

*electionline.org*

# Briefing



## Inside

Introduction .....	1
Executive Summary .....	3
Key Findings .....	4
Intra-State Connections .....	7
The Database Industry .....	9
Securing the Rolls .....	11
Map .....	14
Snapshot of the States .....	15
Methodology and Endnotes .....	25

## Assorted Rolls: Statewide Voter Registration Databases Under HAVA

**B**loated rolls, lost records, duplicates, registered dead people, eligible house pets and citizens rendered ineligible by faulty list purges. All have plagued voter registration rolls around the country in recent years. By January 1, 2006, the Help America Vote Act (HAVA), will require that each state have a centrally-controlled voter list that would eliminate the litany of registration-related problems that prevented many from voting in years past – and perhaps allowed others to vote when they should not have.<sup>1</sup>

According to HAVA, the lists must be “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state and assigns a unique identifier to each legally registered voter in the state.”<sup>2</sup>

The long list of adjectives used to describe what each state must have in place belies the array of databases that will be in use; differences in control and structure will dictate how interactive and comprehensive the lists are.

In this, the 11th *Election Reform Briefing*, a nationwide survey of state election directors revealed a variety of responses to the mandates.

Rather than lead to the uniform adoption of voter lists controlled by state officials, federal reform sought to preserve some form of local control, even after what would be considered a state-controlled voter registration database.

A recent draft of voluntary guidance standards written by the U.S. Election Assistance Commission to aid states in their construction of statewide voter registration databases re-affirms this notion. It states that while a “top-down” list – a unified list maintained by the state with data supplied by localities – would be “more closely akin” to federal legislation, it is not compulsory.<sup>3</sup>

The draft states: *“HAVA requires State and local election officials to use and access the same statewide voter registration list for purposes of conducting voter registration and voting in an election for Federal office. While databases hosted on a single, central platform (e.g., mainframe and/or client servers) are most closely akin to the requirements of HAVA, a database which gathers its information from local voter registration databases or servers may also meet the single, uniform list requirement as long as the statewide voter registration list is defined, maintained and administered by the State (e.g., the State establishes uniform software for use by all local databases) and the statewide voter registration list contains the name and registration information of every legally registered voter in the State with a unique identifier (i.e. the last four digits of a Social Security Number, driver’s license*

*number, or a unique number assigned by the election official).”<sup>4</sup>*

Our survey found that the majority of states opted for top-down lists, but also built databases tailored to their specific needs rather than construct interactive lists that could be considered uniform across the country.

Three years ago, *electionline.org* published an Election Reform Briefing on the status of voter registration databases around the country. Researched and written in early 2002, prior to the passage of HAVA, the report stated that “accurate, up-to-date registration lists can help safeguard against disenfranchisement and serve as a guardian against fraud. In short, they can foster confidence in the election system.”<sup>5</sup>

The new systems were intended by Congress to do just that. However, the variety of system design features, administrative authority and construction could mean that some voter databases could be more interactive, more up-to-date and accurate than others.

The level of interactivity will vary. Some state databases will allow counties to compare records in real time, allowing instant notification of duplicate registrations. Others will

encounter lags as counties make daily updates to the state-held compilation list. Some states will have direct links from election offices to other state agencies, such as public assistance or departments of motor vehicles, while others will require periodic updates to verify some voter information.

Some states will choose to use their own information-technology specialists to construct and maintain the vast voter lists while others will or have already hired private contractors. And some will allow easy public access, including the ability to purchase information about voters, while others will have more stringent requirements about who may see voter data and why.

Variations notwithstanding, the survey found that most states will compare and update records far more often than in previous years, ideally making elections run more smoothly for voters and election officials alike. Clean lists can prevent a repeat of the morass of Florida 2000 and 2004, as well as troubles in a number of other states and localities where bad lists have led to frustrated citizens, disputed results and doubts about the integrity of the election system as a whole.

# Executive Summary

The centerpiece of federal election reform efforts, the implementation of statewide voter registration databases, faces a nationwide deadline of Jan. 1, 2006.

At that time – per the mandates of the Help America Vote Act – every state and U.S. territory (except North Dakota which has no voter registration) must have a database that is “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state and assigns a unique identifier to each legally registered voter in the state.”

The guidance sounds specific. However, a survey of election directors in all 50 states and the District of Columbia revealed specificity in description did not lead to uniformity in the administration of the databases.

## TOP-DOWN VS. BOTTOM-UP

Generally, states possess or will construct registration systems with two fundamentally different administrative hierarchies – “top down,” in which a unified database is maintained by the state with information supplied by localities; and “bottom up,” whereby counties and cities retain their own registration lists and submit information to a state compilation of local databases at regular intervals.

Those variations can significantly affect the performance and interactivity of the system. Top-down databases deliver information in real time, meaning counties can see changes from other localities as they are entered. Bottom-up systems usually have some kind of lag time, especially if information is sent to the state compilation list once a day.

The Election Assistance Commission (EAC), in draft guidance released in April, did not recommend a particular type of database. While the EAC referred to top-down systems as “more closely akin” to the definition of statewide voter registration databases described in the Help America Vote Act, compilation lists appear to be acceptable as well, even if they lack the real-time interactivity of some top-down lists.

The survey found that the majority of states chose to construct lists “more closely akin” to HAVA by making them top down.

- 38 states will use systems that are defined as top down.
- 6 states will use systems that are bottom up.
- 2 states will use systems that have elements of each approach.
- 3 states have not finalized plans.
- North Dakota does not require voter registration
- The District of Columbia is a single voting jurisdiction.

## VENDOR VS. IN-HOUSE

States have also varied in their approaches to the construction of the databases. Some have opted to use their hired staff to create the lists while others have outsourced to contractors. Covansys Corp., PCC Technology Group, Accenture, Election Systems & Software and Saber Consulting were among those securing the largest number of state contracts.

Home-state advantage has played a role in the awarding of state contracts. Companies who are based in or have subsidiaries in Kansas, Oregon, Texas, Nebraska and Indiana won their state database contracts.

While database construction and maintenance is a lower-profile task than supplying a state’s voting system, the companies that have built or have been awarded contracts to build statewide lists have faced some scrutiny.

Some voter-rights groups have raised concerns about granting private companies the authority to access voter information. Specifically, they cited recent faulty purges by both Accenture and ChoicePoint in Florida in 2004 and 2000 respectively, in which legally-registered voters were removed from registration rolls and those who should have been removed were left on lists.

- 20 states have completed or are in the process of constructing databases in-house.
- 28 states have signed contracts with private vendors for databases that are completed or are/will soon be under construction.
- 2 states – New York and Illinois – have not finalized plans.

## PURGING PROCEDURES

Of the 29 states that responded to *electionline.org* inquiries concerning purge procedures, more than three-quarters reported local voter registrars will have the authority to remove voter names from statewide voter registration lists.

Only four states – Alaska, Kentucky, Louisiana and South Carolina – reported that they conduct registration purges at the state level instead of in localities.

## DATABASE COSTS

The decision to construct a database in-house instead of through contractors can lead to wide variations in costs. So too does the structure of the database. Pennsylvania’s database – also an election management system – will cost nearly \$20 million, while the in-house database being constructed in Utah and the system already constructed in South Dakota required spending of less than \$1 million.

# Key Findings

The Help America Vote Act (HAVA) requires that each state implement “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state and assigns a unique identifier to each legally registered voter in the state.”<sup>6</sup>

While the description would seem to lead to a specific, uniform national definition of what a database should be and how it should operate, it has become clear that, like most other aspects of elections, each state will possess a system that will be different from every other state, sometimes in substantial ways.

As the deadline for implementation approaches, a survey of election directors in all 50 states and the District of Columbia revealed that, despite the Congressional mandate, there will be widely varying paths to HAVA compliance.

The primary difference will be in structure and control. Ten states had existing statewide lists prior to the passage of HAVA in 2002.<sup>7</sup> By the 2004 election, 15 states had statewide voter registration databases in place.<sup>8</sup> Officials in some of those states expect to be in compliance with slight modifications rather than costly overhauls.

