RESOLUTION OF ARLINGTON COUNTY CIVIC FEDERATION
REGARDING ELECTION SECURITY AND ADMINISTRATION IN ARLINGTON

WHEREAS, the electoral process forms the foundation of democratically elected government and democracy is threatened if the electorate loses confidence in the electoral process; and

WHEREAS, elections must be secure from threat, compromise and error, and citizens must be confident in the integrity of election outcomes; and

WHEREAS, elections in the United States have and likely will come under attack by domestic and foreign actors;[1] and

WHEREAS, any election could be subject to machine malfunctions or human error; and

WHEREAS, industry best practices require that voting machines being stored in facilities and spaces that have security devices, such as electronic locks and surveillance cameras, and in environmental conditions that will not result in machine malfunction;[2] and

WHEREAS, Arlington County is purchasing new electronic pollbooks in FY 2019;[3] and

WHEREAS, in-person absentee voting has increased dramatically in Arlington, as well as statewide, and is expected to continue to increase at a high rate;[4] and

WHEREAS, although the number of registered voters in Arlington grown by more than 44,000 between 2010 and 2018, the size of the staff in the Office of the Electoral Board and Voter Registration did not increased during that time;[5] and

WHEREAS, the Electoral Board and Voter Registration recommends that staffing levels be increased so there is one full-time equivalent staff position to enable the office to staff and train personnel to operate a satellite absentee voting place;[6] and

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[1] "Background to 'Assessing Russian Activities and intentions in Recent US Elections': The Analytic Process and Cyber Incident Attribution" (6 January 2017), https://www.dni.gov/files/documents/ICA 2017 01.pdf; Coats, Daniel, "Statement for the Record: Worldwide Threat Assessment of the US Intelligence Community (February 13, 2018), https://www.dni.gov/index.php/newsroom/congresional-testimonies/item/1845-statement-for-the-record-worldwide-threat-assessment-of-the-us-intelligence-community; Statement for the Record: Worldwide Threat Assessment of the US Intelligence Community (January 22, 2019), https://ww.dni.gov/files/ODNI/documents/2019-ATA-SFR---SSCI.pdf.

[2] Arlington Electoral Board Strategic Plan (March 20, 2018), p. 4; https://arlingtonva.s3.dualstack.us-east-1.amazonaws.com/wp-content/uploads/sites/3/2013/10/Long-Term-Plan.pdf.

[3] Interview with Linda Lindberg, Arlington County General Registrar, October 3, 2018.

[4] In-person absentee voting in Virginia increased more than 50% over the prior comparable midterm election in 2014, while, of all absentee voting, 57.74% was in-person absentee voting. Virginia Department of Elections, "November 6, 2018, Post-Election Report, p. 6;" Arlington Electoral Board Strategic Plan, pp. 2-3; Telephone interview with Gretchen Reinemeyer, Deputy General Registrar of Arlington County, Jan. 18, 2019.

[5] Arlington Electoral Board Strategic Plan, p. 1.

[6] Telephone interview with Gretchen Reinemeyer, Deputy Registrar, Jan. 18, 2019.

WHEREAS, Arlington County has lost polling places in the course of new construction, even as the County needs more polling places to accommodate the increase in voting population;[7] and

WHEREAS, Arlington County site plans often include an agreement to incorporate appropriate space for new polling places in new building plans, yet such agreements are not being consistently honored and there are no mechanisms to enforce such agreements;[8] and

WHEREAS, election experts in the Commonwealth of Virginia[9] and nationwide[10] submit that states should implement post-election risk-limiting audits, prior to election certification, as such audits both provide strong statistical evidence that an election outcome is correct and have a high probability of correcting a wrong outcome. They do so by manually checking a sample of paper ballots until there is sufficient evidence that the outcome is correct or the sample-checking leads to a full hand recount;[11] and

WHEREAS, Fairfax City conducted a successful pilot risk-limiting audit of the June 2018 Republican primary;[12]

NOW, THEREFORE, BE IT RESOLVED, that the Arlington County Civic Federation urges the Arlington County Board provide adequate funding to properly secure voting equipment and ballots in accordance with industry best practices, particularly given that the Arlington Electoral Board will have invested in new voting equipment; and

FURTHER BE IT RESOLVED, that the Arlington County Civic Federation recommends that the County Board increase the management-level staff of the Office of the Registrar by one full-time equivalent position, in order to operate a satellite absentee-voting polling place ; and

FURTHER BE IT RESOLVED, that the Arlington County Civic Federation recommends that the County Board to work closely with developers to ensure that site plans include appropriate spaces for polling locations, and enforce those site plans; and

FURTHER BE IT RESOLVED, that the Arlington County Civic Federation urges the Arlington County Board direct the Electoral Board and General Registrar to conduct a pilot risk-limiting audit and to provide the resources to do so.

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[7] Arlington Electoral Board Strategic Plan, pp. 2, 5.

[8] Arlington Electoral Board Strategic Plan, pp. 2, 5; Interview with Linda Lindberg.

[9] *E.g.*, Jeremy Epstein of Verified Voting and the National Science Foundation; Audrey Malagon, assistant professor of mathematics at Virginia Wesleyan University; and Marc Schneider of MITRE.

