

Building an Innovative Elections System for the 21st Century

By Oregon Secretary of State Kate Brown

Oregon's reputation for ballot accessibility stems from vote-by-mail, but the state continues to use technological innovation to build an elections system that is convenient, transparent and secure. While new technology can involve upfront investments, innovation substantially reduces the cost of running elections.

Oregon earned its reputation for championing voting rights in 1998 when the electorate overwhelmingly approved a ballot measure creating the first statewide vote-by-mail system. In the dozens of elections held since then, the system has proved to be secure, cost-effective and popular. But Oregon's legacy of innovation didn't stop there. In the past 10 years, the state has implemented reforms to make it easier to register to vote, stay informed and cast a ballot. Oregon built online voter registration and campaign finance reporting systems, allowed voters with disabilities to vote on tablet technology and provided online ballot marking tools for military voters serving overseas. Work remains to be done on registration, where one-quarter of all eligible voters are unable to cast a ballot on Election Day because they did not register prior to the state's 21-day cutoff.

Innovation costs money—at least up front. Building ORESTAR, the state's online campaign finance reporting system, initially cost approximately \$700,000. But ORESTAR also has saved money by shifting the responsibility for entering campaign finance data from elections workers to campaign officials and candidates.

In addition to the potential of vote-by-mail elections to boost turnout, the most common argument in favor of it is that it can greatly reduce administrative costs. The cost of the 1998 general election—the final state election that used polling places—was \$1.81 per vote. By comparison, Oregon's January 2010 special election was \$1.05 per vote. That figure does not account for inflation. County election officials point to the high cost of recruiting and paying election workers and argue eliminating this burden more than makes up for the additional staffing, office space and postage expenses of running an election by mail. The record of California counties that have experimented with vote-by-mail elections suggests that the method lowers election

costs. Stanislaus County cites participating in a November 1993 mail ballot election saved \$450,000. A vote-by-mail runoff election in Riverside cost the city \$24,793, more than 28 percent less than the estimated \$34,805 cost of a polling place election. San Diego's 1981 special election saved 25 to 30 percent, and a county in Washington state reports cost reductions of approximately 10 percent from mail balloting.

In Oregon, officials estimate the state saves about \$3 million on each statewide election. Cost and participation information for Oregon state elections from 1992 to 2012 can be found in Table A.

Voter Registration and Participation

Like many states, Oregon could do more to increase voter registration. Approximately one-quarter of all eligible voters—more than 500,000 Oregonians—are unable to cast a ballot on election day because they missed the state's 21-day registration cut-off. It is a top priority of the Oregon Secretary of State's office to address this issue in the 2015 legislative session with a proposal to modernize our voter registration system.

Oregon's early history with voting was exclusionary. Oregon women won the right to vote more than a decade before federal enfranchisement, but only after universal suffrage was rejected multiple times at the polls.

Oregon began taking the lead nationally when it adopted vote-by-mail on a limited basis in 1981. The adoption of the system was a reaction to shrinking turnout in off-year elections when only school money measures and other local races appeared on the ballot. In the mid-1970s, a small rural school district money measure attracted exactly two voters—a husband and wife were the only registered voters in the district to show up to the polls that day. The measure, which raised property taxes for everyone in the district, passed 2-0.

