

# The Ultimate Alternate

The Kawartha Lakes Experience with Alternate Methods of Voting

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## Executive Summary

Every 4 years, municipal election administrators in Ontario review their options for alternative voting methods to present to their Municipal Council. This research paper reviews two common alternative methods: Universal Mail-In-Voting & Electronic Voting. It reviews academic research and recent journalism reporting on 3 key areas of discussion:

- Security and Fraud
- Financial and Sustainability Implications
- Voter Turnout and Participation

Using the City of Kawartha Lakes as a case study (having used both alternative voting methods in it's two most recent municipal elections), readers will understand why certain advantages are becoming apparent for municipal election administrators to seriously and cautiously consider Electronic Voting over it's Mail-In counterpart.

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## Scope & Methodology

This research paper focuses on the discussions being held today by municipal election administrators (traditionally Municipal Clerks, and other Clerk's Office staff with election-specific responsibilities) in Ontario. Election administrators are subjected to the question every 4 years by elected officials, as to how the next municipal election will be held. If a previous election faced significant challenges, election administrators will consider the options for change available to them within the allowed legal framework. With 444 municipalities in Ontario, the legislation providing the standardized local election structure is the Municipal Elections Act, 1996 (MEA). The default election outlined in the MEA is a traditional paper ballot election with hand counting. Section 42 of the Act, however, provides the following guidance about alternate methods of voting:

### **By-laws re voting and vote-counting equipment, alternative voting methods**

**42 (1)** The council of a local municipality may pass by-laws,

(a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;

(b) authorizing electors to use an **alternative voting method**, such as voting by mail or by telephone, that does not require electors to attend at a voting place in order to vote. (Municipal Elections Act 1996)

The “alternative voting method” has let election administrators explore the many options available to them for conducting a fair municipal election. For many municipalities, traditional in-person voting is not a realistic option with significant amounts of seasonal electors, and proxy voting falling out of favour. The current COVID-19 pandemic is also leading many election administrators to consider options for voting with less touch-points, and avoiding potentials for large in-person gatherings. Traditionally, the most common alternative voting methods in Ontario have been:

- Electronic Voting (including voting by Internet, and/or Telephone)
- Mail-In-Voting (either universal, or on request)

Hybrid options are also under consideration by many municipalities wishing to retain an element of in-person voting with the combination of an alternative voting method. These methods, while addressed in part in this paper, are worthy of further research to determine if the potential for increased turnout and voter participation outweigh the generally increased costs of holding what becomes two separate elections with combined results.

This research paper discusses the two foremost alternative voting methods when utilized in their universal adoption. Each section examines the major discussion points for election administrations, and notes some new trends. It examines academic writing from Canada's foremost authorities on alternative voting methods, and also reviews recent reporting from the media that is currently shaping the electorate. The major factors election administrators should consider when proposing an alternative voting method are the following:

- Security and Fraud
- Financial and Sustainability Implications
- Voter Turnout and Participation

As the author (Deputy Clerk of the City of Kawartha Lakes) of this research paper has been involved in a first-hand perspective with elections using both major alternative voting methods, factual and anecdotal evidence from the Kawartha Lakes perspective will be interjected throughout the paper. Kawartha Lakes is a single-tier municipality where 66,000 rural, suburban, and seasonal electors reside. As a mid-size municipality facing many rural, seasonal, and growth related issues, Kawartha Lakes' experience with electronic and mail-in-voting provides relatable discussion points for a variety of election administrators with similar backgrounds.

## Security and Fraud

Perhaps the most critical principles to any election in a modern democracy are ballot secrecy and integrity. Unsupervised voting outside of traditional polling places has led to a number of questions that challenge the fundamentals of the alternative forms of voting. This section will examine the following subjects:

- Provincial and Federal Standards
- One-Step vs. Two-Step Voting
- Evidence of Past Fraud

## Provincial and Federal Standards

At the core of understanding the fundamentals of the alternate voting methods, we must first consider what regulatory standards are in place to justify our decision making. Municipalities conduct their own elections for their Councils, for applicable local School Boards, and sometimes for applicable Upper-Tier Councils in the Province of Ontario. As municipalities in Canada are regularly considered 'Creatures of the Provinces', therefore our first consideration for standards should be the regulatory framework provided to us by the Province. In Ontario, the Municipal Elections Act, 1996 (MEA), sets out the rules for how an election can be conducted.

The MEA, while extremely prescribed for in-person paper ballot elections, is unusually silent for establishing procedures for alternative voting methods (including voting by mail, internet, & telephone voting). The Act states the following: “The clerk shall, (a) establish procedures and forms for the use of, (i) any voting and vote-counting equipment authorized by by-law, and (ii) any alternative voting method authorized by by-law; and (b) provide a copy of the procedures and forms to each candidate when his or her nomination is filed.” (Municipal Elections Act 1996). The Act itself also doesn’t even mention the words ‘online’ or internet’. Academic research refers to this contrast stating “The contrast between specificity for paper-ballot in-person elections on one hand, and ambiguity towards online voting on the other, leads to an apparent contradiction in places between the letter of the law, and the technology being used in practice.” (Cardillo, Akinyokun and Essex 2019).