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## Top-down vs. bottom-up databases

Thirty-eight states will choose the “top-down” approach, described by the U.S. Election Assistance Commission (EAC) in draft recommendations to states on building databases, as “most closely akin” to the definition of a statewide voter registration database described in HAVA.<sup>9</sup> In six states, “bottom-up” or locally-controlled compilation databases will be created or maintained with the state acting as a conduit where jurisdictions can compare records.

Texas will have a combination of both, with half the counties being online with the state system and the rest maintaining their own database and exchanging data with the state on a daily basis.<sup>10</sup>

John Lindback, Oregon’s elections director, said he was concerned that the EAC draft guidance was not explicit on whether bottom-up systems are compliant with HAVA.

He said he was also concerned that bottom-up systems – which require each county to maintain a separate list but compare information at regular intervals – would not be truly interactive. “Frankly, we don’t think the EAC should encourage states to take the bottom-up approach. The 24-hour lag time involved with bottom-up systems doesn’t truly achieve the goals of creating single systems with instant access to information for elections officials.”<sup>11</sup>

This question of top down vs. bottom up is not new. In 2003, Doug Lewis, director of the

## Key Findings

Election Center, asked the U.S. Department of Justice (DOJ), responsible for enforcing HAVA, about the issue. The DOJ, which stated it was not able to offer a formal advisory opinion, gave a similar response to what the EAC recommended - it is the end product that matters. "There is no expressed prohibition against the uniform, centralized system pulling its voter registration data from a variety of different sources, sources that may be running on different software, into the single centralized registration system."<sup>12</sup>

### In-house vs. outside vendor

According to *electionline.org's* survey, 20 states have already or are currently developing their databases in-house. Twenty-eight states have signed contracts with outside vendors for already completed databases or databases that are currently being built. Illinois is still in process of preparing to issue a request for proposal (RFP). New York has not indicated what its plan is for developing a database. North Dakota, which has no voter registration, is exempt from this requirement. (For more details, please see the Snapshot of the States on p.15)

The most active companies in building voter registration databases include Michigan-based Covansys Corporation and Connecticut-based PCC

Technology Group, which have partnered to build databases in five states. Aradyme Corporation, based in Utah, has also reached an agreement with Covansys and PCC Technology in building databases. (Prior to partnering, PCC Technology Group developed databases in two other states - Connecticut and West Virginia.) Other companies building databases in multiple states include Accenture, Election Systems and Software (ES&S) and Saber Consulting from Oregon.

Some voting-rights groups are concerned about giving the responsibility of compiling voter lists to private companies.<sup>13</sup> Florida has been an oft-cited justification for these concerns. Prior to the 2000 election the state contracted with Georgia-based ChoicePoint to purge the registration rolls. The result was a flawed list of felons which resulted in thousands of Florida voters being erroneously deleted from voter lists. In 2004, Accenture compiled a purge list only to have it scrapped by the state before it could be used by counties because of concerns the list was again faulty.<sup>14</sup>

### Cost

Who builds the database and what type of database is built is part of the reason why comparing cost data of building these systems is a challenge. Not only are there a variety of approaches in building data-

bases - in-house or outside vendor, top-down or bottom-up - there are some states where databases serve as more than just voter lists, serving as comprehensive election management systems. And while some states need to build entirely new databases, other states have only minor tweaks to make databases HAVA-compliant.

Several small states, including South Dakota and Utah, are building or have built their databases in-house and are spending under \$1 million. Larger states including Pennsylvania and Wisconsin are building databases that cost well over \$10 million. (Not all states provided cost data - for more details see Snapshot of the States on p.15)

In Pennsylvania, the database is an election management system. The state's Statewide Uniform Registry of Electors assists in sending out voter ID cards, provides post-election reports on voter turnout and helps election officials manage the absentee ballot and redistricting processes.<sup>15</sup>

In Wisconsin, election officials face a unique challenge by having to create a database not based on county information, but on data from towns and cities (other states including Massachusetts and Michigan also face a similar challenge), as well as many cities with populations under 5,000 that do not have voter registration lists. Kevin Kennedy, the executive director of the State Elections Board, told the *Milwaukee*

## Key Findings

*Journal-Sentinel* that in many ways Wisconsin is “starting from scratch,” with about one million residents of voting age living in areas with no voter registration mandate.<sup>16</sup>

### Links to other statewide databases

HAVA also states that the statewide voter list “shall be coordinated with other agency databases within the State.” More specifically, it states that the chief state election official and the official in charge of motor vehicle information “shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information provided on applications for voter registration.”<sup>17</sup>

According to *electionline.org* survey data, at least 25 states are also trying to link to social service agencies, criminal justice agencies, and vital statistics agencies.

Some voter-advocacy groups are pushing for a stronger emphasis on the links to social service agencies and see a future with links to more databases.

“[Databases should be] inclusive and designed to expand opportunities for individuals to register and vote by connecting social service agencies and disability services offices to election agencies. Eventually other institutions like the

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U.S. Postal Service could be linked to the statewide database, so that voter registration information is automatically updated when people change their addresses,” said Miles Rapaport, director of New York-based Demos and a former Connecticut Secretary of State.<sup>18</sup>

### Authority to purge voter rolls

Purging, or the deletion of voters from voter rolls, falls under specific requirements mandated by the National Voter Registration Act of 1993.<sup>19</sup> And while in most cases it is the local town, city or county officials who are in charge of deleting these names, there are several instances where the state itself performs the task.

Of the 29 states that detailed purging procedures for the *electionline.org* survey (or where information

regarding purging could be found), 23 stated that local officials control the process of purging voters from lists. Four states – Alaska, Kentucky, Louisiana and South Carolina – indicated the state, not localities, handled registration purges through their state-controlled voter lists.

Two states – Michigan and Minnesota – reported that the process is a joint effort between the state and local officials.

“The major responsibility for record maintenance falls with cities and townships. The state has also picked up some of the maintenance with the establishment of the [Qualified Voter File]. We purge voters, for example, who are also licensed drivers and have died,” said Timothy Hanson, director of the Michigan elections liaison division.<sup>20</sup>

Who controls the purge process is essential to establishing a fair and



transparent process of maintaining voter lists, according to some voter-advocacy organizations.

The New York Citizens' Coalition on HAVA Implementation made recommendations to the state legislature on voter list maintenance. "The database should be able to facilitate such policies so that one person alone cannot delete a voter's name from the statewide database. The Legislature should further limit the persons who are permitted to delete voter registration records from the database, and should require that the database track all authorizations to remove a record."<sup>21</sup>

Wisconsin's database will not permit the deletion of voters from the rolls. The State Elections Board Web site describes the yet-to-be completed Accenture-built database: "To enhance the ability to prevent and/or detect voter fraud, the list will still contain the names of persons who are ineligible to vote (e.g., deceased voters and voters who have lost their civil rights). Thus, names are not 'removed' from the list. They are marked as ineligible to vote along with an appropriate reason-code. The presence of ineligible voter names allows the system the opportunity to determine whether someone else is attempting to vote using that voter's identity."<sup>22</sup>

## Intra-state Connections: A 'Wonderful Goal'

Voter databases, required to be in place by the beginning of 2006 as part of the Help America Vote Act, will likely improve the administration of elections. But they have their limits.

Specifically, they stop at state lines.

Most experts agree that the ability to track voters between states, particularly in metropolitan areas that span state lines, such as Washington, D.C., New York City, Kansas City, Portland, Philadelphia and Cincinnati, would improve databases significantly and help registration rolls reflect the transience of those voters listed in them.

"It's a wonderful goal - a long-term, expensive goal," said Gracia Hillman, Chair of the U.S. Election Assistance Commission, at an April 2005 hearing of the National Commission on Federal Election Reform.

A state election official agreed. "The concept is great," said Kansas Secretary of State Ron Thornburgh (R) at the same event.

Indeed, transforming concept to reality would be a complex task for states - many of which are scrambling to build their own voter lists in time to meet the 2006 deadline.

Linda Lamone, Maryland's election director and president of the National Association of State Election Directors, said a limited experiment with database comparisons across state lines - with Maryland, Virginia and the District of Columbia - yielded mixed results.