ELECTIONS

Table A: Oregon Statewide Elections — Cost and Participation

Year	Election	Total voters	Ballots cast	Turnout percentage	Election cost	Cost per voter	Cost per ballot	Type of Election
1992.....	May 19, 1992	1,543,268	758,455	49.15%	\$2,792,485.94	\$1.81	\$3.68	PP
	Nov. 3, 1992	1,730,085	1,458,087	84.28	2,797,316.00	1.62	1.92	PP
1993.....	June 29, 1993*	1,735,905	679,278	39.13	880,742.56	0.51	1.30	VBM
	Nov. 9, 1993*	1,724,658	968,010	56.13	1,443,871.31	0.84	1.49	PP
1994.....	May 17, 1994	1,730,651	661,895	38.25	2,863,589.58	1.65	4.33	PP
	Nov. 8, 1994	1,830,310	1,256,430	68.65	3,387,625.20	1.85	2.70	PP
1995.....	May 16, 1995*	1,793,613	784,523	43.74	989,213.09	0.55	1.26	VBM
	Dec. 5, 1995*	1,422,337	823,829	57.92	894,035.74	0.63	1.09	VBM
1996.....	Jan. 30, 1996*	1,811,231	1,201,175	66.32	1,064,867.99	0.59	0.89	VBM
	March 12, 1996*	1,651,781	897,977	54.00	1,020,964.02	0.62	1.14	VBM
	May 21, 1996	1,851,499	698,990	37.75	291,919.00	1.58	4.19	PP
	Nov. 5, 1996	1,962,060	1,400,435	71.38	3,383,219.89	1.72	2.42	PP
1997.....	May 20, 1997*	1,895,975	793,141	41.83	1,007,371.38	0.53	1.27	PP
	Nov. 4, 1997*	1,896,479	1,127,108	59.43	1,254,467.59	0.66	1.11	VBM
1998.....	May 19, 1998	1,903,628	664,970	34.93	3,396,272.12	1.78	5.11	PP
	Nov. 3, 1998	1,965,778	1,158,163	58.92	3,558,764.36	1.81	3.07	PP
1999.....	Nov. 2, 1999*	1,925,720	719,891	37.38	1,252,440.26	0.65	1.74	VBM
2000.....	May 16, 2000	1,815,854	927,330	51.07	2,812,480.88	1.55	3.03	VBM
	Nov. 7, 2000	1,953,423	1,559,168	79.82	3,564,120.12	1.82	2.29	VBM
2001.....	March Special Election	1,915,314	443,095	23.13	1,492,698.02	0.78	3.37	VBM
2002.....	May 21, 2002	1,843,632	858,531	46.57	2,840,267.37	1.54	3.31	VBM
	Sept. 17, 2002*	1,857,818	817,532	44.00	1,299,863.43	0.70	1.59	VBM
	Nov. 5, 2002	1,875,295	1,293,750	68.99	2,906,047.77	1.55	2.25	VBM
2003.....	Jan. 28, 2003*	1,879,307	1,254,801	66.77	1,299,935.14	0.69	1.04	VBM
	Sept. 16, 2003*	1,861,940	656,057	35.24	1,177,094.02	0.63	1.79	VBM
2004.....	Feb. 3, 2004*	1,862,464	1,173,455	63.01	1,485,135.15	0.80	1.27	VBM
	May 18, 2004	1,860,042	864,823	46.49	2,350,757.08	1.26	2.72	VBM
	Nov. 2, 2004	2,139,646	1,840,605	86.02	4,093,857.59	1.91	2.22	VBM
2006.....	May 16, 2006	1,985,142	758,213	38.19	2,876,696.20	1.45	3.79	VBM
	Nov. 7, 2006	1,987,454	1,400,945	70.48	3,433,309.97	1.73	2.45	VBM
2007.....	Nov. 6, 2007*	1,941,493	1,161,795	59.84	1,967,603.37	1.01	1.69	VBM
2008.....	May 20, 2008	2,014,349	1,189,987	59.08	3,709,373.50	1.84	3.12	VBM
	Nov. 4, 2008	2,154,435	1,845,126	85.64	4,772,682.10	2.22	2.59	VBM
2010.....	Jan. 26, 2010*	2,064,775	1,282,224	62.10	2,164,596.28	1.05	1.69	VBM
	May 18, 2010	2,051,153	839,509	40.93	3,054,216.11	1.49	3.64	VBM
	Nov. 2, 2010	2,063,588	1,475,720	71.51	3,448,732.87	1.67	2.34	VBM
2012.....	Jan. 31, 2012*	415,927	211,082	50.75	335,798.64	0.81	1.59	VBM
	May 15, 2012	2,027,153	783,698	38.66	3,006,688.25	1.48	3.84	VBM
	Nov. 6, 2012	2,200,189	1,807,578	82.16	4,129,355.82	1.88	2.28	VBM

Source: Oregon Office of the Secretary of State. http://sos.oregon.gov/elections/Documents/Historic_Cost_Participation.pdf.

Key:
* — Special election PP — Polling places VBM — Vote-by-mail

Starting with special elections, vote-by-mail proved to be immediately popular. No-excuse absentee balloting allowed a majority of Oregon voters to use the system. Later, in 1998, an initiative abolished polling places altogether. The vote was not close—69 percent voted yes.