Ultimately, it is up to the municipal clerk to determine the procedures for the use of the alternative voting method. Clerk’s often work with other municipalities to standardize wording and provide some consistency, especially amongst similar municipalities within an upper-tier municipality, or amongst municipalities using the same method and/or voting technology provider. Clerk’s procedures outline the specifics of how the alternative vote election will occur within the other bounds of the Municipal Elections Act that are specified (eg: Nomination Day, Access to Voters’ Lists, Eligibility of voters and candidates, etc.)

Where, there is an absence of standards in the Province of Ontario, one may look to the Federal Government for guidance, or perhaps even consider other provincial standards. Elections Canada has studied the need to establish a legal framework for online voting in Canada. They noted “that there are legitimate concerns with how e-voting would work and whether technological problems or malicious acts could pose a serious threat to the integrity of an election. We are also keenly aware that our democratic system requires voters to have confidence in the voting process.” (Schwartz and Grice 2013). Elections Canada provided recommendations to establish standards and policies for the following fundamental aspects of this alternative method of voting including:

- Access and Eligibility
- Transparency
- Division of Roles and Responsibilities in Administration
- Contingency Planning for Worst Case scenarios
- Electoral Offences
- Technological Standards
- Testing and the Integrity of the Vote
- Specifics for Controlled E-Voting
- Specialized Oversight for E-voting

While election administrators have long advocated for clearer standards for electronic voting, or electronic tabulation of mail-in votes, no further clarity to the rules has been established. Even in recent amendments to the Municipal Elections Act (Fall 2020), the only such clarity that has been established, is the removal of ranked ballots being an option for municipalities. So with the absence of standards, a municipal Clerk's procedures for the election must be as clear as possible to ensure the following principles of the Act are maintained:

- Ballot Secrecy
- Fairness
- Accessibility
- Integrity
- Certainty; and
- Eligibility

To verify if the voting method conforms to best practices (as no standards exist), election administrators regularly consult with each other to conduct an audit of an election provider's system and network. In 2018, Kawartha Lakes coordinated with several other similarly sized municipalities using Dominion Voting Systems software for electronic voting. The City of Peterborough led the initiative, and the municipalities contracted a third party auditor (Digital Boundary Group) to conduct security and penetration testing of the electronic voting software. The group recommended a number of key security and technological recommendations to both Dominion Voting Systems, and DataFix, being the City's Voters' List software provider. Both corporations took action to any noted deficiencies, prior to the opening of electronic voting. This initiative helped standardize the security of the election across Ontario and allowed for the collaboration of multiple municipalities to ensure a fair, safe, and accessible election. This, however, does not negate the fact that specific standards would provide significant clarity to both election administrators and election service providers alike.

### One-Step vs. Two-Step Voting

In the 2020 US elections, Mail-In-Voting came to the forefront like never before. Previous US election cycles, it may have been presented as a footnote on election night to explain the differences of vote counting in typically Democratic-leaning states like Washington and Oregon. But due to the pandemic in 2020, more and more states altered their traditional voting methods, and offered a range of ballot choices. 10 states took it upon themselves to implement a mail-in-ballot only election, where all registered voters received a ballot in the mail, regardless of whether or not they requested them. Another 15 states mailed out applications for mail-in-ballots to all registered voters, and allowed them to request an 'absentee ballot' if they wanted one. A further 19 other

states allowed any registered voter to request an absentee ballot if they wanted one (Rakich, Sweedler and Wolfe 2020). The difference between a universal mail-in-ballot only election, and more generous absentee ballot election become a hotly politicized discussion point in the election and political candidates began to decry certain types of elections as better than others (Wolf 2020).

This recent politicization has moved recent discussions for alternative-voting selection to the difference between One-step voting methods, and Two-Step Voting methods.

One step methods include:

- Universal Mail-In-Ballot voting (used in 5 municipal elections in Kawartha Lakes)
- Paperless Internet and/or Telephone Voting (used in most recent 2018 municipal election in Kawartha Lakes)
- In Person Paper Ballot Voting

Two-step methods include:

- Hybrid methods with In-Person Paper Ballot Voting and either an
  - Option to register by mail and/or online for a paper Mail-In-Ballot
  - Option to register by mail and/or online for an Internet/Telephone PIN to vote electronically

In municipal elections in Ontario, since standards for alternative voting differ between municipalities, we also see differences across the board. In the 2018 Municipal Elections we saw the following breakdown (Cardillo, Akinyokun and Essex 2019):

- 16% of eligible voters had electronic ballot access only (One-step voting)
- 13% of eligible voters had electronic ballot access on request (Two-step voting)
- 71% of eligible voters had a paper ballot only
  - Of these, 1/3 of the municipalities used a universal mail-in-vote system (One-step voting)