The data from Virginia could only move in one direction as state law prohibits sharing information with any other state.

"We identified some people registered in Virginia and Maryland, but we never got the results of the Virginia data match. The other problem was we found people who had voted both in Maryland and Virginia, but the federal government declined to prosecute," she said.

There are other problems as well, Lamone said. Like Virginia, some states prohibit release of information except to certain authorized entities, to the point where, in some cases, a District resident who dies in a car accident in Maryland would remain on District records as Maryland controls the death record of that person.

If those hurdles are cleared, the rest of the process might be easier by comparison.

Achieving compatibility between completed or soon-to-be-completed state-of-the-art databases might not be too difficult. Just as computer users can often share a contact list from an email with a database program, the massive and certainly more intricate statewide registration systems could permit a similar, albeit more sophisticated, import and export of information.

It would then be a matter of will. Lacking any federal mandate for voter-roll cooperation across state lines, it would take in some circumstances the determination of the legislature to permit database sharing. In other states, if the technology allows it, it will require only that election officials decide if - and how often - their voter records should be compared.

## Top Down vs. Bottom Up: Key Design Element or Distinction Without a Difference?

The question of which level of government will control the information in registration databases continues to be unresolved only months away from the federal deadline for implementation.

The options, generally, are twofold: top-down lists are maintained at the state level and are accessed by local election offices. The list is in real time, as data entered from one county would be instantly available in another because they share the same master list.

Bottom-up databases reside at the local level and then are aggregated into a single state file. Daily updates by localities would mean that rather than an interactive, real-time list, localities would be able to compare records once a day, or at some other regular interval, but not continuously.

Conventional wisdom has long been that the HAVA database mandate would require the top-down approach, given that the most frequently-cited example of a statewide voter database nationally is Michigan's Qualified Voter File, which combines state Department of Motor Vehicles data and voter registration information in a single file accessible by each local election office. Michigan's file was identified as a national role model in the 2001 report by the National Commission on Federal Election Reform co-chaired by former Presidents Jimmy Carter and Gerald Ford. The commission's recommendation for a state database mandate was clearly inspired by Michigan's top-down approach.<sup>23</sup>

An *electionline.org* newsletter noted in July 2003, some state and local officials said they believed that aims of HAVA's database mandate could, "be accomplished with joint state-local control or even local control of voter info" but were concerned that such efforts would not be funded under HAVA if the federal government did not agree.<sup>24</sup> Nonetheless, the survey revealed the majority of states possess or will construct top-down databases.

In April 2005, the U.S. Election Assistance Commission (EAC) weighed in – less than nine months before the deadline for statewide voter registration lists to be in place. The EAC's draft guidance on HAVA's

database mandate responded to the top down vs. bottom up question with language suggesting that both approaches were acceptable.<sup>25</sup>

While the EAC guidance termed the top-down approach as "most closely akin" to meeting the requirements of HAVA, it also noted, "a database which gathers its information from local voter registration databases or servers may also meet the single, uniform list requirement as long as the statewide voter registration list is defined, maintained and administered by the State (e.g., the State establishes uniform software for use by all local databases) and the statewide voter registration list contains the name and registration information of every legally registered voter in the State with a unique identifier."<sup>26</sup>

John Lindback, Oregon's state election director told the EAC at an April 2005 public hearing that he considered the draft guidance "a mixed blessing." States, he said, could be vulnerable to court challenges if they adopted an approach that preserved local control of lists and relied on the state as merely a central compilation of a number of jurisdiction-based lists. But with the lateness of the guidance – and the potential cost and complexity some states would face having to re-work their databases to a top-down approach – guidance strongly urging one approach over the other would cause more problems than it would solve.<sup>27</sup>

"Coming out this late, it would be harmful to states to have chosen a bottom-up approach," he said. "But if the EAC believes that there is a chance that states which took the bottom-up approach could lose a court challenge, it would be beneficial to say so as part of voluntary guidance."<sup>28</sup>

Ray Martinez, one of two Democratically-appointed EAC commissioners, said however, that even with a top-down list, records from the DMV and other state agencies could take 24 hours or more to compare data with the voter registration list, creating, in essence, the exact same type of delay.<sup>29</sup>

# The Database Industry

The companies that produce voting systems have been under scrutiny since the 2000 election. Those which do their business in the decidedly lower-profile field of statewide voter registration databases have not, though over half the states in the country will entrust millions of voter records to private companies when they construct their federally-mandated voter lists.<sup>30</sup>

The companies that build databases or provide software include: Covansys, PCC Technology Group, Aradyme Corp., Accenture, Election Systems and Software (ES&S), Saber, MAXIMUS, IBM, Hart InterCivic, Quest Information Systems, Unisys and Diebold Election Systems.

Utah-based Aradyme, a data migration and management firm, is subcontracted by Covansys, Accenture, MAXIMUS, PCC and Unisys for many of their states and is a prime example of the intricacies and complexities within the voter registration database industry. While the companies are competing against each other for the contracts, they often use each other's specialties by subcontracting with each other to provide the best service available to the states.

For example, Covansys, a global technology and service company, and PCC Technology Group, an election management specialist,



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have partnered to work for Idaho and Rhode Island.<sup>31</sup>

Three other states, Maine, Nevada, and New Jersey, have chosen Covansys and PCC, along with Aradyme Corporation. Aradyme has been subcontracted by PCC to work with them on the database in New Hampshire.<sup>32</sup>

New York-based IBM has also partnered up, subcontracting with the Austin-based Hart InterCivic and Tampa-based SOE Software, building databases in Texas and Florida as it re-enters the elections industry after a 40-year hiatus.

The country's dominant technology company in the 1950's and 1960's, IBM leaders saw the potential for expanding their product line into elections and purchased punch-card manufacturer Harris Votomatic in 1965. After numerous problems with the machines, tabulators and unproven allegations that IBM had become involved in elections to promote a possible candidacy by company president Thomas Watson, the company retreated from the elections business four years later.<sup>33</sup>

The recent emphasis on election reform since 2000 was enough

to convince a slimmer and much less market-dominant IBM to return to the industry.

“The Help America Vote Act of 2002 was a motivator for IBM to re-enter the election industry,” said Frank Marzolini, a partner in IBM’s Public Sector. “[HAVA] has provided both the requirements and the funding to enable states and localities to leverage IBM’s unique consulting and industry capabilities and our work with key independent software vendors.”<sup>34</sup>

IBM returned to elections in the database arena in March 2005 after being awarded the contract for Texas’ statewide voter registration database to “design, configure, and deploy the voter registration management solution infrastructure.”<sup>35</sup>

Also that month, IBM won a contract from Florida to construct the state’s voter registration database and is planning on bidding on other related contracts or sub-contracting themselves. Marzolini stated that, “IBM looks forward to using our experience with [Texas] and [Florida] to assist other states with similar challenges related to HAVA.”<sup>36</sup>

Accenture has 38 offices around the country, including Colorado, Pennsylvania and Wisconsin, three out of the four states with whom Accenture has a contract to build statewide voter registration databases.<sup>37</sup>

Their activities have been the subject of controversy.

Kevin Kennedy, executive director of Wisconsin’s State Elections Board, came under fire from an

organization called the Wisconsin Democracy Campaign, and State Representative Mark Pocan, D-Madison, among others, for signing a database agreement with Accenture before the elections board had voted on it.<sup>38</sup> They allege that the contract is not legally binding, and are suing the state to invalidate the contract.

