

State of Wisconsin \ Government Accountability Board

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JUDGE THOMAS CANE
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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For December 17, 2008, Meeting

TO: Members, Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Prepared and Presented by:
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Government Accountability Board

SUBJECT: Protocol for Conducting On-Site Monitoring of Administrative Code Chapter 5
Electronic Voting System Security

During the Board's November 11 meeting, staff was asked to develop procedures to monitor voting system security compliance. This memorandum sets forth a recommended protocol for addressing the Board's directive.

Background:

Administrative Code Chapter 5: Ballots and Electronic Voting Systems Security provides many safeguards to ensure the security and accuracy of our electronic voting systems and ballots. For each election, the municipal clerk is responsible for securing all memory devices within a voting system by keeping record on the Inspectors' Statement (EB-104) specifying which memory devices and which serialized tamper-evident seals are assigned to particular voting stations or units.

Currently the post election procedures put forth in 5.05 of the Administrative Code monitors compliance at the local and county level:

5.05: At each post-election meeting of the municipal board of canvassers, the members shall verify that the tamper-evident serial numbers from the voting equipment have been recorded on five Inspectors' Statements (EB-104) or 10% (whichever is greater) of the total statements, and have been initialed by the Chief Election Inspector. The county board of canvassers shall verify ten Inspectors' Statements. All Inspectors' Statements shall be verified by the appropriate board of canvassers in a recount. Proper documentation shall be maintained.

G.A.B staff currently monitors accessibility for individuals with disabilities by selecting polling locations throughout the state and traveling to those locations on Election Day. G.A.B staff uses the Polling Place Accessibility Survey as a guide in determining accessibility compliance.

For the 2008 election cycle starting with the February 19 Presidential Preference Primary, G.A.B staff evaluated **289** polling locations, roughly 10% of the 2,822 polling places in the state. The onsite assessment were conducted during five elections held in 2008; the four scheduled elections and a June 24, 2008, special school district election. At least one polling place in each of the 72 counties in the state has been evaluated.

Recommendation:

In order to monitor voting system security compliance, staff recommends implementing security monitoring in conjunction with the on-site accessibility visits on Election Day. Staff, in addition to completing the polling place accessibility, will be trained and instructed to verify and document voting system security.

Procedure:

1. Staff will request that Chief Election Inspector provide the Inspectors' Statement (EB-104) and G.A.B staff shall verify the memory device and serialized tamper-evident seals assigned to particular voting stations or units are recorded on the Inspectors' Statement (EB-104).
2. G.A.B staff will also verify the Chief Election Inspector initials are contained in the pre-election verification section on the Inspectors' Statement (EB-104). After which, G.A.B staff shall then verify the same serialized tamper-evident seal number(s) recorded on the Inspectors' Statement are contained on the electronic voting systems. G.A.B staff will maintain proper written documentation of voting system security compliance.
3. Status reports will be provided to the Board at the same time that accessibility updates are given.

The recommendation proposed procedure offers a cost-effective verification approach that will be able to be implemented for the February 17, 2008, Primary Election and assures the electronic voting systems rules are being followed per Administrative Code Chapter 5.