Evidence shows that one-step voting methods being most common in Ontario, and this is likely due to their simplicity for voters, and reduced costs associated with additional processing and mailing. This method seems to be used more by mid-sized municipalities with larger rural areas, such as Leamington, Greater Sudbury, Pickering, and Kawartha Lakes, but also increasingly being adopted by urban centres like Ajax, and Sarnia, and Newmarket. Two-step voting, while providing more options for voters, has traditionally been adopted by mid-size and larger and compact urban centres, such as Peterborough, Guelph, Burlington, and Markham (Goodman and Spicer, Administering Elections in a Digital Age: Online Voting in Ontario Municipalities 2019).



To determine the security differences between the options, let's consider the evidence of past fraud.

### Evidence of Past Fraud

The rhetoric around the 2020 US Presidential election would have the average voter confused about the presence, or lack thereof of electoral fraud, especially with the recent uptick in use of mail-in-voting. The numerous cases of alleged electoral fraud charged by republicans cast significant doubt on mail-in-voting. But lawsuit after lawsuit alleging fraud, the evidence was not adding up. One Judge, Stephanos Bibas, stated the following: "Free, fair elections are the lifeblood of our democracy. Charges of unfairness are serious. But calling an election unfair does not make it so. Charges require specific allegations and then proof. We have neither here," (Luscombe 2020). So even in a state unfamiliar with mail-in-voting like Pennsylvania, proof of electoral fraud is extremely rare.

That being said, while many US states and counties were experimenting with mail-in-voting for the first time due to the COVID-19 pandemic, many Ontario municipalities had been using alternative methods of voting (including mail-in-voting and electronic voting) for decades. After so many years of experience, Ontario should have by now, built up a significant amount of data and research to support modifications to the Municipal Elections Act to assist with the prevention of fraud. The problem is, the evidence in Ontario is just as lacking as many judicial authorities in the USA are discovering.

The AMCTO published a position paper on the need to improve the voters' list as an improvement to improve unsupervised alternative voting methods in Ontario Municipal Elections, and they noted the following:

"The current approach to the voters' list has been premised on two underlying assumptions: that municipal elections are particularly susceptible to fraud, and that the property assessment roll should serve as the basis for developing the list of eligible electors. However valid these building blocks may have been for the creation of our voters' list regime at conception, their relevance for today's context is questionable. For one, since the creation of our current system the risk of voter fraud has decreased significantly. New sophisticated and secure forms of personal identification have been developed, election administration has become more sophisticated, and the penalties for voter fraud have been strengthened."  
(Johal and Muller 2017)

So while the risks seem to be increasing, the believability of potential fraud remains (as long as voting is not supervised). A familiar commenter to the perceived risk of electronic voting, Aleksander Essex, noted in his recent study that "we have heard

anecdotal accounts from several independent sources of parents who voted on behalf of children living in another city, or people who voted on behalf of their spouse while they were at work. We also heard accounts of individuals gifting their unopened voter information packages to friends and family” (Cardillo, Akinyokun and Essex 2019). The difficulty however, seems to be the lack of substantial police investigations into alleged electoral fraud.

In Kawartha Lakes, both the two most recent municipal elections in 2014 and 2018 resulted in no significant allegations of voter fraud to pursue a police investigation. But while no proven evidence exists, it certainly does not negate the perceived and/or realized anecdotal fraud. Both mail-in-voting and electronic voting systems could hypothetically allow for one family member voting on behalf of all the family members in the household using the voting packages mailed to their address. Both situations would require investigations to either determine:

- If a signature on ID matches the signature on the voter declaration card in the case of a fraudulent mail-in-vote
- If a ballot was cast from the same IP address session (or same phone number) within few minutes of each other

In 2018, Kawartha Lakes staff conducted a review of IP addresses that were regularly used, and while many votes were cast on the IP addresses used by the Kiosks at the Library branches in Kawartha Lakes, no suspicious activity was detected elsewhere.

As with any election, the onus is on the electors themselves to ensure that they are not committing any form of electoral fraud, as the offences under Section 94.1 of the Municipal Elections Act are significant (Municipal Elections Act 1996). The role of the municipal election administrator is to communicate the importance to voters of ballot secrecy, while balancing accessibility to ensure a fair election for all. Both the elector and the administrators have the responsibility to report any incidences of electoral fraud to the authorities.

