

## Central Count of Absentee Ballots | Report to the Board (May 2014 Election)

### Summary

In 2013, the Indiana General Assembly passed a new law requiring Marion County to centrally count its absentee ballots unless the local Election Board unanimously agreed to count absentee ballots at the precinct, as had traditionally been done. (Staff presented a resolution to the Board to count absentee ballots at the precinct but the measure failed in a 2-1 vote along party lines.) As a result, Marion County performed its first central count of absentee ballots since the law change in the May 2014 primary election.

Planning for the central count began in the summer of 2013. Staff visited Lake County, Indiana, and met with Clerk Brown, Director Fajman and their staff to discuss their central count procedures. Although most voting in Lake County occurs on direct recording equipment (i.e. no paper ballot), there remains a universe of paper ballots to be counted due to absentee requests. The Marion County delegation learned a great deal from the visit.

Staff also reached out to other like-size jurisdictions, including Cleveland, Ohio, to understand their central count processes. While many states allow for multi-day counting of absentee ballots before Election Day, Indiana does not; therefore, some out-of-state procedures needed to be tailored to our legal framework. Finally, staff met with representatives with RBM Consulting, the Board's service provider, and ES&S, the company from whom the Board rented the M650 high speed ballot readers, for suggestions on using the equipment and fine-tuning the absentee counting processes.

The May 2014 Primary Election saw 4,420 ballots cast, and it took bi-partisan counter teams about ten hours to complete. Clearly, the time needed to count absentees at a central site is a concern for large volume absentee elections, particularly the presidential general election, where more than 50,000 absentee ballots are cast (the all-time high was in 2008 with 93,316 absentees).

Marion County candidates, voters and residents expect election results on Election Day. Counting absentee ballots at the precinct – using poll workers and resources already on-site – allows for a fairly seamless election reporting. Not only does the central count of absentee ballots cost more to taxpayers, but the time required to count ballots at one site also raises serious concerns about delivering results on Election Day, which could impact the public's perception of fair elections.

Finally, the political parties have the legal responsibility to appoint poll workers at Election Day voting sites and the counters and couriers at the central count location. There is always a shortfall of personnel at the polling sites, and the Board's request for central count couriers and counters in the 2014 Primary Election fell short, too. By agreeing unanimously to count absentee ballots at the precinct, the two major political parties can manage their human resources better and ensure a bi-partisan presence at the county's nearly 300 polling places on Election Day.

**Central Count Costs (2014 Primary Election)**

<b>Expense</b>	<b>Amount</b>
<b>LABOR</b>	
Counters x \$70	\$ 6,860.00
Couriers x \$70	\$ 2,520.00
Legal Services	\$ 21,349.50
Temporary Services	\$ 14,525.67
\$	45,255.17
<b>ONE-TIME INFRASTRUCTURE</b>	
Central Count Operational Supplies	\$ 75.52
Central Count Operational Supplies	\$ 167.65
Central Count Operational Supplies and Wire Cage Installation Hardware	\$ 258.64
Room Dividers	\$ 6,300.79
Rubber Stamps & Ink	\$ 378.12
Tension Barriers	\$ 1,882.22
Wire Cage Installation Hardware	\$ 22.72
Door repair	\$ 450.00
Door swing change per fire code	\$ 650.00
Locks Installed and Keys Made	\$ 320.56
TelOps Moves, Adds & Changes	\$ 715.00
Wire Cage Installation	\$ 9,509.59
Wiring for Hotline	\$ 4,344.20
Chairs	\$ 2,496.64
Shelving	\$ 75.98
Tables	\$ 2,489.69
Upgrades to Network Systems	\$ 9,443.31
Wire Cage Purchase	\$ 14,500.00
\$	54,080.63
<b>ONGOING COSTS</b>	
Central Count Operational Supplies	\$ 1,007.00
Envelopes	\$ 940.00
Lanyards	\$ 532.34
Upgrade to ESC Circuit (will impact 2015 budget)	n/a
Office Supplies	\$ 375.76
Toner	\$ 124.99
Toner and BOD supplies	\$ 427.00
M650 Rental and ES&S Services	\$ 28,138.13
Portable Restrooms	\$ 475.00
Printing and Binding services	\$ 7,332.00
Public Wi-Fi	\$ 280.00
Taxi Services	\$ 12,110.00
\$	51,742.22
<b>TOTAL EXPENSES</b>	<b>\$ 151,078.02</b>

### Party Appointments

For the 2014 Primary Election, the Marion County Election Board requested the two major political parties appoint 65 counters and 26 couriers for Election Day. Here is the breakdown of the number of appointments made by each and the actual number working on Election Day:

	COURIERS			COUNTERS		
	Requested	Appointed	Worked	Requested	Appointed	Worked
DEMOCRAT	26	26	28	65	65	50
REPUBLICAN	26	8	6	65	31	30

State law requires the Board to dispatch bi-partisan (one Democrat and one Republican) courier teams; however, a resolution can be adopted permitting only one courier to deliver lists of absentee voter names to each precinct. On the morning of the election, the Marion County Election Board unanimously agreed to allow one courier to deliver materials, since bi-partisan appointments were lacking.

