

**Oversight Hearing on Election Administration Funding
California Senate Committee on Elections and Constitutional Amendments
Tuesday, March 1, 2016 at 1:30 p.m.
State Capitol, Room 3191**

*Testimony of Neal Kelley, Orange County Registrar of Voters, President
California Association of Clerks and Election Officials*

I would like to start off by mentioning a moment in time, a date. July 13, 2010. This is the date that Microsoft stopped supporting Windows 2000. No further system updates, security patches or support of any kind is available. And yet part of our voting system was federally certified to use Windows 2000, because it was certified in 2003.

So what do we do? We continue to source a diminishing supply of refurbished laptops to ensure we have back up systems – but this is not sustainable.

These piecemeal systems are not unique to Orange County. Counties across the state are sitting on systems they cannot use. These systems were decertified for use in 2007, so even if they could utilize the systems again they face the same technology issues that I have described.

CURRENT AND FUTURE NEEDS OF EQUIPMENT

We have two main components used to operate elections in Orange County. A voting system, all of the components used to capture and tally an individual voters' vote, and an election management system – a complex organization of many components used to manage registered voter records and data.

We utilize nearly 24,000 pieces of electronic equipment that is deployed to 1,300 polling places. We have done an extensive analysis of our current system and I feel that we will be able to operate through the 2016 presidential cycle. However, we will need to begin the process of replacing our system in 2017 prior to the 2018 gubernatorial elections.

There are some interesting trends in our voting system components that I think are important to showcase. In 2007 the vast majority of parts replacements focused on the motherboards, the electronic hub of each voting booth. However, fast-forward to 2014 and the main components that need replacing are feed motors that advance the paper ballot back up. Why is this important? It clearly shows that the moving mechanisms are failing at a much higher rate due to wear and tear. And the danger is that many of these parts are no longer being manufactured – so we must rely on existing inventories.

NEEDING TO UPGRADE

Through our analysis we've determined that we must be ready with a new system in 2018. If we were to replace our current system with new technology,

purchasing for our existing 1,300 polling places, it is estimated that we would need to spend \$30 million. That does not include the required refresh of our mailing equipment or election management system. We have utilized the strategic financial planning process since 2013 for this anticipated replacement. However, with no federal or state funds to assist us this impacts the general fund directly and increases the burden on vital programs in other county agencies.

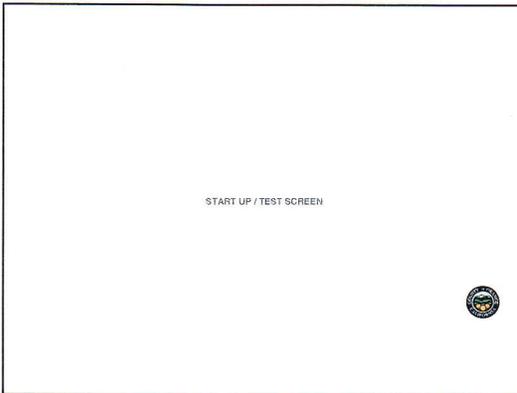
HOW SHOULD THE STATE ASSIST?

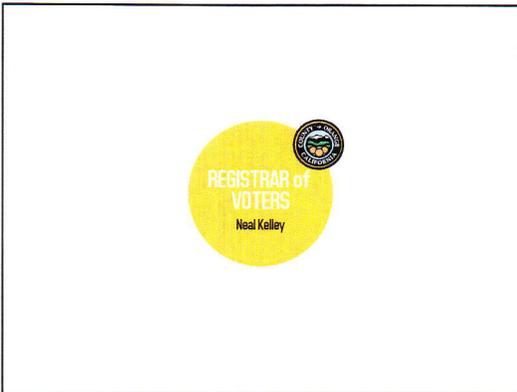
As the president of our statewide association I can assure you that all 58 counties would benefit from assistance through a funding mechanism. In fact, to drive home the point, there are a vast number of counties that have no plans to immediately upgrade their systems due to a lack of funding. By easing the financial burden we can work to ensure that the risk of an impending electoral crisis is reduced.

