TO:	**CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JANUARY 21, 2014**
FROM:	**CATHY SAUNDERS CITY CLERK**
SUBJECT:	**NEW INITIATIVES – 2014 MUNICIPAL ELECTION**

RECOMMENDATION

That, on the recommendation of the City Clerk, this report providing an update on new initiatives for the 2014 Municipal Election BE RECEIVED for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Corporate Services Committee Report – August 20, 2013 City Clerk – Vote Tabulation System and Election Software

BACKGROUND

There are a number of initiatives that are being undertaken to improve upon the local municipal election processes for 2014, and to take the necessary steps to lay the groundwork for further enhancements for future years' Municipal Elections. A brief description of those initiatives is provided below, together with information as to how those initiatives better position the City of London for the 2014 Municipal Election and beyond.

Tabulation Equipment

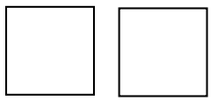
The City of London has been one of the last large urban municipalities to solely utilize central count tabulation. While the tabulation equipment for the last election worked very well in terms of accuracy and reliability, the time to tabulate results was lengthy, resulting in results not being available for many hours after the polls closed.

2014 will bring a significant change to the tabulation process through the deployment of in poll tabulation for every advance voting location and Voting Day poll. On September 17, 2013, Council approved the lease of 130 in poll tabulation units, 1 central count unit, and ten accessible voting machines to accommodate this change in process. Staff from both the City Clerk's Office and from the Information Technology Services Division have had the opportunity to observe the equipment in use for the recent City of Windsor Ward 7 By-Election and were very pleased with its performance. When an elector marked their ballot, they immediately fed their own ballot through the tabulation equipment and into the ballot box and received confirmation that their ballot had been counted. When the polls closed the results were able to be promptly uploaded and provided to the public.

Election Management Software

The City of London has taken a significant step in updating its election management software by obtaining the services of Datafix Municipal Voter View Services. Its internet-based application provides municipal elections officials with an electronic view of their electoral information, the ability to make corrections to the Voters' List, the ability to access various voter counts needed for electoral planning, and the capability to provide an electronic copy of all changes to the Municipal Property Assessment Corporation (MPAC) after the Election. This software upgrade is also a key step toward the implementation of an electronic or internet-based ballot system.

The new software will also allow for the same continued practice of electronic voter strike off capabilities the City of London had with the previous system, which is essential for supporting the well-received "Shop and Vote" initiative. The software allows election officials to employ



barcode technology to immediately register the voter from their voter card or driver's licence and immediately mark the voter as having voted.

The new software will also allow Londoners to check the Voters' List to ensure they are registered to vote, as well as to determine their voting location. Based on a query from a voter, a "Yes" or "No" confirmation will be provided. If the answer is "No", instructions and the proper form with instructions will be immediately provided to the voter to have their name added to the Voters' List. This will allow residents access to important voting information any time/anywhere.

The software will also allow City Clerk's staff to effectively manage the over 1,000 election workers hired for the Election through streamlining the application, hiring, training, placement, and payment processes for election workers.

The Information and Technology Services Division has completed a security assessment of the system and is satisfied with its integrity.

Candidate Outreach

The City of London hosted its first Candidate Information Session on Saturday, October 26, 2013. The City Clerk's Office received many accolades for this initiative, which saw 80 registrants in attendance. The Session included a tour of the Council Chambers, the Mayor's Office, the Councillors' Office and the City Clerk's Office; speakers from the City Clerk's Office as well as the Ministry of Municipal Affairs and Housing; and mini breakout sessions where potential candidates received information and asked questions on campaign finances, running an accessible campaign, the voter experience, the nomination process, and the role of City Council. The Session was so well received that the City Clerk's Office received feedback that the Session could be even longer to allow for even more dialogue. The Session has proven to be a very effective way of providing essential information to potential candidates on the voting process, which is also beneficial as it helps them to, in turn, increase election and voter awareness through their own individual campaign processes.

Voter Outreach

The Civic Administration will be having a greater presence on the Internet, through social media, YouTube and the City's web page, to better educate voters on how they are to get on the Voters' List, where to find information, advance polling locations, and available voting options. The City Clerk's Office will also be undertaking enhanced outreach to our secondary school institutions, youth, and increasing the City's presence in local nursing homes. The Civic Administration is hoping to return the advance polling locations to local malls, however has been met by some resistance. 154 polls are expected to be open throughout London on Voting Day.

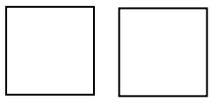
Alternative Voting Methods

Vote by Mail

The Civic Administration will continue to offer Vote by Mail as an alternative voting method for the 2014 Municipal Election, similar to the previous Election.

Telephone Voting

In investigating telephone voting, the Civic Administration has determined that while this method has been effective in small municipalities, it has not been a particularly effective method for larger municipalities. Voters in previous elections in other municipalities where telephone voting was implemented have experienced lengthy wait times, and phone systems that could not keep up with the demand, particularly during what seems to be a common tendency towards last minute voting. In larger municipalities, ballots generally contained longer lists of candidates. This tended to make the telephone voting process more onerous in order to get through the full candidate list.