## Financial and Sustainability Implications

Since the COVID-19 pandemic began, election administrators began planning for their municipal elections knowing that the municipal coffers would be tight. Even municipal council members looking for ways to save money, and potentially helping the climate crisis would be tempted to looking at alternative methods of voting. This section will examine:

- Budget and Staffing Requirements
- Paper and Carbon Footprint

- Limitations of Third Party Election Service Providers

### Budget and Staffing Requirements

This section holds significant weight for election administrators deciding to whether to use a Mail-In-Voting System or an Electronic option. In Kawartha Lakes, past election administrators had conducted 5 Mail-In-Voting elections with no in-person voting (other than centres to register and collect a mail-in-voting ballot). Over each of the 5 municipal elections held this way, it often came as a surprise to voters, to not be able to vote at their traditional polling place they might be familiar with for provincial and/or federal elections. Education for explaining the differences in the style of voting always proved to be a significant element to the Municipal Election process. But traditionally, a significant component of choosing the alternate methods of voting, was to reduce costs, while increasing accessibility for voters (including non-resident electors). A cost comparison between the 2014 Mail-In-Voting Election of Kawartha Lakes and the 2018 Internet-Telephone Voting Election was conducted and the results were as follows:

(Table 1 – Kawartha Lakes Election Expense Comparison)

<b>Category</b>	<b>2018 – Internet &amp; Telephone</b>	<b>2014 – Mail In Voting</b>	<b>Difference from 2014</b>	<b>Savings (+) Increase (-)</b>
<b>Wages, Benefits and Overtime</b>	\$33,248.94	\$50,909.79	\$17,660.85	34.69%
<b>Mileage</b>	\$389.72	\$497.80	\$108.08	21.71%
<b>Meals and Food</b>	\$948.80	\$509.27	-\$439.53	-86.31%
<b>Telecommunications</b>	\$15,088.49	\$1,535.03	-\$13,553.46	-882.94%
<b>Postage and Courier Fees</b>	\$52,926.97	\$65,707.68	\$12,780.71	19.45%
<b>Office Supplies</b>	\$834.57	\$1,605.75	\$771.18	48.03%
<b>External Printing</b>	\$1,555.63	\$7,106.31	\$5,550.68	78.11%
<b>Kiosk Rentals</b>	\$2,544.00	\$0.00	-\$2,544.00	Increase
<b>Advertising</b>	\$19,917.27	\$10,147.13	-\$9,770.14	-96.28%
<b>Contacted Services from Election Providers</b>	\$76,535.95	\$119,140.37	\$42,604.42	35.76%
<b>Totals</b>	<b>\$203,990.34</b>	<b>\$257,159.13</b>	<b>\$53,168.79</b>	<b>20.68%</b>

To many election administrators (and even Municipal Councils), the prospects of saving 20% by switching to an Internet-Telephone voting, is extremely intriguing. At the time of selecting an alternative voting method in 2017, Clerk’s Office staff, weren’t even certain that a savings would be achieved, as it was estimated that the budget should be increased by \$30,000.00 over 2014 expenditures to allow for the additional estimate expenses for advertising, and internet and telecommunications infrastructure upgrades (Currins, CLK2017-007 Internet Telephone Voting Financial Analysis 2017). But savings were significant especially with reduced mailing expenditures (PIN Letters weighing less than Mail-In-Voting Kits, plus not having to pay for business return mailing postage), external printing, office supplies, and the reduced fees from election service providers.

One of the more significant reductions in expenditures was in wages, benefits for staffing requirements. Kawartha Lakes has approximately 66000 electors on it’s Voters’ List, and the election-over-election staffing changes were significant.

(Table 2 – Staffing Requirements in Kawartha Lakes Elections)

<b>2018 – Internet &amp; Telephone</b>	<b>2014 – Mail In Voting</b>
<p><b>1 FT dedicated election staff</b></p> <p><b>3 PT external staff</b></p>	<p><b>1 FT dedicated election staff</b></p> <p><b>90 PT external staff</b></p>

This table doesn’t include staff that provided election support in addition to their daily functions (for example, the City Clerk, 2 Deputy Clerks, Clerk’s Office Administrative Assistants, Customer Service Staff, and Library Branch Staff). These roles, however, were similar in both elections. The clear difference is the vast amount of reduced administration for hiring, payroll, and training. While this amounted to a 35% decrease in expenditures, any election administrator will appreciate the reduced amount of workload and stress that a staff of 90 temporary staff can cause.

The reasoning for the reduced staffing for electronic voting comes down to the counting of the ballots. To have election results reported in a reasonable amount of time on Election night for a Mail-In-Vote, a large contingent of staff is required to count the ballots. Staff are required for:

- opening envelopes,
- verifying signatures
- marking voters’ off the list,
- opening secrecy envelopes and take out ballots,
- re-marking ballots with scrutineers for ballots that were completed incorrectly,
- and scanning and tabulating the ballots.

Even with 90 additional staff for the mail-in-vote, complete election night results were not reported in Kawartha Lakes until 11:30pm at night (Bain 2014), with many staff remaining present until 1am.

The election night process was very different in 2018 for the electronic vote. While Kawartha Lakes did extend their voting by 24 hours, due to an unforeseen reduction in service from the voting software provided, by Dominion Voting, the following evening, results were reported within 15 minutes of the close of the polls at 8pm. Only 1 of the 3 part-time election staff remained present on election night, as the other 2 part-time election staff were assigned to providing voting assistance to residents at long-term care facilities.

