

ASSESSMENT OF 2020 ELECTIONS, STATEWIDE, STATE OF HAWAII, DEPARTMENT OF DEFENSE, OFFICE OF HOMELAND SECURITY

State of Hawaii
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ASSESSMENT REPORT PRE-PRIMARY ELECTION



Contractor:

Gant Group, Inc.
Jason Gant, President
47157 S Clubhouse Rd
Sioux Falls, SD 57108
jason@gantgroupinc.com
605-321-1596

Presented To:

State of Hawaii
State Department of Defense
Office of the Adjutant General
Stephen F. Logan
Colonel
Acting Adjutant General
Building 306-A, Room 228
3949 Diamond Head Rd
Honolulu, HI 96816-4495

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Summary

This Pre-Primary Election Assessment Report is developed as an outside view of how the planning and preparation has taken place for the new all mail in voting for Hawaii. Reviews of the State and local election websites, YouTube and other social media sites, as well as numerous conference calls has set the stage for this report.

This report is a beginning of the Assessment of the Hawaii elections. On-site review and interviews will be a key next step to observe and ask questions of Election Officials, election workers, and others to gain an understanding of their perspectives on how the process is running and what challenges are yet to be faced.

Pre-Election Activities

Places of Deposit

Each County has designated locations for the Places of Deposit in various locations. Some Counties have chosen government buildings, police stations, fire halls, and other locations as their primary sites.

It will be interesting to gain some insight from the County Clerks on how they decided on these particular locations and if they consulted with other County Clerks on how they chose their respective locations. The security of the Places of Deposit is also a concern, even though County officials have stated that local law enforcement has been requested to “keep an eye” on them and make frequent drive-by checks.

The time and frequency of collecting the ballots deposited into the Places of Deposit is also a concern. At a minimum, the Places of Deposit should be collected at the end of each day. During and after each collection, steps should be taken to ensure that no one person has access to the locks on the Places of Deposit and that each collection is treated with the same security and protocols as any other ballot box would be treated. As Election Day nears, the collection times and frequency may need to be increased to ensure that the collection and transportation of the cast ballots is a manageable number.

The date, time, and ballot count of each time a Places of Deposit is collected should be recorded. This information will be very valuable in determining changes and improvements for the General Election in 2020 as well as all elections in 2022.

With a Places of Deposit essentially a polling place, there may be a need to ensure that voter intimidation is not a factor. Should individuals or groups start to campaign around a Places of Deposit, it may be necessary for the election officials to mark out a 200-foot radius to ensure that voter intimidation is not allowed near the Places of Deposit.

The name “Places of Deposit” is not a descriptive identification for media, communication plans, and political campaigns. After the Primary Election, it would be a beneficial idea to come up with a “catchy” name that can easily be used by the news media, political campaigns, and election officials to clearly and concisely describe where a voter can drop off their cast ballot.

The State has developed a very informative and high-tech webpage that allows the public to find the locations of the Places of Deposit, Vote Service Centers, and US Post Offices. The area that is lacking is a simple way for voters to receive directions to the nearest location. It would benefit all voters if they were able to use a simple Google Maps or Apple Maps or other program that would allow a voter to gain driving directions to the nearest location. A number of other states have simple mobile friendly webpages that give turn by turn directions and some states even have their own app in the Apple and Google app stores.

Signature Capture Cards

The Signature Capture Card procedures that began in January and then again in April will be a great test for the Primary Election in the analysis of cards sent and cards returned. Verifying a voter’s signature on the official ballot return envelope is a cumbersome process. Having new signatures on files for registered voters will help this process move much quicker. Constantly keeping up to date on a voter’s signature will be a challenging task, however that signature will help the counting process move forward much more productively.

There are some concerns for the envelopes received that do not have a signature on the envelope. If there are a large number of these types of situations, and there are close races for certain offices, the procedures for gaining that signature are going to receive tremendous pressure from political parties, each candidate campaign, as well as the press. Should this situation arise, each County must be on the exact same page for their procedures on gaining those missing signatures. Records are going to need to be kept very carefully as lawsuits will more than likely commence during the process.