Internet Voting

Information obtained from the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) indicates that, based on the results of a survey of Ontario municipalities after the 2010 Municipal Election, the majority of municipalities who used the Internet as a method of casting votes, also used other methods, including a paper ballot. In total there were 24 municipalities who used Internet voting during the advance voting period and 25 who used Internet voting during Election Day, noting there are 445 municipalities in Ontario, but all did not respond to this survey. The majority of the municipalities that indicated they used Internet voting are smaller municipalities with populations of 20,000 or less. The exceptions to this are the Town of Markham and the City of Peterborough, which have populations of 301,709 and 80,660, respectively, based on 2006 Statistics Canada information. The 2010 AMCTO survey concludes "while the rate of increased use of alternative voting by municipalities is growing, the number of municipalities using Internet voting is still only one-half the number who use mail-in-balloting and less than one-quarter of the number who use paper ballots".

The City of Peterborough first introduced Internet voting during the 2006 Municipal Election to reduce the need for Proxy Vote applications and to provide alternative methods for voters to cast a ballot. Internet voting was used for advance polls and accounted for 16.3% of the votes cast in the Election. However, 1,288 people, or 17.6% that registered to vote online did not complete their ballot. The City of Peterborough is undertaking improvements to its Internet voting processes in order to improve the uptake and voter experience.

The Town of Markham has used Internet voting since the 2003 for its advance polls. Internet voting was available for five days during the 2003 Municipal Election and six days for the 2006 Municipal Election.

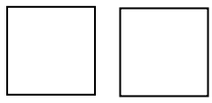
The turnout in Markham for the 2003 election remained unchanged; however they did see a significant increase in participation at the advance polls. During the 2006 Municipal Election, the number of voters using Internet voting increased from 7,000 to 10,639. In 2010, the number of voters using Internet voting increased to 10,597, or 5.7% of the electorate.

Looking at similarly-sized municipalities outside of Ontario, the Regional Municipality of Halifax introduced Internet and telephone voting for the 2008 Municipal and School Board Elections. Similar to the Markham experience, advance voter turnout did increase with Internet and telephone voting. The number of electors voting during the advance voting period increased from 14,000 electors in 2004 to 29,000 electors in 2008. In their 2012 Municipal and School Board Elections, Halifax continued with telephone and Internet voting and overall turnout remained relatively unchanged at 37%, notwithstanding the $315,000.00 investment in Internet and telephone voting.

In Alberta, the City of Edmonton, together with St. Albert and Strathcona County, worked with the Province in a regional collaboration partnership established prior to the 2013 Municipal Election to provide evidence to support regulatory changes to legislation that would allow for all Alberta municipalities to implement an Internet voting option.

In 2012, Edmonton conducted a mock election, attended by one of the City of London's staff, to receive public input on the process and to test the technology for "voter privacy, security, auditability and usability". In the mock election, of the 1,047 people registered to vote, 945 were deemed as eligible voters, and 497 people had their votes counted. In early 2013, Edmonton City Council defeated a proposal for Internet voting, and subsequently, legislation in Alberta was not amended to make the necessary changes to legislation to allow for Internet voting. The pilot project and initiative was reported as well received by the public, however the main reasons cited behind Edmonton's decision to not proceed with Internet voting were concerns regarding vote security and the potential for fraud, although the Internet election test passed an independent security audit. The cost of the Internet voting proof of concept and mock election event was $400,000.00. The City of Edmonton received a grant from the Province to test Internet voting.

We are aware of a number of comparable municipalities that are continuing with Internet voting for the 2014 Election including the Town of Markham, the City of Peterborough, and the City of Burlington. Recently several Ontario municipalities have decided to not proceed with Internet



voting for such reasons as concerns related to voter privacy, system security, auditability and usability. Some of these municipalities include: Town of Halton Hills, Town of Oakville, City of Waterloo, City of Vaughan, and the City of Kingston.

Previous experiences have proven that the introduction of Internet voting is not a panacea for low voter turnout. The Town of Markham, City of Peterborough, and Regional Municipality of Halifax did not see an increase in voter turnout with the introduction, and in some cases the voter turnout actually decreased where Internet voting was introduced. However it's interesting to note that in all cases voter turnout during the advance voting periods did increase with the introduction of Internet voting, although, the City of London has seen similar increases in our advance poll turnouts during the same time period without the implementation of Internet voting. The Civic Administration believes that while a variety of voting methods should be made available to the electorate within the City so voters can select their preferred method, the paper ballot should remain as the primary means of voting, coupled with complementary alternative voting methods.