A common comparator to the City of Kawartha Lakes is the nearby City of Peterborough. Peterborough and Kawartha Lakes are about 30 minutes apart, have a similar demographic makeup with more seniors than the provincial average, but while Peterborough has a slightly higher population (Peterborough: 81000 vs Kawartha Lakes: 75,000), Kawartha Lakes has slightly more electors with its significant seasonal population (Kawartha Lakes 66000 vs Peterborough 58000) (AMO 2018). Peterborough and Kawartha Lakes both used Internet voting, however Peterborough offered a hybrid model often found in more compact urban municipalities. This meant, that while voters could vote by internet, they could also vote in-person at a polling station using optical scanners to tabulate votes. Kawartha Lakes, however, only offered Kiosk voting where voters could bring a PIN Letter to a Kiosk location and vote using the touch screen device. While Peterborough has yet to present a report of their budget expenditures for the 2018 election, discussions with the author of this paper have determined that they spent 97.8% of their election budget for a total of \$526,605.00. While the determination of how to conduct a municipal election is ultimately at the discretion of the Municipal Council, it is a stark contrast to see a similarly sized municipality spend more than twice what its neighbouring municipality spent. Hybrid options are often touted by members of Council for providing greater accessibility for voters, but they often come at great expense.

### Paper and Carbon Footprint

One aspect to consider is the increasing emphasis on environmental sustainability when it comes to decision making for municipalities. It may appear obvious that an electronic voting method would have reduced carbon footprint than a paper-ballot election (mail-in, or in-person) and many elected officials are seeking for opportunities to implement sustainable solutions. According to one online voting provider “holding a paper ballot election for 10,000 voters generates greenhouse gas emissions of over 500kg of CO<sub>2</sub>. That’s equivalent to driving over 1000 miles in an average passenger car. The

environmental cost increases if you are mailing the ballot to voters” (Simply Voting 2020).

Another study conducted by European voting provider Polyas compared a mail-in-election to a strictly electronic voting method where PINs were delivered by email, and the results were far more significant. They found “that traditional postal voting produced up to 54 times the amount of CO<sub>2</sub> than POLYAS’ online elections. The study compared elections with an electoral roll of 36,798 voters. Both elections were conducted with the same parameters to compare total CO<sub>2</sub> emissions” (Harding 2017). Their study recorded the following data:

(Table 3 – Polyas Study of Environmental Impact of Voting Methods)

<b>Voting Procedure</b>	<b>Total Carbon Dioxide Emissions</b>
<b>Postal Voting</b> (Inc. creation, printing, sending and return of election documents and the disclosure of election result)	2999.363 (Kg)
<b>Online Election</b> (Inc. sending of election documents digitally, voting online and disclosure of result)	55.363 (Kg)

Evidence in Kawartha Lakes can be found by examining the expenses in Table 1. Reduction in expenditures that provide evidence of environmental benefits include:

- Reducing costs for mileage by 21%
- Reducing costs for postage and courier by 19%; and
- Reducing costs for external printing by 78%

Certainly, comparing even the packages that are mailed to all electors can also provide obvious reductions in the amount of paper required to conduct the election:

(Table 4 – Paper Usage Comparison for Kawartha Lakes Municipal Elections)

<b>2018 – Internet &amp; Telephone</b>	<b>2014 – Mail In Voting</b>
Mailing Envelope	Mailing Envelope
Legal Size PIN Letter with Instructions	Legal Size Instruction Sheet with detachable signature declaration
	Return Mailing Envelope
	Letter Size Ballot
	Secrecy Envelope

Overall, the sustainability benefits of an electronic election do not only provide positive effects for the environment, but also assist when it comes to the financial expenditures,

and the storage and organization of all the various paper components required to conduct a mail-in-voting election.

### Limitations of Third Party Election Service Providers

One of the frustrations an election administrator is the feeling of being 'stuck' with less options than they would like. While a traditional paper-ballot election is relatively prescribed in its procedures according to the Municipal Elections Act (MEA) in Ontario, the options for a municipal clerk are more numerous when it comes to finding printers for paper ballots and voters' lists. An alternative voting method, traditionally has meant that a municipality must acquire the assistance of a third party election services provider. If that election is conducted electronically by internet voting (and/or telephone voting), only 4 election service providers were working in the 2018 Ontario municipal elections (Cardillo, Akinyokun and Essex 2019):

- Dominion Voting Systems (used by 49 municipalities)
- Intellivote (used by 98 municipalities)
- Scytl (used by 2 municipalities); and
- Simply Voting (used by 28 municipalities)

Recent indications have also shown a new election services provider, Neuvote, will also be entering the electronic voting mix as well.