In addition to the contract issue, Mike McCabe, executive director of the Wisconsin Democracy Campaign, expressed his displeasure over the ownership of the software. “When this contract expires, the state of Wisconsin will have to fall to its knees and beg Accenture to maintain its system or we will have to start from scratch,” he said.<sup>39</sup>

Accenture also had its database contract terminated in Kansas<sup>40</sup>, while some Pennsylvania county election officials in press reports complained about the Accenture-built database in their state.<sup>41</sup>

### Home-state advantage

Kansas instead hired ES&S in March and is currently under agreement with them.<sup>42</sup>

According to Kansas Secretary of State Ron Thornburgh, one of the reasons ES&S was chosen was because of local familiarity. While ES&S is not based in Kansas, one of its partners, InfiniTec, is. “ES&S has more than 20 years of experience working hand-in-hand with election officials at the state and county level throughout Kansas,” Thornburgh said. “ES&S has formed an alliance with InfiniTec, a highly qualified

Kansas-based election technology and services provider that is already well regarded in courthouses throughout the state.”<sup>43</sup>

ES&S was also awarded a contract in its home state of Nebraska and is a finalist for the contract with Alabama, the location of one of its regional offices.<sup>44</sup>

Hart InterCivic is subcontracting with IBM for the database in its home state of Texas.<sup>45</sup>

Portland-based Saber Consulting Inc. won Oregon’s contract.<sup>46</sup> Experience counted in the state’s decision, according to a press release from Secretary of State Bill Bradbury’s office. “The State of Oregon has worked with Saber on several large and complex document management and data warehousing projects and has been pleased with both the working relationship and the results.”<sup>47</sup>

In May 2004, Indianapolis-based Quest Information Systems won the contract for Indiana. As with Oregon, Quest had worked with its home-state government before. In a press release, Secretary of State Todd Rokita noted, “Quest, with clients in government and business, has done extensive work with the Indiana Election Division, including creating the Campaign Finance Reporting System and implementing the Duplicate Voter Elimination Project. Quest was also the primary application design and development provider for the Indiana Bureau of Motor Vehicles STARS system.”<sup>48</sup>

# Securing the Rolls

As mandated by the Help America Vote Act (HAVA), statewide voter registration databases will soon be law across the country, giving counties and government agencies the ability to track the movement of voters, update records, and ideally, cut down on mistakes in recordkeeping.

While the days of voter registration rolls handwritten and recorded on paper will be over, some technology experts argue that the tradeoff could be less privacy for voters. Statewide voter registration databases, they argue, could make it easier for political parties, marketers or others to collect information on large numbers of voters.

Kim Alexander, president of the California Voter Foundation, a nonpartisan organization advancing “the responsible use of technology,” said states are almost universally behind the curve when it comes to voter privacy.<sup>49</sup>

“These issues are becoming more and more important with the threat of identity theft becoming more real for an increasing number of Americans,” she said.

A study conducted by the Foundation in 2002 found that while most states grant candidates and political parties access to voter lists, 22 states did not put any



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restrictions on access to voter lists, allowing the lists to be used for commercial purposes. Only Iowa informed voters that their data might be sold to list buyers.<sup>50</sup>

There are other concerns as well.

Lillie Coney, associate director of the Washington, D.C.- based Electronic Privacy Information Center, told members of the U.S. Election Assistance Commission (EAC) that states should take extra care to safeguard voters when developing statewide voter registration databases, particularly when linking with other government agencies.

“The computer systems managed by state departments of motor vehicles are vulnerable to insider threats, computer viruses, programming errors and system errors,”

Coney said. “If databases are linked – i.e., voter registration and drivers’ license databases, public assistance registries, death notices or tax records – security threats or risks in one system can affect the other system,” Coney said. “Care should be taken to ensure that records are not altered, deleted or amended solely on the basis of what a computer record in one system might imply about the record maintained in another system.”<sup>51</sup>

In reaction to voter complaints that their phone numbers – required to be submitted on registration applications – were being sold to political parties and telemarketers, Mark Sheldon, Clerk of Champaign County, Ill., issued a press release stating that the county would no

longer keep track of the phone numbers in the county's electronic files and would delete all those in the system.<sup>52</sup>

"There are a lot of county clerks who are doing exactly what I'm doing, which is withholding these numbers," Sheldon told *The News-Gazette*.

The State Board of Elections disputed Sheldon's decision and brought the matter before both the circuit and appellate courts. However, the courts ruled that Sheldon did not have to disclose voters' phone numbers collected after May 2002 and kept only on paper registration records at the clerk's office.<sup>53</sup>

Some state lawmakers argued that voter phone numbers were necessary to make Illinois' databases consistent.

Displeased with the court's ruling, state Rep. Mike Bost, R-Murphysboro, with the backing of the State Board of Elections, introduced H.B. 1524 in February. The bill would require all county clerks to submit phone numbers to the state board if a voter's registration form included a phone number.<sup>54</sup>

The bill was pending when this briefing was published.

### Lack of uniform standards/purging

The federal government weighed in on how citizens could register to vote seven years before the troubled 2000 election.

Congress enacted the 1993 National Voter Registration Act (NVRA), making it easier for individuals to register to vote and maintain their registration by allowing registrations at government agencies, including departments of motor vehicles. The NVRA also granted the U.S. Department of Justice the authority to bring civil action to enforce its requirements and gave responsibility to the Federal Election Commission to provide states with guidance.<sup>55</sup>

With the new right to register at government agencies, however, came concerns about bloated rolls filled with inactive voters who moved, died, were incarcerated or decided to no longer participate in elections.

Under the NVRA, states are responsible for keeping voter registration lists accurate and current. The Act requires list maintenance programs to incorporate specific safeguards and allows the removal of voters for non-voting or for having moved only after the voter confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered.<sup>56</sup> The Act allows for removal of voters from registration lists when they have been convicted of a disqualifying crime or adjudged mentally incapacitated or where such removals are allowed by state law.<sup>57</sup>

A study released by Demos, a New York-based organization tracking state implementation of HAVA,

found that states conducted purges unevenly because of flawed or non-existent legislative guidance, even if they shared the same rules.<sup>58</sup> As a result, legal voters, including voters who share similar names with felons, have been mistakenly removed from voter rolls.

None of the 15 states surveyed by the organization required officials to use any specific criteria to ensure that an individual with a felony conviction is the same individual being purged from the voter rolls. Two-thirds of the states surveyed do not require elections officials to notify voters purged from the voter rolls.

Shortly after the 2000 elections, there was a national call for uniform standards to purge voter rolls in the wake of problems in Florida. ChoicePoint, a Georgia company was hired by then-Florida Secretary of State Katherine Harris to ensure that ineligible voters, including convicted felons, were removed from qualified voters lists maintained by the counties.

The result was a purge that erroneously and disproportionately removed qualified African Americans from the rolls,<sup>59</sup> eliminating at least 2,000 ex-felons from voting despite having their rights restored in their home states before moving to Florida.

Election reform advocacy groups, including the League of Women Voters and Demos, have called for national standards that



# Election reform advocacy groups, including the League of Women Voters and Demos, have called for national standards that establish the criteria for purges.

establish the criteria for purges.<sup>60</sup>

The groups have also called for legislation to require state officials to notify people if their registration status is in question, and give them enough time to challenge the status of the registration or re-register.<sup>61</sup>

The League urged that states provide “adequate technological security measures to prevent the unauthorized access” to statewide voter lists. The statewide voter lists will contain confidential information that if improperly disclosed could not only threaten a voter’s privacy, but would also make the voter vulnerable to identity fraud.<sup>61</sup>

Several groups, including the Civil Rights Coalition and the New

York State Citizen’s Coalition on HAVA Implementation, recommended that the responsibility and authority for accepting, verifying, updating and purging voter registration lies with the state.<sup>63</sup>

In April, the League of Women Voters concluded that the proposed federal guidance for the design of statewide voter registration databases provided by the EAC fails to protect voters.<sup>64</sup>

“The proposed federal guidance will not protect the voter in the voter registration process, it will not protect the security and accuracy of the database system, and it will not protect against erroneous purges of voters,” said Kay Maxwell, the

League’s president.<sup>65</sup>

In an analysis presented to the EAC in late April, the Brennan Center for Justice warned that voter registration databases themselves could create more problems than they solve without sufficient safeguards, and suggested guidelines for such safeguards should be part of the EAC’s guidance. The commission’s current database design proposal, according to the Brennan Center, lacks such guidelines and thus falls short of the law’s mandate to protect voters’ rights by ensuring that each eligible voter appears on the voter rolls.<sup>66</sup>

“The Brennan Center is disappointed with the EAC’s first proposal, but we are confident that the commission will make necessary revisions and refinements so that voters’ rights are protected in the implementation of HAVA,” said Wendy Weiser, associate counsel for the Center.