In exploring Internet voting from a cost perspective, it was found that the Regional Municipality of Halifax, which is similar in size to the City of London[1] and has run very similar elections, the cost of adding Internet voting ranged from $350,000.00 to $415,000.00. The Town of Oakville, with a population of 182,520 estimated the cost of adding Internet voting to their election was in the range of $350,000.00 to $400,000.00. This expenditure includes such things as "vendor costs, additional expenses for communication and education programs, IT staff, Clerk's support staff, training, printing and mailing of individual voter notification cards, and an external auditor/security oversight provider".[2] In 2010, the Town of Markham paid $123,100.00 to its Internet provider to support Internet voting, plus additional costs including a risk analysis at $3,555.00, a security audit of $18,000.00, and a communications budget of $216,600.00 ($100,000.00 spent on communication regarding e-voting[3]). Similarly, the City of Waterloo[4] estimated that establishing Internet voting during the advance voting period would cost an additional $110,266.00 on top of the existing election budget.[5]

While cost is certainly an important consideration, security is one of the most important considerations when contemplating the introduction of Internet voting. There are very legitimate concerns about Denial of Service attacks (hackers flooding servers with requests for information disabling servers), viruses, the security of home computers, as well as the security computers in public spaces comprising ballot secrecy and the integrity of the election results. The storage and recording of votes cast is also of concern to municipalities considering Internet voting.

In October 2013, the Preliminary Report from the Independent Panel on Internet Voting in British Colombia was released by the Chief Electoral Officer. One of the key recommendations was "Do not implement universal Internet voting for either local government or provincial government elections at this time." The Report went on to say "If Internet voting is implemented on a limited basis, jurisdictions need to recognize that the risks to the accuracy of the voting results remain substantial."

Concerns were expressed throughout the report that a serious technical challenge is detecting a compromise of a voting system, it is difficult to prove that an intrusion has not occurred during an election, and that the risk to a compromised server can lead to large scale fraud.

It is also recognized that while unsupervised voting methods can enhance the accessibility to voters, this comes at the cost of giving up oversight of the process, including confirmation of identity and the ability of scrutineers to monitor the election process. The reality is that in an unsupervised voting scenario, there could be a high chance for coercion in how an individual marks their ballot.

Additionally Council Members will be aware from their own experience that there have been concerns regarding the accuracy of the Voters' List. Moving to an Internet voting requires a

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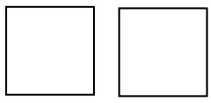
[1] City of London population 366,151 in 2011 Census / Region of Halifax 398,000 in 2009
[2] Town of Oakville Staff Report, Administrative Services Committee, "2014 Municipal Election", April 30, 2013
[3] Elections Ontario – Municipal I-Voting Learning Summit, Presentations and Q&A, Wednesday, December 15, 2010.
[4] City of Waterloo population in the 2011 census was 98,780
[5] City of Waterloo Staff Report, Corporate Services Committee, "2014 Election Equipment", November 25, 2013.



greater reliance on the accuracy of the Voters' List. In 2010, the City of London had to undertake approximately 80,000 changes to the Voters' List it had been provided by MPAC, prior to Voting Day and even then we had many 'undeliverable' Voter Notification Cards returned to us. It is our hope, based upon the experience of other jurisdictions, that the new election management software we will be utilizing for the 2014 Election will help improve the integrity of the Voters' List and move us a step closer to implementing Internet voting by improving upon the accuracy of the Voters' List.

Lastly, while there have been no legal challenges or recounts conducted on an Internet election, the potential for such a situation is very real. In accordance with the *Municipal Elections Act, 1996,* subsection 60(1), a recount "shall be conducted in the same manner as the original count, whether manually or by voting counting equipment" unless otherwise specified by a judge. In a paper ballot election, the ballots can be fed through the machines in the same manner as originally conducted in a recount in accordance with this section. In an election conducted through Internet voting, ballots cannot simply be recounted at a later date. At this point in time, the provincial legislation has not been updated to include a means for a recount in an Internet election so it is unclear how a municipality could fulfill its legal obligations in a recount situation involving Internet voting.

Conclusion

While we have no doubt that there will be a time in the future when the benefits will outweigh the risks of deploying Internet voting, at this time our findings do not provide us with sufficient confidence that the benefits outweigh the risks and justify the additional costs involved in implementing Internet voting. It does not seem prudent to incur additional costs for a new voting method that does not appear to have a significant impact on voter turnout, does not yet have widespread confidence in the security of the system and does not have provincial legislation that fully addresses Internet voting. That is a view apparently shared by the vast majority of Ontario municipalities who will be continuing to conduct Municipal Elections by means of the traditional paper ballot at polling stations.

That is not to say that the City of London won't be taking steps to provide alternative voting methods for the 2014 Election and to make other improvements to the voter and candidate experience. The City of London will be offering Vote by Mail and will be expanding the use of Accessible Voting Machines to every advance voting location. We will also be expanding the number of polls in retirement homes. Further we will be enhancing our election management software to improve the integrity of the Voters' List generated by MPAC and better position the City of London for adding Internet voting to our offerings, at such time as the current concerns regarding Internet voting are sufficiently addressed. The Civic Administration is encouraged by the improvements that have been made to Internet voting systems and will be considering this method as an alternative for advance polls for the 2018 Municipal Election. We will be utilizing in poll tabulators for the 2014 Election, which we expect will improve the voter experience at the polls, and will also improve upon the candidates' experience and the media's ability to disseminate the final Election results, by reducing the turnaround time for producing the Election results. We have also undertaken a Candidate Information Session, which has been very well received by those who attended.

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