information and might additionally be helpful in assessing the most appropriate federal role in promoting the effective implementation of HAVA goals at all levels of government.

²³ For in-depth discussion of the DRE security issue and proposals for resolving it, see CRS Report RL32139, *Election Reform and Electronic Voting Systems (DREs): Analysis of Security Issues*, by Eric A. Fischer.

²⁴ The Government Accountability Office surveyed a sample of about 600 LEOs nationwide by mail and about 160 by telephone following the 2000 federal election (see Government Accountability Office, *Elections: Perspectives on Activities and Challenges Across the Nation*, GAO-02-3, October 2001). That survey focused largely on issues of election management, such as the availability of poll workers and the processing of absentee ballots. While results of the two surveys are not generally comparable because of differences in focus and methodology, the GAO survey did find that a high percentage of local officials expressed satisfaction with the performance of their existing voting systems, a finding consistent with the results of the current survey.

One common suggestion of LEOs for improving HAVA was to provide a means of adjusting requirements to fit the needs of smaller jurisdictions. To determine what, if any, such adjustments would be appropriate, it may be useful to have specific information on how the needs and characteristics of different jurisdictions vary with size — something that was beyond the scope of this survey. It could also be useful to identify how the duties of LEOs vary with size and other characteristics of the jurisdiction. In many jurisdictions, election administration is only part of the LEO's job. It is not known to what degree these other responsibilities might affect election administration — negatively or positively.

Finally, this survey provided only one snapshot of LEO characteristics and perceptions. It might be beneficial to perform similar surveys periodically to identify trends and explore new questions and issues.