Human capital remains our largest concern for November's election. Staff anticipates requesting the same number of counters (65), but looks to expand the number of couriers. Since the number of absentee voters is expected to increase substantially, the list of names will be longer and poll workers will need additional time to process it into the poll book. Additional couriers will mean smaller routes and hopefully a quicker return to the Election Services Center with the completed lists.

Additionally, couriers and counters are expected to work the same – if not longer – hours as the precinct poll workers on Election Day. Couriers must arrive no later than 5AM on Election Day and may be on-site as late as 6PM. For the 2014 primary election, counters arrived at 7AM, and counting was underway around 9:30AM and was completed about 7PM. Staff is looking to move the counter's start time back to lessen the down-time waiting for processed lists and to improve training to allow for better understanding of the process. Pay is calculated on a flat rate and moving the start time will not provide a cost savings, however.

Both political parties need to stress to their appointed central count team members that leaving early or arriving late is not acceptable. Teams managed to process more than 4,200 absentee ballots over nine and a half hours, but November's absentee volume is going to be significantly larger and will require more hours and work.

The cost for counters and couriers for the 2014 primary election was about \$9,400. If the Board would agree to count absentee ballots at the precinct, commissioner teams would still be required to dispatch ballots to the precinct, but the counter duties would be absorbed by the poll workers.

### **Tabulation Teams**

When developing plans for May's central count, staff requested two representatives from ES&S to help manage the three high speed ballot readers (M650) rented and used on Election Day, but not necessarily aid with tabulation. Three bi-partisan teams were needed to oversee the ballot counting and conduct the final ballot accounting; two 'professional' (i.e. Election Board or seasonal support) were to be assigned to each machine to feed ballots. Ultimately, the tabulation area was manned by the ES&S representatives, full-time Election Board staff and bi-partisan teams.

For November's election, staff plans to rent five M650 machines from ES&S and request one ES&S representative to manage each machine for a total of five ES&S staff. Based on feedback from RBM (the Board's service and maintenance provider), the Board will have an additional 'professional' team member to prep ballots for counting and have an RBM or other personnel assist with the M650. The bi-partisan teams will continue to manage and oversee the ballot counting process.

### **Infrastructure and Material Needs**

The central count of absentee ballots is not only duplicative with respect to human infrastructure, but also with material items. Many of the envelopes and paper materials used at the Election Day precinct must be used by counters at the central site. The Election Board had to create and print additional envelopes, purchase more labels, bags, pens and printer supplies and rent portable toilets to accommodate the additional people working out at the central site. Many – if not all – of these costs will be ongoing, meaning the Election Board will pay extra each election for material needs. Staff estimates these ongoing material costs were about \$11,500 in the 2014 Primary Election.

There were also some one-time costs accrued to prepare for the central count. Election Board staff worked with the Purchasing Division to procure a storage locker (the 'cage') to secure absentee ballots and facilitate their organization and processing. Staff also purchased room dividers, tension barriers, tables and chairs and worked with ISA to upgrade the site's IT infrastructure to ensure safety and security of Election Day operations. These one-time costs were about \$55,000. Beginning January 1, 2015, an on-going IT cost will be a \$731 charge per month for the telecommunications upgrades to the Election Services Center.

Marion County Election currently uses the ES&S iVotronic touch screen machine and M100 optical scan paper ballot reader to tabulate Election Day results. Staff presented to the Board the option to rent (or purchase) the compatible ES&S M650 high speed ballot reader, use the remaining fleet of M100 readers or implement new technology for absentee ballot voting only. The bi-partisan Election Board decided to use the M650 high speed ballot reader for the 2014 election year. The rental agreement is a not-to-exceed \$135,455.65 of which about \$28,000 was spent in the primary.

Another ongoing cost is the cab contract, though it should be framed as a ‘neutral’ cost since cabs are required under a precinct or central count model. For the central count, cabs take bi-partisan couriers to each precinct to deliver lists. In a precinct count model, cabs were used so bi-partisan commissioner teams could deliver absentee ballots to the precincts on Election Day. After meeting with Lake County election officials, staff learned their office asks bi-partisan teams to use their personal cars. However, the drivers must be licensed and sign additional documentation so the county can limit their liability as well as track mileage to reimburse drivers. Marion County’s cab contract streamlines those practices and staff can track the location of any cab in Marion County using their GPS tracking. The not-to-exceed amount for the 2014 cab contract is \$50,000, which is in-line with previous elections. For the 2014 Primary, about \$12,000 of the contract was spent.

Finally, the Election Board retains outside counsel to help provide advice on election law matters. The central count of absentee ballots meant new policies and procedures needed to be implemented and the count itself required additional legal support on Election Day. The central count impact to the Board’s legal services agreement was \$21,000. While much of these costs can be attributed to the initial legal review and support to develop internal processes, the Board will incur additional legal expenses each election to help address challenges or other questions raised by staff on and before Election Day.

#### **Staff Recommendations**

- Unanimously approve a Board resolution to count absentee ballots at the precinct rather than a central site.
  
- Central Count Recommendations:
  - Political parties need to meet deadlines to appoint central count team members to ensure staff can mail notice and additional instructions to couriers and counters.
  
  - Political parties and Election Board staff need to set expectations for counters and couriers to work at least a 12-hour day.
  
  - Improve training for couriers and counters.
  
  - Permit counters to arrive later to reduce waiting time and allow staff to collate materials arriving from the precinct.