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### Alabama (DID NOT RESPOND TO SURVEY)

*Database status:* The database is being built by Diebold Election Systems

*Cost:* \$2.3million<sup>67</sup>

### Alaska

*Database status:* A statewide database is currently in use. It was built in-house and implemented in 1985. The state elections division has maintained the database and has modified the system to meet the requirements of HAVA. However, according to Alaska's HAVA plan, the state wants to replace the system, which it calls "antiquated."<sup>68</sup> No plans have been detailed yet.

*Type of system:* Top down

*Links to other statewide databases:* The system is not linked to other agencies databases, but electronic data are received to compare records.

*Authority to purge voter rolls:* State.

### Arizona

*Database status:* A statewide database implemented in 2004 and built in-house is currently in use. An RFP for a "more robust" database has been issued.

*Cost:* The current database cost under \$1 million. The new database is expected to cost between \$10 million and \$20 million.

*Type of system:* The current database is bottom up

*Links to other statewide databases:* Department of Motor Vehicles, Department of Human Services for death records and courts for felony convictions and incompetence rulings.

*Authority to purge voter rolls:* Local jurisdictions.

### Arkansas

*Database status:* The database is being built by ES&S. Complete functionality expected by December 2005.

*Cost:* Initial installation will cost approximately \$4,000,000. Yearly maintenance costs depend on outgoing year: ranges from \$948,922 first year after warranties expire to \$683,932 for third year after the expiration of warranties.

*Type of system:* Top down

*Links to other statewide databases:* The state will be receiving uploads/downloads from the Department of Motor Vehicles, Department of Vital Statistics and the Arkansas Crime Information Center.

### California

*Database status:* The state will upgrade its existing voter registration system.<sup>69</sup>

*Type of system:* Bottom up

### Colorado

*Database status:* The database is being built by Accenture. Pilot county conversions will take place in September 2005 and the remaining counties will convert following November 2005 election.

*Cost:* \$10 million contract, plus state/county costs to implement.

*Type of system:* Top down

*Links to other statewide databases:* The database will link to the departments of Motor Vehicles, Vital Statistics (death records) and Corrections (felon records).

**Note:** Unless otherwise noted, all information is from an *electionline.org* survey of state election officials. For states that did not respond to the survey, information was derived from state election reform reports, state election office press releases, corporate press releases and state requests for proposals. In some states, both survey information and secondary sources are used. Type of system indicates whether the state's database is top down, in which a unified database is maintained by the state with information supplied by localities; or bottom up, whereby counties and cities retain their own registration lists and submit information to a state compilation of local databases at regular intervals.

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### Connecticut

*Database status:* A statewide database is currently in use and was developed by PCC Technology Group. All 169 municipalities are connected to the database.

*Cost:* Initial contract with PCC Technology Group was for \$300,000.<sup>70</sup>

*Type of system:* Top down

*Links to other statewide databases:* "The Secretary of State has already established a procedure with the Department of Corrections to identify those persons who have lost their voting privileges because of a felony conviction. Connecticut is currently reviewing similar arrangements with the Department of Motor Vehicles and the Department of Public Health to satisfy the additional provisions of HAVA."<sup>71</sup>

*Authority to purge voter rolls:* Local jurisdictions.

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### Delaware

*Database status:* A statewide database is currently in use and was developed in-house by the state information technology department.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles and Corrections. Other agency links will follow.

*Authority to purge voter rolls:* Local jurisdictions.

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### District of Columbia

*Database status:* A statewide database is currently in use. The District of Columbia is a single voting jurisdiction.

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### Florida

*Database status:* The database is being built by IBM.

*Cost:* Approximately \$8 million. The Department of State estimates annual maintenance fees at approximately \$2 million.

*Type of system:* Top down

*Links to other statewide databases:* It will be linked to the departments of Highway Safety and Motor Vehicles, Law Enforcement and Corrections and the Board of Executive Clemency.

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### Georgia

*Database status:* The database was built in-house and was developed more than 10 years ago as a result of the 1993 National Voter Registration Act. The statewide voter registration database was developed by the state's data technology department through an agency-based agreement for development and maintenance.

*Cost:* In 1995, \$6.6 million dollars was allocated to implement the development of the statewide voter registration system.

*Type of system:* Top down

*Links to other statewide databases:* Currently, the database is not linked to any other. However, an electronic file of voters who registered at the local Department of Motor Vehicle sites is available on the mainframe daily with registrations from the previous day. County registrars are able to access data to update the voter registration system. Likewise, the Vital Records Office uploads a file that is used to match against voter records to update deceased voters to delete status. Georgia was exempt from the database matching provisions set forth by HAVA as the state was one of the seven states who were allowed to collect the full Social Security number.

*Authority to purge voter rolls:* Local jurisdictions.

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## Hawaii

*Database status:* A statewide database is currently in use. It has been online since the early 1980's.

*Type of system:* Top down (Operated by Honolulu County.)

*Links to other statewide databases:* Department of Motor Vehicles.

*Authority to purge voter rolls:* Counties are responsible for updating the voter registry (i.e. additions, deletions etc.). Purging is performed by the Honolulu on behalf of the counties and the state following the election.

## Idaho

*Database status:* Covansys, in partnership with PCC Technology Group and Aradyme Corp. will modify the existing system. The system will be installed in all counties by July 2005.

*Cost:* \$4,204,446, which includes maintenance of the system for five years. The price does not include the county equipment or use of the state local area network that connects with each county – estimated cost \$502,450.

*Type of system:* Top down

*Links to other statewide databases:* The Department of Motor Vehicles, Social Security Administration, Department of Corrections for felony records and the Bureau of Vital Statistics for death records.

*Authority to purge voter rolls:* Local jurisdictions.

## Illinois

*Database status:* The state is in the process of developing a RFP which will be posted this summer.

## Indiana

*Database status:* The database is being built by Quest Information Systems. It will be implemented by late summer 2005.

*Cost:* Expected to cost \$13 million for a five year contract.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Health, Corrections and the Social Security Administration.

## Iowa

*Database status:* The database is being built by Saber Consulting.

*Cost:* \$2,678,000 for the software contract. The cost for yearly maintenance has not been determined.

*Type of system:* Top down

*Links to other statewide databases:* Department of Motor Vehicles for drivers' license verification, Department of Public Health/Vital Statistics for death records, the Judicial Department for felon records and the Social Security Administration.

## Kansas

*Database status:* The database is being built by ES&S. The original contract with Accenture was terminated in February 2005.

*Cost:* \$5,705,422 for development and installation, \$6,154,463 for 10 year maintenance. Total project cost for 10 years: \$11,859,885.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Vital Statistics and Corrections. Some additional features may be added after January 2006.

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### Kentucky<sup>72</sup>

*Database status:* A statewide database is currently in use. Legislation was passed in 1972 requiring a statewide database. The database was implemented in 1973.

*Type of system:* Top down<sup>73</sup>

*Links to other statewide databases:* The database has a direct, real-time link to the state's driver's license database and a "nightly-batch" link with social services agency databases. These include food stamps, Medicaid and the Kentucky Transitional Assistance Program. Other information received but not directly connected to the database comes from the Women, Infants and Children program and from disability offices. Electronic files from Vital Statistics are received twice a month and the names of the deceased are matched with the registration database and then purged. Twice a month, files of convicted felons are received from U.S. Attorney's Office, and once a month from the Administrative Office of the Courts.

*Authority to purge voter roles:* State.

### Louisiana

*Database status:* A statewide database is currently in use. The database has been in place since 1983 and was built in-house using a local contractor and is continuously enhanced. The state will be changing the technical platform and will make the system real-time where possible.

*Cost:* The approximate cost to update the system will be \$1.7 million.

*Type of system:* Top down

*Links to other statewide databases:* The database is linked to other statewide databases, currently in

batch mode but with a planned migration to real-time where possible.

*Authority to purge vote rolls:* State.

### Maine<sup>74</sup> (DID NOT RESPOND TO SURVEY)

*Database status:* The database is being built by Covansys Corporation, PCC Technology Group and Aradyme Corp. It is expected to be implemented by December 2005.