Another concern will be the decision of when a ballot is not accepted due to the signature not matching. Again, this process is going to be similar to the missing signature with interested parties demanding x, y, and z as well as pending lawsuits over the procedures.

Communications

Explaining to the public the new process of an all mail in ballot election can be quite an undertaking. The Election Offices have done a great job with developing a campaign to inform the public and the press about the new process and what voters can expect. The Primary Election Guide is a fantastic form of communication and hopefully it has been widespread across the State. The How To Vote YouTube video is also another great way of promoting how the Primary Election is going to be operated. Lastly, the Public Service Announcements should also gain traction with more and more voters becoming aware of the new mail in election.

Following the Primary Election, it will be important to review and analyze the results of the media campaign and what worked and what did not work. Determining the reach to the voters will be key in developing the plan for the General Election in November.

Vote Service Centers

During the 2018 Primary Election, 9 absentee walk-in locations were designated statewide. For the 2020 Primary Election, 8 new Vote Service Center locations were designated statewide. It will be interesting to see if eliminating 1 of the locations was a good idea or if the number and location of the Vote Service Centers should be modified before the General Election in November.

It is anticipated that the vast majority of voters are going to return their ballot through the USPS, however, there are going to be a high number that may not feel that the USPS is safe enough and want to cast their ballot directly into the ballot box at a Vote Service Center.

The data from the use of the Vote Service Centers will be a key component in developing the Master Plan for the General Election. Input from the public, the press, political parties, and candidates will help to ensure that the Election Officials are making sound decisions on what is best for the next election.

Transportation of Ballots

With Places of Deposit, Vote Service Centers, and ballots from the USPS, there are a tremendous number of ballots being transported by various personnel and security is going to be incredibly cumbersome for Election Officials. The State has policies and procedures in place for the transporting of these ballots.

Keeping complete records of who, what, when, and where ballots were picked up, delivered, opened, and transportation routes all could lead to a potential problem. County officials need to be prepared to explain the who, what, when, and where should an issue arise, and the easiest way to do that is with comprehensive records. Simple forms that include date, staff, time, location, ballots picked up, ballots delivered, etc. should be used every time a ballot is moved.

Contingency Plan

The Contingency Plan developed for the 2020 elections is well thought out and comprehensive on what to be preparing for in advance of Election Day.

Version 2.0 has detailed explanations on election procedures specific to Election Officials. This is helpful to allow law enforcement officials to have a high-level understanding of some of the challenges that Election Officials face during an election.

Constant communication and the sharing of information will be key in the successful preparation and execution of the Primary Election and subsequent elections. By combining the resources of local, state, and federal law enforcement in addition to state and federal cyber security experts, the Contingency Plan is a necessary document to ensure that everyone is on the same page should a major event occur that may disrupt the election.

Election Day Activities

Ballot Envelopes

The return of the ballot from a voter's home has a number of potential issues that may arise as the process continues. The number of ballot envelopes not signed and the number of signatures deemed invalid are going to be a key component of how to improve the process. Ballot tracking is a great tool for voters who may be unsure if their ballot was received, or if they are just curious to where their ballot is in the process.

There are going to be a large number of ballots that were completed on a kitchen table and there may be crumbs, coffee stains, or other materials on the ballot when it is received. The concern is that the counting machines may reject a larger amount of these ballots than in the past. The outcome will be the increased need for the re-creation of the ballot. This will require more time and staff to correct this problem and have the counting process resume.

Missing signatures or signatures flagged as invalid will also become a greater process now that every ballot is in an envelope. Again, more time and more staff are going to be required to keep the process on schedule and not delay the final results too much. The policies and procedures for the signature verification will be one of the biggest areas of analysis if there is a close election result that could change with the additional 5-day verification of the signatures.