Debate about how vote-by-mail affects voter participation continues. Common Cause concluded in a report (<http://www.commoncause.org/research->

[reports/National_Getting_It_Straight_In_2008_Voting_By_Mail.pdf](http://www.commoncause.org/research-reports/National_Getting_It_Straight_In_2008_Voting_By_Mail.pdf)) vote-by-mail can increase turnout by four to five percentage points in general elections and even more in off-year elections. While more studies are needed, it makes sense that voters are more likely to cast a ballot if you deliver it to their home and give them three weeks to return it.

The popularity of vote-by-mail is overwhelming. Even though it is called vote-by-mail, a majority

Recommended Vote by Mail Practices

1. Election officials should provide candidates, parties, and interest groups with free lists of registered voters and update them at least twice a week as ballots are returned so that candidates, parties and voters can see whose votes have been received.
2. Voters who do not wish to vote by mail should be able to cast ballots in private booths at vote centers staffed with trained election workers in the days leading up to and on Election Day.
3. Vote By Mail (VBM) programs should adopt the practice of requiring voters to sign ballot envelopes and comparing those signatures to the signatures on the voters' registration files. Election workers must also use statewide databases to ensure that only one ballot is cast per voter.
4. VBM should not be viewed as a solution to the deeper problem of complete non-participation by much of the eligible electorate. Other measures must be taken to address the lack of civic involvement that reduces the quality of our collective decision-making.
5. In states that currently have permanent absentee voter programs, moving to elections where every registered voter is mailed a ballot should reduce the demographic disparities in voter turnout because the benefits of added convenience apply to all voters rather than those who self-select to participate in the program.
6. In VBM elections, ballots must be sent to all registered voters, including inactive voters.
7. Vote By Mail elections should be heavily publicized via mailings, newspaper ads, and radio public service announcements at the time ballots are mailed out and in the final days before an election.
8. Steps should be taken to deter, detect, and correct coercion and vote-buying while casting a Vote By Mail ballot.
9. Election officials should contact voters by phone, postcard, or e-mail if their ballot is deemed uncountable due to lack of a signature match and give the voter the opportunity to correct it.
10. Election officials should work closely with the U.S. Postal Service to ensure timely and accurate delivery of ballots.
11. Jurisdictions using Vote By Mail must also maintain in-person polling alternatives to allow disabled and language assisted voting on accessible equipment.
12. Election officials should allow citizens to use election headquarters as their voter registration address and then allow these citizens to pick up ballots at election headquarters during the entire VBM election period.

Source: "Getting It Straight for 2008: What We Know about Vote by Mail Elections and How to Conduct Them Well," Election Reform Brief January 2008, Common Cause http://www.commoncause.org/research-reports/National_Getting_It_Straight_In_2008_Voting_By_Mail-pdf.pdf.

ELECTIONS

of Oregon voters in the 2012 general election hand-delivered their ballots to an elections office or other official drop-off site. What we really have in Oregon is a system that delivers ballots to voters by mail. They get to vote how and when they want. Vote-by-mail is a system designed for the convenience of voters, not elections officials.

In Oregon, voters can sit down at their kitchen table and study their ballot alongside Oregon's comprehensive voters' pamphlet, which also is mailed to voters' homes. This common scene at the kitchen table has replaced the polling place on election day.

Transparency and Technology

In the spirit of vote-by-mail, Oregon in the past 10 years has adopted a series of measures to make our system easier to use and as transparent as possible.

The first major improvement was the creation of ORESTAR, an online campaign finance system that requires campaigns to report contributions and expenditures electronically. From their home computers and smartphones, Oregon voters have access to how much candidates and ballot measure campaigns are raising and spending and who is contributing money to them.

ORESTAR is particularly important in Oregon because the state Supreme Court struck down laws that limit the size of contributions on the grounds that they violate the state constitution's protection of speech and expression. In high profile state races, major candidates receive five-figure and even six-figure contributions from individuals and groups with a vested interest in the outcome. Because of ORESTAR, Oregon voters have easy access to that information when they are filling out their ballots.

Online voter registration started in 2010. Since then, more than 300,000 voters have chosen to register or update their information online. Online registration is another example of using technology to make the system more convenient.