The more significant issue seems to be if a municipality wants to utilize a mail-in-voting system for voting with optical scanners for vote tabulation. While Gilmore Doculink can be considered as a provider for the mailing and production of mail-in-vote packages, the temporary leasing of optical scanners with a tabulation system is generally limited to one corporation: Dominion Voting Systems. Many municipalities have become so reliant with Dominion for the use of their optical scanning and tabulation equipment, that no other reasonable options exist, outside of a municipality purchasing the equipment outright. A recent publication of the RFP results from the City of Vaughan indicated that Dominion was the only compliant bidder, and was successfully awarded the contract (Winborn, Coles and McEwan 2017).

Dominion has also recently undergone significant challenges lately. In the 2018 Ontario Municipal Election, a temporary reduction in service affected the voting of at least 43 municipalities using Dominion's internet voting platform. This caused 35 municipalities (including Kawartha Lakes) to issue a 24-hour voting extension to allow all votes to be entered. A further 8 municipalities extended voting only to a time later that evening (Cardillo, Akinyokun and Essex 2019). A statement issued by Dominion noted that an unauthorized cap was placed on bandwidth at 1/10<sup>th</sup> what should have been in place. While this temporarily delayed many voters, Dominion noted there was no effect to the

security and accuracy of the vote. However, this has caused many election administrators to rethink using Dominion as a voting provider, and certainly caused them to rethink disaster preparedness when it comes to electronic voting (Goodman and Spicer, *Administering Elections in a Digital Age: Online Voting in Ontario Municipalities* 2019).

In addition to the Ontario example noted above, more recently, Dominion has come under sharp scrutiny by critiques for its involvement providing vote counting equipment and tabulators in the 2020 US election. Any reasonable elector and election administrator will certainly pause to read a headline like: “Fact check: Dominion is not linked to Smartmatic, Antifa or Venezuela, did not switch U.S. 2020 election votes in Virginia and was not subject to a U.S. army raid in Germany” (Reuters Staff 2020). Significant republican supporters, frustrated by the heavily fought loss of their presidential candidate, sought to shift blame to election providers for their reasoning. Dominion (and to a lesser degree, Scytl) became the target and had to issue numerous statements to prove their due diligence and innocence (Reuters Staff 2020). Unfortunately, this has tarnished the industry as it has been cluttered by many rumours, allegations, and conspiracy theories.

With public scrutiny of third party election service providers being so high today, there has never been a time more than now for election administrators to prepare for RFPs with the utmost of care. Administrators seeking an electronic only voting method will have more options for providers than a mail-in-voting system with optical scan tabulators, and will be able to provide more accountability to their residents by providing evidence of a fair process with bids from multiple, reliable, and secure voting systems.

## Voter Turnout and Participation

Non-partisan Election Administrators (and pundits alike) often gauge the success of an election based on the amount of participation by electors. Regularly, election administrators promote a change in the voting method as an option on how to increase voter turnout and participation in elections. This section will examine alternate voting methods effects on:

- Voting Turnout;
- Voter Confidence and Trust; and
- Voter Education and Engagement.

### Voting Turnout Figures

Election Administrators often gauge the success of an election based on the key data point of the turnout figure. Switching to an alternative voting method often is based on



reasoning including improved accessibility, voter turnout, and convenience, with 23% of election administrators noting that improved voter turnout was a key reason for recommending the switch to an electronic voting method (Goodman and Spicer, Administering Elections in a Digital Age: Online Voting in Ontario Municipalities 2019). The data however, still remains unclear as to whether an electronic voting method improves voter turnout and “Proponents of internet voting are quick to cite increases in turnout as a primary benefit of online ballots. Critics, however, are more hesitant and suggest that increases are not guaranteed and may be marginal at best” (Goodman, Internet Voting in a Local Election in Canada 2014).

Goodman reports at length with findings of voter turnout change in Municipal elections in Ontario. She noted that of 21 municipalities studied from 2006 to 2010, 16 saw an increase in turnout, while 5 saw a marginal decrease in voter turnout. Also studied was the effect of turnout of non-voters, where up to 25% of electronic voters remarked having never voted in the previous election (Goodman, Internet Voting in a Local Election in Canada 2014). Goodman also noted that voter turnout in the municipalities conducting electronic elections were slightly higher than the provincial average typically by 3.5% (Goodman and Spicer, Administering Elections in a Digital Age: Online Voting in Ontario Municipalities 2019). Interested election administrators are recommended to read her research in depth as one of the foremost authorities of academic study of e-democracy in Canada.