Voting Time Extensions

Should there be an issue on Election Day that requires the Vote Service Centers to stay open longer than 7pm, will that be County-wide or State-wide. If an extension is authorized, will the Places of Deposit also be open longer.

The policies and procedures for this scenerio should be clear and consise to ensure that all Election Officials know and understand what the procedures are. The public, press, and campaigns will be confused, so the need to ensure that a solid communication plan is in place for this scenerio is also developed and reviewed by everyone involved.

Ballot Counting

There will be many concerns from the public on whether or not their ballot is secret when it is submitted through the mail or Places of Deposit. The Elections Office has done a good job of emphasising the privacy sleeve/envelope. Ensuring that in the Communications Plan anticipated questions this one is listed and a solid explanation of how secrecy is a high priority during the envelope opening process.

With counting beginning before Election Night, it is extremely important that the ballots counted prior to “polls” closing are secured and the results of those counted ballots is also top secret with very minimal personnel aware of the results. The vast majority of ballots received will be on Election Day and the couple days beforehand. Extra staff are going to be needed on those days to ensure that ballots are counted as quickly as possible.

Election officials are going to need to be prepared on Election Night when the decision will be made on when to stop counting for the night and when to begin counting again on Sunday, August 9th. Obviously we won’t know voter turnout until after the election, but election officials must be prepared for all ballots to be received on Election Day and that the ballots will not be fully counted until the next day or possibly the next couple days. Constantly explaining and reassuring the public and the press on the status of ballots and the planned procedures for the next 24-72 hours will help calm fears and tamp down allegations of voter fraud.

Election Day Issues

The Incident Commander is listed in the Election Contingency Plan as an important individual in the notification procedures should an issue or issues arrise on Election Day or leading up to Election Day. The coordination between local/state/federal law enforcement, election officials, election workers, and the Chief Election Official will be key in the successful sharing of information as well as notifying the public and the press regarding the issue and how the issue was/will be resolved.

Any cyber security issues that the State IT may receive whether from their own internal monitoring or from outside sources such as the FBI Elections Crime Coordinator should a foreign government be attempting a security breach of the election software.

Monitoring Social Media and the local news will also be important to hear directly from the public or reports through the press on what issues occurred. This will allow some cross reference if Election Officials are first receiving the issue or concern from a Social Media site and how that may impact the sharing of the issue with other Election Officials and law enforcement.

All issues received by State Election Officials, County Election Officials, and all law enforcement officials should be reviewed and analyzed once the Primary Election has been concluded. Learning from these issues will be very helpful in preparations for the General Election.

On-Site Visit

August 6-11, 2020

With the Primary Election taking place on Saturday, August 8, 2020, it is important for an on-site visit to be conducted to fully begin the assessment with face-to-face meetings with key personnel. Our initial plan includes visits with the following areas:

- Homeland Security Staff
- State Elections Office
- Honolulu Elections Office
- Vote Service Center Staff
- Ballot Opening Staff
- Ballot Counting Staff
- State IT Staff
- Local IT Staff
- Local Nonprofit Voting Groups
- Visit to Convention Center
- Visit to State Fusion Center
- Honolulu Post Office
- Federal Bureau of Investigation
- Ballot Printing Vendor
- Any Election Vendors

COVID-19

The Governor's Office has approved our request for a travel exemption to break self-quarantine while performing work in a federal CISA critical infrastructure sector. All safety precautions including wearing a face covering and social distancing rules will be followed during the on-site visit to various election activity locations in and around Honolulu.

Goals for Post-Primary Election

Communication Plan Assessment

A thorough review of the Communication Plan is needed to ensure that public announcements and education are successful as well as responding to public inquiries regarding election procedures.

Hardware and Software Assessment

Examining the election management systems, the election night reporting, the ballot opening and counting machines will be important to identify any issues or possible upgrades that would make the systems more successful.

Education and Staff Training Assessment

With the Primary Election the first time for an all mail in ballot election, there are going to be constant revisions to policies and procedures as more knowledge is gained on how voters are choosing to utilize the new system as well as best practices for poll workers.

