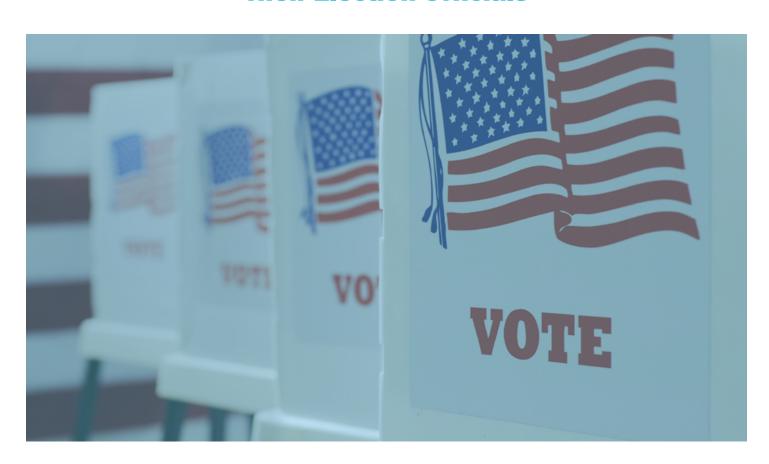


How To Retain Election Officials To Secure Future Elections

Recommendations for State and Local Governments and Their Election Officials



David Levine, Elections Integrity Fellow June 4, 2021

Introduction

The 2020 presidential election was <u>called</u> the most secure in U.S. history, largely due to efforts to protect the nation's different physical and cyber infrastructure. This was a triumph considering the <u>physical</u>, <u>cyber</u>, <u>and even human assets</u> that make up the election infrastructure have been and continue to be susceptible to threats. In 2020, many states adopted measures to mitigate threats to physical and cyber election assets like voting equipment, ballots, and facilities, as well as computer services and databases that store voter information. For example, states with close results in the 2020 presidential race had <u>paper records</u> of each vote, which gave them the ability to go back and count each ballot if necessary. Other measures such as pre-election testing, state and federal certification of voting equipment, and <u>increased collaboration</u> between election officials and their security partners helped provide additional assurance that the 2020 election results were legitimate.

Unfortunately, analogous measures were not in place to protect many of the people—from state and local election administrators to poll workers and vendor staff—who administered the elections. Due in large part to the incendiary rhetoric from former President Donald Trump and his followers, many election officials were threatened and harassed, and such behavior shows no signs of abating. Instead of taking steps to address this problem, many states have passed or are considering passing laws that could make this problem worse. Georgia's new law removed the Georgia's secretary of state—who rejected Donald Trump's effort's to overturn the state's 2020 results—from decision-making power on the state election board and turned control of the board over to a politicized, less knowledgeable body: the state legislature. Iowa's new law threatens election officials with criminal prosecution for failing to follow new voting rules. And Florida recently adopted a rule that subjects its local election officials to a civil penalty of \$25,000 if a drop box at an early voting site is left accessible for the return of ballots outside of early voting hours.

The unrelenting targeting of administrators—along with <u>unfunded election mandates</u>, <u>threats</u>, <u>burn out</u>, and <u>fatigue</u>—has pushed many election officials to leave or consider leaving their positions. According to a recent <u>Democracy Fund/Reed College Survey of Local Election Officials</u>, approximately one-third of chief local election officials will be eligible to retire before the 2024 election, including more than half of those in the largest jurisdictions, which each serve more than 250,000 registered voters. Considering what many of these election officials and their staffs endured during the 2020 election cycle, and continue to experience, it would be unwise to simply wait and hope that they decide to hang on. Instead, every effort should be made to create an environment that is as conducive as possible for retaining these unsung heroes of the 2020 elections. The ability of the United States to conduct future secure elections may well depend on it.

This paper focuses on measures state and local governments can take in concert with their election offices to help retain as many of their high-performing election officials as possible. State and local governments should have support from the federal government and Congress to help address this national security issue, but if the fight over <u>funding the 2020 election</u> is any indication, they should begin taking steps to address this problem now. Below are ten suggestions for how state and local governments can retain their high-performing election officials. None is a "silver bullet," not all of them will be relevant for each state and local government unit, and some governments have already taken many of these steps. But in addressing election official retention solutions, these suggestions provide remedies for some of the thorniest problems that election officials encounter.

Recommendations

1. Ask your election officials what can be done, ideally, to support them further if you have not already done so.

During 2020, election officials had to administer elections while there was an ongoing threat from foreign adversaries coupled with a pandemic, civil unrest, and widespread, unjustified suspicion about their work. Just as election officials sought to understand what their voters needed, governments should seek to understand what their election officials need most to succeed. Asking officials questions is a good first step.