A desire for increased turnout was also part of the reason to switch to an electronic voting method in Kawartha Lakes, as turnout remained between 43% and 48% for the 5 municipal elections conducted by mail-in-ballot. There was a hope that this might provide an alternate avenue for younger and more distant seasonal voters to participate in the election. However, many election administrators may be of the mind that there is little they can do to encourage voters to vote, while remaining committed to the principles of the MEA. In Kawartha Lakes, staff compiled a comparison of the voter turnout statistics from 2014’s Mail-in-Vote, and 2018’s Internet-Telephone vote. The results were as follows:

(Table 5 – Voter Turnout Comparison 2014 vs 2018 in Kawartha Lakes and Ontario)

	<b>2014 Municipal Election</b>	<b>2018 Municipal Election</b>
<b>Kawartha Lakes Turnout (2014 – Mail-In / 2018 – Electronic)</b>	41.49%	38.05%
<b>Ontario-Wide Average Turnout (Source: AMO)</b>	43%	37.59%
<b>Kawartha Lakes Over/Under the Ontario Average</b>	Under by 1.5%	Over by 0.46%

Voter Turnout figures were also compiled from the 2018 Municipal Election:

(Table 6 – Voter Turnout in 2018 Kawartha Lakes Election by Residency)

	<b>Count</b>	<b>Voted</b>	<b>Turnout</b>
<b>Resident</b>	53,361	22,674	<b>42.49%</b>
<b>Not Resident in Municipality</b>	13,062	2,590	<b>19.83%</b>
<b>Other/Unknown</b>	18	16	<b>88.89%</b>
<b>Total</b>	66,441	25,280	<b>38.05%</b>

(Table 7 – Voter Turnout in 2018 Kawartha Lakes Election by Age)

	<b>Count</b>	<b>Voted</b>	<b>Turnout</b>
<b>18-29</b>	5854	1292	<b>22.07%</b>
<b>30-39</b>	7307	1734	<b>23.73%</b>
<b>40-49</b>	7781	2306	<b>29.64%</b>
<b>50-59</b>	13208	5024	<b>38.04%</b>
<b>60-69</b>	14893	7394	<b>49.65%</b>
<b>70-79</b>	9903	5310	<b>53.62%</b>
<b>80-89</b>	4478	1852	<b>41.36%</b>
<b>90+</b>	1125	306	<b>27.20%</b>
<b>Unknown</b>	1469	62	<b>4.22%</b>

While the data shows that in fact, turnout in Kawartha Lakes was down from the 2014 Mail-in-vote election, what is not clear, is whether or not this was part of a trend seen across the province (as Ontario turnout figures decreased across the board), or if it is the result of the implementation of internet voting. One hypothesis could posit that the campaign itself drew less interest than the 2014 race where there was no incumbent for Mayor. However, in 2018 the incumbent Mayor ran against a sitting councillor, and due to the halving of number of wards in Kawartha Lakes, many incumbent local councillors saw themselves in tough re-election battles against other incumbent councillors. It could also be speculated that the turnout figures may be part of a preliminary list of electors provided by MPAC. It should be also noted that the highest turnout for the electronic vote in 2018 was by those aged 60-89, quelling fears that seniors might be hesitant to vote electronically.

Overall, the data remains unclear whether or not the method of voting, significantly alters voter turnout. It is often said that anyone who wants to vote, will find a way to

vote, and by sending all the requirements to vote directly to every elector's place of residence certainly assists in increasing awareness of an election.

### Voter Confidence and Trust

The use of Internet voting has grown exponentially in Ontario municipalities. In 2003, a group of 12 municipalities provided electronic voting as an option (Goodman, *Internet Voting in a Local Election in Canada 2014*). That has since exploded to 177 municipalities in the 2018 Municipal Election (Goodman and Spicer, *Administering Elections in a Digital Age: Online Voting in Ontario Municipalities 2019*). And while the use of electronic voting has increased significantly, some still speculate whether the public will trust or adopt this newer voting technology.

Initial studies by Elections Canada noted "in 2000, for example, 47 percent of respondent's report being likely to vote online, in 2008, interest rose to 54 percent of respondents. We also see that respondents' reported likelihood to use online voting either increases over time or remains consistent for all age groups. In fact, aside from those electors over the age of 54, a majority of respondents in all age groups indicate that they would be likely to make use of online voting if the service were available." (Barrette 2013). Further data from 2011 in a national survey indicated 85% support for the addition of electronic voting as a complementary method of voting in elections. And a remarkable 99% voters who have voted electronically in the past municipal elections, would likely vote electronically in a federal or provincial election if it were offered (Goodman, *Internet Voting in a Local Election in Canada 2014*). And while indications may show willingness to vote electronically, the question now becomes a level of trust.

Recent media reports of the 2020 US Election have begun to gauge trust in the electoral process that saw significantly increased usage in mail-in-votes. Unfortunately, trust in the electoral system became politicized, and among Republican voters, 37 percent trust the United States' election system, while 60 percent distrust it. Among Democrats, 80 percent trust the system and 18 percent do not. Further to that, amongst the voters who did not think the US Election was free and fair, More than 3 in 5 voters cite mail-in voting for causing voter fraud (Laughlin and Shelburne 2020). The question that seems to be yet unanswered is, if mistrust in the mail-in-voting method will spill over the border into Canada.