Contingency Plan Assessment

The Contingency Plan will need to be a living document and updated before and after each election to ensure that it is up-to-date and is truly a resource for Election Officials and law enforcement officials.

Surveys

Administering a survey to all Election Officials, election workers, the public, and others is a great way to gain more insight on the process and what went great and what could have worked better.

Policies and Procedures

It will be important to work with Election Officials across the State as well as all election workers to determine what changes can be made to any and all of the procedures to continue to improve the election process.

Top Takeaways

Data, Data, and More Data

There is a tremendous amount of data that can be used to determine what changes need to be made to improve the election process. However, if the data is not collected, it will be more difficult to justify certain changes.

Counting Results

Beginning the counting process before Election Day night is great to be able to release results sooner to the public. However, extreme caution must be taken to ensure that no results are reported until the polls have all closed.

Ballot Re-Creation

Moving to an all vote by mail process is going to increase the need for the re-creation of ballots due to the counting machines being unable to count damaged ballots. Additional staff is going to be needed to ensure that this process does not slow the counting process down too much.

Signature Validation Procedures

The rejection of signatures and missing signatures is going to be one the highest complaint areas from outside sources. There may be charges of voter fraud and voter confusion. The key is to make sure that all Election Officials know and understand the procedures.

Ballot Received vs. Ballot Postmark

Even with all of the communication and education materials stating that ballots must be received by Election Day, there will still be those that say they didn't know or understand. The communications from the Election Officials must continue to inform the media and the public.

Staffing Levels

In elections, it is always better to over prepare than under prepare. This is especially true with hiring staff. More staff than normal will be need to re-create ballots, count ballots, collect ballots, and more. Staffing levels and data will help to determine after the election if more will be needed to be hired for the next election.

Conclusion

This high-level review and assessment is a first step into a complete and thorough assessment of how the Primary Election will be conducted. Obviously there are many more areas that need to be analyzed and assessed, however this is a start of building our roadmap to determine how we can improve the election process in Hawaii.

With on-site visits and many conference calls to come throughout the rest of the year, the final assessment will be one that Election Officials across Hawaii will be able to use and reference in improving the overall election experience for all citizens of Hawaii.

About the Author

The Gant Group Team is led by Jason Gant with extensive experience in election administration, vote by mail procedures, election hardware, election software, and overall project management provide Hawaii with the most effective team of election administration.



Former Secretary of State **Jason Gant** provides an election administration expert to the Team. Gant led the first in the nation use of the Department of Defense common access card to assist servicemen and women around the globe to vote. This new voting initiative successfully allowed servicemen and women to be able to register to vote, request an absentee ballot, receive an absentee ballot and mark an absentee ballot in seconds. This is only possible by utilizing the security of the common access card for validation to verify our overseas voters and turn a 60-day process into a less than 5-minute transaction. The state-of-the-art voter registration system implemented by Gant included the highest level of internal and external security protocols, thus becoming one of the most secure election administration systems. Gant has the internal knowledge of working in and with government agencies from an election official's point of view that will assist in completing the research, analytics, and education aspects of this project. Implemented numerous election strategies and programs, including a voter look-up app, a new voter registration system, an e-pollbook solution, a military voting system, an election night reporting system, an election cyber-security protocol system, as well as a host of

other systems not related to elections. Developed election performance plans and budgets for each division within the Secretary of State's office during times of both increasing and decreasing funding authority, as well as skill in long range planning and for acquisition, physical and financial resources, and policy and strategic development. Prepared election research, reports, and options for local election officials, legislative committees, and Board of Election members on upcoming initiatives, as well as effectively defended policies, programs, decisions, or points of view in the face of heavy criticism in unstructured settings and public hearings. Knowledge of HAVA, MOVE, and other election laws, regulations, and legal decisions. Experience in the administration, management, or legal oversight of elections. Also served as the National Association of Secretaries of State Treasurer and Secretary as well as Chairman of the Business Services and the Elections Committees.