*Cost:* \$4.5 million

*Type of system:* Top down

*Links to other statewide databases:* State agencies, such as the Bureau of Motor Vehicles and Vital Records.

### Maryland

*Database status:* The database is being built by Saber Consulting. The original statewide database created by ES&S was not HAVA-compliant. The state decided to purchase a new system rather than modify the current system.

*Cost:* Approximately \$9 million. Maintenance costs are approximately \$5 million for four years.

*Type of system:* Top down

*Links to other statewide databases:* The state currently uses a file server/ftp site to exchange information with the Departments of Motor Vehicles and Health and Mental Hygiene (death reports). Some of the reports on criminal convictions are electronic, but information from other agencies (courts, public safety, etc.) is transferred by paper. The new system will be linking to the Motor Vehicle Administration and the state hopes to link to the Vital Statistics Administration and the state's Justice Information System.

*Authority to purge voter rolls:* Local jurisdictions.

**Note:** Unless otherwise noted, all information is from an *electionline.org* survey of state election officials. For states that did not respond to the survey, information was derived from state election reform reports, state election office press releases, corporate press releases and state requests for proposals. In some states, both survey information and secondary sources are used. Type of system indicates whether the state's database is top down, in which a unified database is maintained by the state with information supplied by localities; or bottom up, whereby counties and cities retain their own registration lists and submit information to a state compilation of local databases at regular intervals.

### Massachusetts

*Database status:* A statewide database is currently in use. The state developed the Voter Registration Information System after the National Voter Registration Act was passed in 1993. A new interactive database is being built by Unisys.

*Type of system:* Top down

*Links to other statewide databases:* It is currently not linked to any other statewide database. However, information is electronically transmitted from the Registry of Motor Vehicles to each municipality and will be connected to the Motor Vehicle database. The state cross checks electronic files from the Department of Public Health for death records and is pursuing the same for felon records.

*Authority to purge voter rolls:* Local jurisdictions.

### Michigan<sup>75</sup>

*Database status:* A statewide database is currently in use. It was built in-house and has been in place since 1998. It is called the Qualified Voter File (QVF).<sup>76</sup>

*Cost:* \$7.6 million

*Type of system:* Top down<sup>77</sup>

*Links to other statewide databases:* Integrated with the state's driver's license file, Department of Community Health gives information to the Department of State on a regular basis about drivers who have died.

*Authority to purge voter rolls:* Both local and state officials. The major responsibility for record maintenance falls to cities and townships. The state has also picked up some of the maintenance with the establishment of the QVF. The state purges voters, for example, who are also licensed drivers and have died.

### Minnesota

*Database status:* A statewide database is currently in use. It was built in-house using internal staff and augmented by consultants from Arran Technology.

*Cost:* Approximately \$5 million

*Type of system:* Top down

*Links to other statewide databases:* Minnesota Department of Vehicle Services for verifying driver license information.

*Authority to purge voter rolls:* Voter information is reclassified (not purged) when a voter has not voted for over four years. The reclassification is processed annually and is done in a joint effort of the state and local jurisdictions. The office of the Secretary of State processes the reclassification and the counties verify the information.

### Mississippi

*Database status:* The database is being built by Saber Consulting.

*Cost:* Five-year cost of ownership with network connectivity charges is approximately \$10 million.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Health and the court system.

### Missouri

*Database status:* The database is being built by MAX-IMUS, Inc. with Saber Consulting. A pilot program was conducted in April. Regional roll-outs will begin this summer with all counties using the system by the end of October 2005.

*Cost:* \$7.5 million

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Corrections, and Health.

*Authority to purge voter rolls:* Local jurisdictions.

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### Montana

*Database status:* The database is being built by MAX-IMUS, Inc. with Saber Consulting.

*Type of system:* Top down

*Links to other statewide databases:* It will be linked to the Department of Motor Vehicles, Corrections, Vital Statistics and Department of Health.

### Nebraska

*Database status:* The database is being built by ES&S.

*Cost:* \$4.1 million

*Type of system:* Top down

*Links to other statewide databases:* Will be linked to agencies that deal with motor vehicle data, felon records and death records.

*Authority to purge voter rolls:* Local jurisdictions.

### Nevada<sup>78</sup> (DID NOT RESPOND TO SURVEY)

*Database status:* The database is being built by Covansys Corporation, in partnership with PCC Technology Group and Aradyme Corp.

*Cost:* \$4.6 million

*Type of system:* Top down

### New Hampshire

*Database status:* The database is being built by Covansys Corporation, in partnership with PCC Technology Group and Aradyme Corp. It will be completed in time for the November 2005 city elections and the 2006 HAVA deadline.

*Cost:* \$2.1 million through the end of installation and the one-year warranty period. In-house data conversion and other in-house costs will total approximately \$1 million.

*Type of system:* Top down

*Links to other statewide databases:* The database will

verify new voter registrations using output from: (a) the Department of Motor Vehicles containing names, addresses, drivers' license numbers, and the drivers' last four digits of social security numbers, (b) output from the Division of Vital Records containing a list of deaths, and (c) output from the Department of Corrections containing a list of incarcerated felons.

*Authority to purge voter rolls:* Local jurisdictions.

### New Jersey

*Database status:* The database is being built by Covansys Corporation, in partnership with PCC Technology Group and Aradyme Corp.

*Cost:* Approximately \$14.9 million

*Type of system:* Top down

*Links to other statewide databases:* The New Jersey Motor Vehicle Commission, Social Security Administration, New Jersey Department of Health and Senior Services. (There must also be an interface with those agencies which can provide criminal history information.)

*Authority to purge voter rolls:* Local jurisdictions.

### New Mexico

*Database status:* A statewide database is currently in use. It was built by ES&S.

*Cost:* \$6 million

*Type of system:* Top down

*Links to other statewide databases:* The state imports felon data from the judicial system and data from the Department of Health of deceased voters.

### New York (DID NOT RESPOND TO SURVEY)

*Database status:* Pending.<sup>79</sup>

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### North Carolina

*Database status:* The database has been built in-house. Before HAVA was passed there was the start of a state system in place with 96 of the 100 counties in the state using the system. Currently 99 counties have converted. In addition to the county conversions there are functions that have to be added to the system to satisfy the HAVA requirements, driver's license number validation, Social Security number validation, unique ID assignment, etc. The plan is to have the last county converted by July. The functionality for the unique ID support and Social Security number validation will be installed before the end of the year.

*Cost:* Approximately \$5 million

*Type of system:* Top down

*Links to other statewide databases:* The system currently has a real-time interface to the Department of Motor Vehicles system. Data are also exchanged once a month with systems at the Departments of Health and Human Services for death records and Corrections for felon records.

*Authority to purge voter rolls:* Local jurisdictions.

### North Dakota

North Dakota does not register voters and is not building a statewide voter registration database. The state is building a central voter file that does not fall under HAVA's mandate.<sup>80</sup>

### Ohio (DID NOT RESPOND TO SURVEY)

*Database status:* The database is being built in-house. The Secretary of State's office initially issued an RFP which was withdrawn.<sup>81</sup>

*Type of system:* Bottom up

### Oklahoma (DID NOT RESPOND TO SURVEY)

*Database status:* A statewide database is currently in use and has been since 1990. The State Elections Board is considering options to upgrade the database.<sup>82</sup>

*Type of system:* Hybrid

### Oregon

*Database status:* The database is being built by Saber Consulting.

*Cost:* Approximately \$10.5 million, which includes \$5 million in post-project support for the new system over a period of 5 years.

*Type of system:* Top down

*Links to other statewide databases:* It will be built to match records directly from the state motor vehicle records and Social Security numbers. Other matching will be done on a manual basis.

*Authority to purge voter rolls:* Local jurisdictions.

### Pennsylvania

*Database status:* The database is being built by Accenture and is in place in 56 out of 67 counties. Legislation was passed in 2002 mandating the building of a statewide database.<sup>83</sup>

*Cost:* Approximately \$20 million.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Transportation, Health and Justice.