While the number of states adopting online registration is growing, Oregon has pioneered the use of technology to ensure voters with disabilities are able to cast a ballot. Voters with disabilities have two options: Access a ballot at home over the Internet or request local elections officials bring an electronic tablet to their home.

The at-home option employs a screen reader or other technology to access a ballot from the secretary of state's website. The screen reader reads the ballot and voters' pamphlet out loud. The voter can print out, sign and return the ballot by mail. Orego-

nians with disabilities may also ask their county elections officials to come to their home. Election workers will bring an electronic tablet and a portable printer to the voter's home to assist with voting. The tablets can accommodate multiple disabilities.

Tablet technology can increase the size of the font and also can help voters with cognitive disabilities or limited reading capabilities. It works well for voters with limited range of motion. Voters who are quadriplegic or have severe arthritis can use their fingers or a number of assistive technologies such as sip-and-puff technology, which allows them to mark their ballots using air pressure.

An advancement that receives less attention is the Oregon Central Voter Registry. By having a central registry, Oregon avoids the problems that some state absentee ballot systems have: the possibility of voters registering—accidentally or intentionally—in more than one county. The registry also contains another key security component: an electronic copy of the voter's signature. This is key because it allows elections officials to compare the voter's official signature to the one on the back of the envelope containing the ballot.

If the signature doesn't match, the vote is not counted and the voter is notified. They have a short window of time to come in to their local elections office and re-sign the ballot envelope.

Barriers and Solutions

The most significant barrier to voting in Oregon is a constitutional requirement that voters be registered 21 days prior to an election. About 40,000 voters in the past two elections cycles have attempted to register to vote after the deadline. Given the difficulty in amending the constitution, I introduced legislation in 2013 to address this issue.

When Oregon residents obtain a driver's license or update their license, they must provide proof of age, residence and U.S. citizenship. At the end of the process, they are asked if they would like to fill out a voter registration card—even though they already have established their eligibility to vote. The legislation proposed to eliminate that redundant step. Instead, when Oregon residents who prove they are eligible to vote at the Department of Motor Vehicles, DMV would forward the information to the state Elections Division. The eligible voter would be sent a postcard giving them the opportunity to opt out of being registered. Groundbreaking changes often do not get adopted the first time they are introduced. This bill came one vote short. It is a top priority for me in 2015.

The bill would address the single biggest weakness in Oregon's voting system—the registration rate. Oregon does well in getting registered voters to cast ballots, but one-quarter of all eligible voters remain unregistered and thus unable to cast a ballot on election day—even if they want to. States with same-day voter registration see the greatest turnout. Many voters do not become interested until election day draws close. The 21-day cutoff in Oregon leaves those residents out of the election process. Although there are no definitive studies on who isn't registered, it is most likely the young, the poor and others who are often left out or left behind. They likely move a lot and often have pressing responsibilities. Making sure they have a ballot ensures that they can cast one if they want to.

Conclusion

Fear of voter fraud is used to explain the need for restrictive laws—even though there is scant evidence that it exists to any meaningful degree. Oregon is no exception. Since 2000, more than 17 million ballots have been cast in general elections and primaries. Thirteen cases of voter fraud have been prosecuted. As Oregon's top elections official, I just don't see a good reason to keep leaving so many Oregonians out of the election process when there are so few instances of voter fraud. We shouldn't leave half a million Oregonians out of the process based simply on fear. Oregon's pioneer spirit rejects fear and welcomes new challenges. In that spirit, we should welcome the challenge to bring every eligible Oregonian into the elections process.

About the Author

Kate Brown is Oregon's 24th Secretary of State.

Elected in 2008 and re-elected in 2012, Secretary Brown's objective is to make state government effective, efficient and accountable to taxpayers.

Even before her election as Secretary of State, Kate was active in Oregon politics.

She was appointed to the state House of Representatives in 1991 and, after winning two more House terms, was elected to the Oregon Senate. In 1998 Kate was chosen Senate Democratic leader. Significantly, in 2004 she became the first woman to serve as Senate Majority Leader.

In her legislative career, Kate led efforts to create a searchable online database for campaign contributions and expenditures, and reformed Oregon's initiative process to reduce fraud and protect the citizens' right to petition their government. She was also instrumental in passing comprehensive civil rights and domestic partnership laws.