EFFECT OF A CHANGE TO THE STATE'S VOTING MODEL

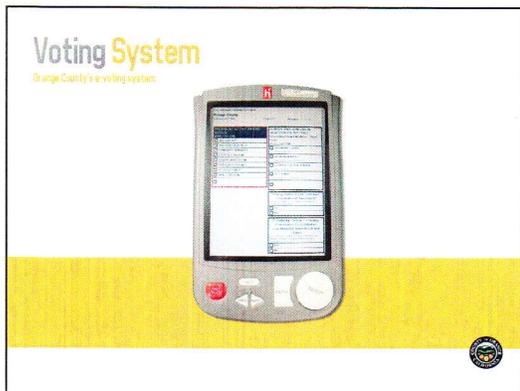
As we survey the landscape of technology one thing is clear – many systems are being designed to handle larger volumes of voters – easy to use, with technology that mirrors devices that we use in our everyday lives. They are ideal for large service centers, such as the model in Colorado. To be sure, our voters, despite income, ethnicity, education and location have been abandoning local polling places for the past decade. The data is crystal clear. Our vote-by-mail usage is up as much as 200% in some areas since 2006 while polling place usage is down as much as 65%. How would a change in the way we vote effect our equipment replacement? Instead of purchasing systems to deploy to underutilized polling places at a cost of \$30 million we could invest in systems designed for vote centers at a cost of \$6 - \$7 million – an 80% reduction. As you look at formulas to “build” vote centers within communities, remember that California voters, on their own, are shaping how many vote centers would make sense. The electorate has been evolving as all of us have had to adjust our daily routines with the demands of daily life – having more time to cast an in person ballot, where they choose, not where they’re forced to go, is all about choices – “choices” is something that consumers and voters alike have been demanding.

Let's be honest with one another. Congress infused a tremendous amount of money through the Help America Vote Act in 2002 because there was a crisis. The crisis was a breakdown in a system that was never really looked at closely – until there was a presidential election at stake. Is the sky falling? No, I wouldn't go that far. But the risk is elevated. If we were to color code that risk and take a playbook from Homeland Security I would put it at elevated and approaching high.



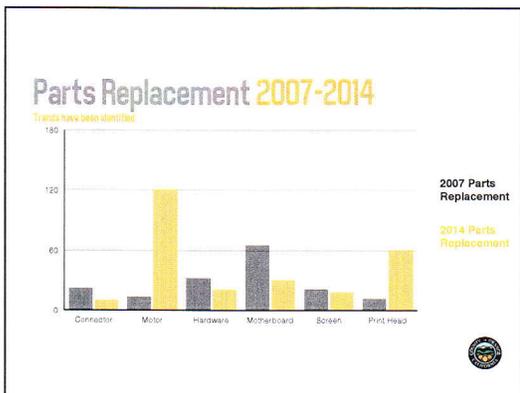






24,000 pieces of equipment
1,300 polling places

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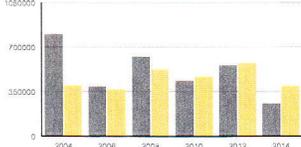


Funding mechanism is critical



How Are Voters Voting?

Vote-by-mail growth continues



Year	Polling Place Ballots	Vote-by-Mail Ballots
2004	~850,000	~350,000
2006	~400,000	~350,000
2008	~650,000	~450,000
2010	~450,000	~500,000
2012	~550,000	~550,000
2014	~350,000	~650,000

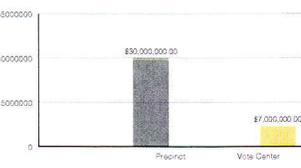
Polling Place Ballots
Voters have been leaving the polling place for vote-by-mail ballots in high numbers.

Vote-by-Mail Ballots
Growth in vote-by-mail ballots continues and could reach 70% of all ballots cast in 2016.



Cost of Equipment

Polling place versus vote center replacement



Category	Replacement Cost
Polling Place	\$50,000,000.00
Vote Center	\$7,000,000.00

Replacement in polling places

Replacement in vote centers