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### Rhode Island

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*Database status:* A statewide database is currently in use. It was built by Covansys Corporation and PCC Technology Group. Nine municipalities used the database for the November 2004 election; the remaining 30 municipalities were active on the new central voter registration system in December 2004.<sup>84</sup>

*Cost:* \$2.9 million. This includes hardware, software with modifications, training of users, conversion of data, compilation of statewide street file, Covansys support staff and ElectionNet help desk.

*Type of system:* Top down

*Links to other statewide databases:* In the process of linking the database with the State Court Administrator for felon records and the Department of Health for death records. The database is linked to the Division of Motor Vehicles (DMV) and the state is currently developing a process for the electronic transmission of voter registration applications filed at the DMV offices. The expected date of completion of this project is July 2005 at which time all voter registration applications taken at DMV offices will be electronically transmitted to the database and forwarded electronically to the appropriate local boards of canvassers.

*Authority to purge voter rolls:* Local jurisdictions.

### South Carolina

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*Database status:* A statewide database is currently in use. The system was implemented in 1968. All 46 counties are connected to the statewide voter registration system. Additions and changes made by the county offices and state office to the voter registration file are interactive.<sup>85</sup>

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Social Services, and other state

agency databases are coordinated through NVRA-prescribed processes. The counties access a file received on a weekly basis from these agencies to approve applications made through NVRA. Registrations of individuals with felony convictions are removed by the state upon notification from courts of felony convictions on a monthly basis. Deceased voters are removed by the state upon notification from Department of Health and Environmental Control on a monthly basis.

*Authority to purge voter rolls:* State.

### South Dakota

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*Database status:* A statewide database is currently in use. It was built in-house by the state Bureau of Information and Telecommunication. The state went online with a HAVA-compliant database on Jan. 1, 2004.

*Cost:* \$302,000

*Type of system:* Bottom up

*Links to other statewide databases:* Departments of Public Safety Driver Licensing, Vital Statistics and the Unified Judicial System.

*Authority to purge voter rolls:* Local jurisdictions.

### Tennessee

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*Database status:* The state plans to upgrade its existing database.<sup>86</sup>

*Type of system:* Bottom up

*Links to other statewide databases:* Information is received from the Department of Safety and Social Security Administration.

*Authority to purge voter rolls:* Local jurisdictions.

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## Texas

*Database status:* The database is being built by IBM/Hart InterCivic.

*Cost:* \$12 million

*Type of system:* Hybrid. Over half the counties will be online managing voter registration through the state's application. The other counties may choose to come online or may choose to maintain their own database as long as they exchange data with the state on a daily basis and use the official state list.

*Links to other statewide databases:* The state will exchange data electronically with the Department of Public Safety for driver records and felony records and to verify social security numbers; the Bureau of Vital Statistics for death records; the Texas Legislative Council for district maps; and all 254 counties. Other agencies could be added.

*Authority to purge voter rolls:* Local jurisdictions.

## Utah

*Database status:* The database is being built in-house. The state is currently converting data and connecting counties. All 29 counties should be online by the end of 2005.

*Cost:* \$310,000

*Type of system:* Top down

*Links to other statewide databases:* The database is connected to the Driver's License Division and the Geographic Information System. Other agencies may be added in the future.

*Authority to purge voter rolls:* Local jurisdictions.

## Vermont

*Database status:* The database is being built in-house. The state will contract with an in-state firm to assist with converting existing data in local municipal checklists into the statewide checklist. The database application has been built and the state expects to begin converting data in May or June. The data conversion is expected to be completed in October or November 2005.

*Type of system:* Top down

*Links to other statewide database:* The database will perform the required match with database information from the Department of Motor Vehicles. The state will coordinate the computerized list with the state agency records on death. Vermont allows prisoners and convicted felons to vote.<sup>87</sup> The Vermont Social Service and other agencies providing voter registration do not maintain computerized data—these agencies forward paper applications to the Secretary of State, who forwards the applications to the local municipality.

*Authority to purge voter rolls:* Local jurisdictions.

## Virginia (DID NOT RESPOND TO SURVEY)

*Database status:* A new statewide database is being built by Unisys and Aradyne Corp.

*Cost:* Initial contract of \$6.1 million. There are five one-year options for support – if all options are exercised, contract is worth \$8 million.<sup>88</sup>

*Type of system:* Top down

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## Washington

*Database status:* The database is being built in-house, with technical consultation from outside vendors and collaboration with existing election management service vendors. Testing will be conducted between June and December 2005.<sup>89</sup>

*Cost:* \$6 million

*Type of system:* Bottom up

*Links to other statewide database:* The database will link with the Department of Licensing and will receive information from Department of Corrections, the Washington State Patrol, the Office of the Administrator for the Courts and the Department of Health.

*Authority to purge voter rolls:* Local jurisdictions. The state will be responsible for identifying ineligible voters through comparisons with other databases. Notices may be mailed by county auditors or the Secretary of State.

## West Virginia

*Database status:* A statewide database is currently in use. It was built by PCC Technology Group and was deployed January 2004.

*Cost:* \$1.9 million

*Type of system:* Top down

*Links to other statewide databases:* Records can be compared through interfacing technology to the West Virginia Division of Motor Vehicles, Department of Corrections, and Vital Statistics. It will also be used for the National Change of Address comparison.

*Authority to purge voter rolls:* Local jurisdictions.

## Wisconsin (DID NOT RESPOND TO SURVEY)

*Database status:* The database is being built by Accenture.<sup>90</sup>

*Cost:* \$13.9 million

*Type of system:* Top down

*Links to other statewide databases:* Interfaces with the Departments of Motor Vehicles, Corrections, Vital Statistics and the Social Security Administration to help validate voter information.

*Authority to purge voter rolls:* “The list will contain more than just eligible voters. To enhance the ability to prevent and/or detect voter fraud, the list will still contain the names of persons who are ineligible to vote (e.g., deceased voters and voters who have lost their civil rights). Thus, names are not ‘removed’ from the list. They are marked as ineligible to vote along with an appropriate reason-code. The presence of ineligible voter names allows the system the opportunity to determine whether someone else is attempting to vote using that voter’s identity.”<sup>91</sup>

## Wyoming

*Database status:* The database is being built by Accenture.

*Cost:* \$8.5 million, which includes hosting services and maintenance.

*Type of system:* Top down

*Links to other statewide databases:* Departments of Motor Vehicles, Health, Vital Records, Corrections and the Division of Criminal Investigation.

*Authority to purge voter rolls:* Local jurisdictions.

## Methodology

Information for this report was derived largely from the results of a survey of state election directors conducted in April 2005. Other primary sources were used as well, including telephone interviews and email correspondence with state election officials and representatives of companies that are building statewide voter registration databases. For states that did not respond to the survey, data was derived from state election reform reports, state election office press releases, corporate press releases and state requests for proposals. Secondary sources including newspapers, reports by other organizations and state election Web sites were also used.

All sources are cited in the endnotes section.

The opinions expressed by election officials, lawmakers and other interested parties in this document do not reflect the views of non-partisan, non-advocacy *electionline.org* or the Election Reform Information Project.

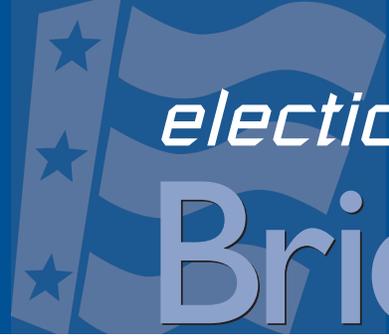
All questions concerning research should be directed to Sean Greene, research coordinator, at 202-338-9860.