[10] *See,* The National Academies of Sciences, Engineering and Medicine Consensus Study Report, *Securing the Vote: Protecting American Democracy*, p. 9, Recommendation 5.8.;

[11] National Academies of Sciences Report, Recommendation 5.8, p9.; Lovato, Jerome, "Risk-Limiting Audits – Practical Application," U.S. Election Assistance Commission, June 25, 2018; League of Women Voters of the United States, "Report on Election Auditing" (2009), Verified Voting, https://www.verifiedvoting.org

[12] Lindeman, Mark, "City of Fairfax, VA Pilot Risk-Limiting Audit," Verified Voting Foundation, Dec. 7, 2018, p. 23.

ARLINGTON COUNTY CIVIC FEDERATION LEGISLATION COMMITTEE RESOLUTION REGARDING ELECTION SECURITY AND ADMINISTRATION IN ARLINGTON

BACKGROUND
- In the fall the Legislation Committee decided that it would propose a resolution on improving election security
  - While Virginia now uses paper ballot voting statewide there are still state and local election security and election administration ssues that need to be addressed
  - We decided to address the local Arlington issues first since they fall under Arlington's authority, are fairly straight forward, and could be implemented relatively quickly.
  - We intend to address the more complex state issues in a future resolution.
- In preparing the current resolution and in conjunction with the LWV Arlington Election Security Committee we conducted the following research on Arlington's election security and election administration needs.
  - Reviewed the Arlington Board of Elections Strategic Plan, March 20, 2018;
  - Reviewed Intelligence Community threat assessments provided to Congress;
  - Reviewed election Security documents from the National Academies of Sciences, Medicine and Engineering, and documents from the U.S. Election Assistance Commission;
  - Reviewed the Joint Legislative Audit and Review Commission report: Operations and Performance of Virginia's Department of Elections, September 10, 2018
  - Reviewed the Center for American Progress, Election Security is all 50 States: Defending America's Elections, February 2018
  - Conducted interviews with Linda Lindberg, the Arlington County General Registrar and Gretchen Reinemeyer, the Deputy General Registrar; and
  - Reviewed the results of the City of Fairfax Pilot Risk-Limiting Audit.

- On March 16 the Legislation Committee met and approved the following proposed resolution for introduction at the April 2nd meeting

WHY AUDIT ELECTIONS AND WHAT IS A RISK-LIMITING AUDIT?

A democratic form of government depends on elections, and the electorate must have trust in the outcome of elections. Without that trust, democracy can be undermined. Election officials take exhaustive steps to ensure that elections are secure and it is safe to say that in most cases the outcome of a given election is correct, meaning that the person who takes office received more votes than any other candidate or that the bond that will be issued received majority approval. Nevertheless—and particularly in the current atmosphere of disputed facts and real or rumored interference in elections—voters need assurance that the outcome of an election reflects their will. A **risk-limiting audit** provides such legitimacy.

In Arlington, the Office of the Registrar takes many security precautions, so one might ask, why bother conducting a post-election audit? By way of background, since 2017, Virginia's voting machines are all optical scanners of voter-verified paper ballots. "Voter-verified" means that the voters themselves complete the ballots, usually by filling in ovals or rectangles next to their choices. The Registrar's Office programs each machine prior to each election to accept the specific ballot style that will be used in that election. (In some other localities, the Electoral Board and General Registrar contract out such "ballot programming" to third-party vendors.) They maintain a chain of custody for the paper ballots. The optical scanners are not connected to the internet; they are stand-alone machines. For that reason, some assert that they cannot be hacked. Nevertheless, voters need assurance that nothing went wrong.

First, optical scanners are computers and any computer is hackable, however unlikely that may be. Programmers are fallible, too. There are more than a few examples of programming errors and other potential unintended glitches in the machines themselves. This is leaving aside spoiled ballots and malicious interference, as with absentee ballots in North Carolina.

A risk-limiting audit is an audit of cast ballots selected by random sampling right after an election and before the election is certified. The audit limits the risk that the reported outcome was wrong. "For instance, if the audit has at least a 95% chance of correcting an incorrect outcome, it has a 5% risk limit."[1] RLAs can efficiently determine not only whether the outcome was correct but also, if the outcome was incorrect, of correcting it through a full hand recount.

Virginia has committed to conducting risk-limiting audits,[2] although RLAs are still experimental. One major question is cost, another is how to systematize the audits, and yet another is the time it takes to conduct one. To date, all the audits conducted (other than in Colorado, which has a statewide, mail-in voting system) have been pilots. Pilot audits are essential to the development of workable standards and to determine costs. The first—and, so far, only—pilot post-election audit in Virginia was the City of Fairfax's RLA in August 2018. The General Registrars around the Commonwealth are waiting for guidance from the Department of Elections (ELECT). ELECT needs more pilots to determine what those guidelines will be and Arlington would be a good place to conduct one.

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[1] Lindeman, Mark, "City of Fairfax, VA Pilot Risk-Limiting Audit," Verified Voting, December 7, 2018.
[2] Virginia Code §24.2-671.1.