While no data was collected in Kawartha Lakes over whether voters' trusted the electoral processes in 2014 and 2018, Clerk Office and election staff were regularly questioned about the trustworthiness of the processes. Skeptical residents would call in and suggest that they could steal ballots or PIN letters, and vote twice, and question how election staff would know? Other residents posed questions about the history of the

election software provider in both elections (being Dominion Voting Systems). But while these general questions could be expected by any election administrator offering an alternate voting method, the unanswered question now will be if confidence in alternate voting methods decreases amongst more small 'c' conservative voters, due to speculation and unproven theories suggested by American right-leaning media in the US election.

### Voter Education and Engagement

In 2006, Kawartha Lakes faced an uphill battle with the number of mail-in-vote kits being rejected. The City Clerk noted "One of the greatest concerns expressed was the high voter error with respect to the mail-in voting kits, not only in Kawartha Lakes, but across the Province, resulting in court challenges and the overturning by a Judge of published election procedures... The voter turnout, based on the envelopes returned was 45%, however, when the rejected kits were removed this percentage was reduced to 37%. The return percentage is similar to that of the previous two elections being 47% and 48% respectively. As noted earlier, there was a very high percentage of rejected voter kits." (Currins, CLK2007-011 Post 2006 Municipal Election Review 2007). When Kawartha Lakes traditionally receives on approximately 25,000 total votes for municipal elections, that difference in turnout reported suggested that approximately 4000 mail-in-vote kits were returned incorrectly, and subsequently rejected. Is this a fundamental flaw with the mail-in-ballot election?

Electronic voting in the 2018 led the Kawartha Lakes election officials to question how many telephone votes were not counted, as voters did not wait until the end of all 3 ballots before hanging up. Staff were aware that if a voter hung up after just voting for the mayor, the entire ballot wouldn't have been counted. An elector could verify if their vote was cast by trying to vote using their PIN again. If it allowed them to vote, they had not fully cast their ballot initially. The problem identified that there was no way to confirm how many voters had hung-up mid call while telephone voting. Election Officials considering using Telephone Voting should carefully consider the script, and place important disclaimers at the beginning of the call script to let voters know how to confirm if their vote was actually cast.

In Ontario, the greatest concerns listed about adopted an electronic voting method remain Education and Outreach (noted by 23% of election officials), and understanding how to deal with negative media (noted by 16% of election officials). Election Officials were also asked what they perceived were the greatest challenges felt by electors with the adoption of online voting. They noted the greatest challenges were familiarity with computers (22%), learning a new voting method (19%), Access to a computer or

internet (13%), and lack of reliable internet (9%) (Goodman and Spicer, Administering Elections in a Digital Age: Online Voting in Ontario Municipalities 2019).

With both alternate voting methods becoming a case-study for voter education opportunities, it should be noted that both methods require an increase in a voter education budget, especially when introducing the new system. In Kawartha Lakes, the 2018 advertising expenditures increased by 96% over 2014 mail-in-voting levels to introduce voters to the new electronic voting method. Staff included the following targeted forms of advertising:

- Traditional Print (Newspaper and Local Magazine)
- Election flyers in traditional City publications and billing
- Highway signage
- Promoted posts on social media
- Transit advertising
- Signage, banners and maps for municipal facilities
- City Election Website promotion

City staff in the communications division of Kawartha Lakes assisted with a detailed advertising and communications plan, and media training for senior election officials. Overall, the increase in advertising and public communication reduced the amount of staffing required for answering general questions, and should an electronic voting method be implemented in 2022, this would be recommended again.

## Conclusions

Having examined the major factors facing election administrators we can start to conclude that one of the alternatives may have an advantage over the other.

### Security and Fraud:

- While municipalities are at a lower risk of electoral tampering by either malicious external forces, security and secrecy of the vote remains paramount.
- Alternative voting method standards are largely lacking, which emphasizes the need for election administrators to have a strong set of self-prepared procedures to guide their election.
- Both forms of unsupervised voting may allow for small numbers of electoral fraud or other security risks, however the lack of evidence suggests there is no clear indicator of a voting method with a clear advantage

### Financial and Sustainability Implications:

- This is becoming much more a clear advantage for electronic voting. With reductions in expenses, lowering the carbon footprint, and more options for voting software providers, an election administrator has much more of a clear choice when the evidence supports their decision making.

#### Voter Turnout and Participation:

- Research is marginally leaning towards increased voter participation for elections held electronically, however election administrators will need to supplement their voter education and communications budgets to reduce the number of errors that may be caused by alternative voting method.

Overall, with the advantages leaning towards electronic voting methods, we will continue to see the gradual increase of municipalities transitioning their election to electronic methods. But with increased uptake on electronic voting, the new perspective of election administrators will cause different focuses, and greater emphasis for the need for security, and provincial and/or federal standards. But in the end, an election administrator is still subject to the will of the people, and their elected officials representing them at the municipal council table. This means that no matter the evidence and justification presented, the decision for the ultimate alternative is ultimately political.

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