## Endnotes

- 1 The 2000 U.S. Census estimated that 7.4 percent of 40 million registered voters – nearly 3 million people – did not vote in 2000 because of registration problems.
- 2 The Help America Vote Act (hereinafter HAVA), P.L. 107-252, Sec. 303.
- 3 U.S. Election Assistance Commission. “Draft Proposed Voluntary Guidance on Implementation of Statewide Voter Lists,” April 13, 2005.
- 4 Ibid.
- 5 Election Reform Briefing, “Statewide Voter Registration Databases,” The Constitution Project election reform initiative and *electionline.org*, March 2002.
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- 8 For more information, see “Election Preview 2004: What’s Changed, What Hasn’t and Why,” *electionline.org*, October 2004.
- 9 U.S. Election Assistance Commission. “Draft Proposed Voluntary Guidance on Implementation of Statewide Voter Lists,” April 13, 2005. “While databases hosted on a single, central platform (e.g., mainframe and/or client servers) are most closely akin to the requirements of HAVA, a database which gathers its information from local voter registration databases or servers may also meet the single, uniform list requirement.”
- 10 E-mail correspondence with Ann McGeehan, Texas elections director, April 19, 2005.
- 11 Lindback, John, elections director, Oregon Secretary of State’s Office. Testimony before US Elections Assistance Commission, April 26, 2005.
- 12 U.S. Department of Justice, Civil Rights Division. “Letter to the Election Center regarding the statewide voter registration list requirements of Section 303 of HAVA,” September 8, 2003.
- 13 Both the Electronic Privacy Information Center (EPIC) and the Brennan Center of Justice testified before the Election Assistance Commission in Boston on April 26, 2005, citing concerns about private companies building these databases and privacy issues in general. EPIC voiced concerns about voter privacy issues, stating, “The use of private contractors raises concerns about the other possible uses of the personal information provided by the state.” [http://epic.org/privacy/voting/register/eac\\_testimony42605.html](http://epic.org/privacy/voting/register/eac_testimony42605.html). (Last visited, May 20, 2005.) Wendy Weiser of the Brennan Center states there should be very specific guidance to states when it comes to protecting the security of the voter lists. <http://www.eac.gov/docs/boston/Weiser%20EAC%20testimony%2004-26-05%20v.2.pdf>. (Last visited, May 20, 2005.)
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- 22 Wisconsin State Elections Board Web site. <http://elections.state.wi.us/subcategory.asp?linksubcatid=790&linkatid=639&linkid=304> (Last visited, May 20, 2005.)
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- 25 U.S. Election Assistance Commission, “Proposed Voluntary Guidance on Implementation of Statewide Voter Registration Lists”, April 11, 2005 (available online at [http://eac.gov/docs/DRAFT%20GUIDANCE%20\(4-11-05\)%20\(Second%20Draft\)\(FR%20format\).pdf](http://eac.gov/docs/DRAFT%20GUIDANCE%20(4-11-05)%20(Second%20Draft)(FR%20format).pdf)) (Last visited, May 20, 2005.)
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- 75 Land, The Honorable Terry Lynn, Michigan Secretary of State. "Michigan's State Plan," Dec. 19, 2003. All Michigan information is from the state's HAVA plan, the Department of State Web site, "The Michigan Qualified Voter File: A Brief Introduction," and e-mail correspondence and phone conversations with Timothy Hanson, director of the Michigan elections liaison division.
- 76 Often cited as a model voter registration system, Michigan's Qualified Voter File (QVF) is integrated with the state's driver's license file. Unlike most states, Michigan's elections division and motor vehicle division are both part of the Department of State. The linkage of the voter registration file and the drivers' license database file allows for changes to be made to registration information when a voter either makes a drivers license change or a registration change. 85 percent of the state's registrations are via driver's license transactions. In the QVF, each registrant is identified by drivers' license number or personal identification card number – this is the state's unique identifier. If a registrant has neither, one is generated and assigned.
- 77 Michigan's QVF was compiled with every registered voter who appeared on the Department of State's driver's license/personal ID file and with voter files maintained at the local level.
- 78 Press release. Heller, The Honorable Dean, Nevada Secretary of State. Press release. "Statewide Voter Registration Contract Awarded," November 29, 2004.
- 79 A16733, a bill that establishes a statewide voter registration database in New York, was signed by Gov. George Pataki on May 3, 2005.

- 80 North Dakota released a request for proposal (RFP) on May 2, 2005 to hire a consultant who will help write the RFP to hire the contractor to build the CVF. North Dakota plans to test the system with a few counties during the 2006 election cycle. The Department of Transportation will work closely with the state in the building and maintaining of the CVF. Vital Statistics will be responsible for communicating all of the death records. The counties will be responsible for updating the CVF based on marriage records. The courts will communicate information on divorces. The Secretary of State's office will be responsible for updating the file based on those individuals who have died. The Secretary of State's office will also be responsible for updates upon receipt from another state that an individual has registered to vote and voted in their new state of residence. A person does have the right to request that their name not be included in the CVF, but this will not take away their right to vote.
- 81 Ohio Secretary of State Web site. <http://www.sos.state.oh.us/sos/hava/rfp1.htm> (Last visited, May 20, 2005.)
- 82 Oklahoma State Election Board. "State of Oklahoma Plan for Implementation of the Help America Vote Act of 2002: Report on Progress of HAVA Implementation," November, 2004.
- 83 One of several states where an Accenture-built database has come under fire, Pennsylvania, is hoping to add its final 11 counties to the SURE system before the end of the year. In early 2004 InfoSENTRY, the company hired by the state to perform a quality-assurance review of the system, released its report. One of the principal findings "found that the compact time schedule established by the State in 2002 and accelerated by the vendor introduced a very high level of risk into the project. Early missteps in data conversions and software installations damaged SURE's credibility among many county stakeholders. The damage was particularly keen in large counties."
- This damaged credibility was on display in March 2005 at a House State Government Committee hearing. Douglas E. Hill, executive director of the County Commissioners Association of Pennsylvania, testified the system was, "seriously if not fatally flawed." He charged the architecture of the database could not handle the scope and size of this project. He added the process of selecting Accenture as the state's vendor was flawed as well, stating, "No county election directors or other practitioners were involved in any meaningful or direct way."
- The state responded to the INFOSENTRY report by slowing down its implementation of SURE (originally scheduled to be up and running in all counties by April 2004). Then in March 2005 it released its "SURE Go-Forward Strategy for Full Implementation," which describes improvements to the system and plans to stress test them. "The Department has worked with Accenture, the SURE vendor, to address the major concerns of the counties and develop a viable strategy that will provide an effective platform for administering voter registration at the county and state level," Secretary of the Commonwealth Pedro A. Cortés said.
- 84 Rhode Island intended to have all towns and cities using the new statewide voter list by last November's election, but full implementation was delayed. According to reports in *The Providence Journal*, questions emerged during the creation of the list, which used digital mapping and other technology to determine the correct precincts, towns and cities for voters who could have been voting in the wrong precinct. The process uncovered thousands of voters that could possibly be voting in the wrong location. A number of communities did not think they could ensure complete accuracy of the list by election day and did not want to disenfranchise any voters, the article stated.
- 85 South Carolina State Election Commission. "South Carolina Help America Vote Act of 2002 State Plan," August 16, 2004.
- 86 Tennessee's state HAVA plan, "This process has begun and we have implemented several upgrades. Tennessee has also been working with other State agencies, such as the Department of Safety, to strengthen the communications between the agencies."
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- 89 After a troubled gubernatorial election, many in Washington are hoping the new voter database will help address some of the issues that arose. The new voter database could prevent felons that were not supposed to cast ballots from doing so. "This will make the voter rolls a whole lot more accurate. This won't be foolproof. There will always be glitches. But we will certainly be a lot closer to getting it right," Snohomish County Auditor Bob Terwilliger told the *Associated Press*.
- 90 Wisconsin has faced controversy over its database, including a lawsuit filed in December 2004 by the Wisconsin Democracy Campaign, state Rep. Mark Pocan, D-Madison, and another vendor, Wisconsin Voter Lists. The still pending suit claims that Kevin Kennedy, executive director of the State Elections Board, signed the contract on his own and not with full approval of the Elections Board. Kennedy told the *Associated Press*, "The selection of this vendor was strictly through state procurement regulations." Those filing the lawsuit stated the work could be done cheaper and better in-house.
- 91 Wisconsin State Elections Board Web site. <http://elections.state.wi.us/subcategory.asp?linksubcatid=790&linkcatid=639&linkid=304> (Last visited, May 20, 2005.)



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# Briefing

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