As part of this process, it could also be useful to ask election officials what skills they're most comfortable with and which they would like to develop. Inquire about areas that feel especially challenging. This can be done by discussing the parts of the jobs they feel are the most interesting and rewarding, the areas that are the most challenging, what they are doing to reach short- and long-term career goals, and what other projects, committees, or additional issues they would like to explore. Asking such questions not only shows empathy and understanding, but could lead to information that creates more effective training and development programs, which are critical to increasing employee retention.

2. If there was turnover among your election officials, ask why.

Examine turnover rates from the 2020 election cycle to the present for both election management and front-line staff and see how they compare to previous similar election cycles. Often, the reasons management and front-line staff provide for leaving a job, including elections, can be <u>very different</u>. This information should help inform the degree to which the unique circumstances surrounding the 2020 elections have affected the retention of your own election officials. These rates, combined with feedback from election officials, should give governments a better sense of how retention could be affected by future elections that are as contentious as 2020.

3. Consider the cost of election official employee turnover, or the "total cost" of losing an employee.

If governments and their election officials can help show the costs that employee turnover from accumulated strain caused by contentious elections—like the 2020 presidential election—is having on their workforces, that could make it easier to seek additional funding for retaining high performing election administrators and addressing other priorities. Since the exact costs of employee turnover vary, it is something all employers, including election offices, need to monitor. One study found that the average costs to replace those earning under \$30,000 a year was 16 percent of their annual salary; the average costs to replace those earning \$30,000–\$50,000 a year was 20 percent of their annual salary; and the cost to replace executive positions could cost up to 213 percent. If officials do not already have systems in place to track such costs, they should reach out to colleagues in relevant departments, such as human resources, finance, and operations to develop tools to measures these costs and reporting mechanisms to track them.

The <u>costs</u> of election turnover should include: 1) computing the cost of hiring a new employee including the advertising, interviewing, screening and hiring; 2) determining the cost of onboarding a new person, including training and management time; 3) accounting for lost productivity—due to the different kinds of elections that occur in each state over a four year period and <u>the wide array of skills</u> needed to perform the job well, it can often take a new election official up to four years to reach the productivity of an existing person; 4) factoring in lost engagement—other employees who see high turnover tend to disengage and lose productivity; 5) adjusting for customer service and errors—new employees generally take longer and are often less adept at solving problems; and 6) accounting for training—during a new election official's first few years, the office is often likely to invest more of the employee's salary in training.

4. Compare the compensation of your election administrators to other government employees with similar responsibilities and adjust, if necessary.

According to a <u>recent survey</u>, the top reason workers quit their jobs for new ones is so they can make more money. Currently, the <u>typical local election official</u> makes about \$50,000 annually, which appears to be more on par with <u>administrative support positions</u> than positions with commensurate skills. In short, election administrators are underpaid.

Election officials' jobs were once clerical in nature and more akin to record-keeping, but those days are long gone. Today, they're often expected to be in experts in numerous disciplines, including cybersecurity, communications, logistics, finance, election law, public administration, public health, and human resources. State election administrators often rely on information from many of these disciplines to make decisions about the rules of elections. Local elections officials must flawlessly fulfill many of these roles to successfully administer an election. This includes finding polling places, recruiting workers, and running the day-to-day operations of voter registration and voting, as well as preserving the integrity of elections by protecting against intrusions into voter rolls and local election official websites, and working closely with federal and state officials to ensure the security of their voting systems. If key election administrators are not paid comparably to other government employees with similar responsibilities, retaining them is likely to be a greater challenge.

5. Establish a Government Resource Group.

One strategy used for helping keep talent in many industries, including elections, is to <u>establish a resource group</u>. An employee resource group is a network within an employer where employees get together based on shared characteristics, experiences, or goals. Such a group offers a chance to network and socialize, work on professional development, and raise awareness of relevant issues. While many election officials have groups with other election officials elsewhere, the governments that they work for should strongly consider forming such groups if they have not already.

Many of the challenges election officials faced in the 2020 election cycle are an unfortunate outgrowth of decreasing trust in government and increasing amounts of mis- and disinformation, challenges that employees throughout government are confronting, not just in elections. Election officials often depend on large numbers of fellow government employees, particularly around election time, to serve as poll workers, process voter registration applications, and help conduct their elections. A government resource group, particularly one geared towards how to address abusive members of the public, could go a long way towards strengthening this collaboration by enabling election and non-election employees to get to know one another better. Such groups can help employees form friendships across departments, which can supercharge an employee's engagement. They also enable employees to act together to address common issues and spread awareness, and contribute to higher retention rates.

6. Offer election administrators flexible working conditions when possible.

Flexible working conditions are not always in possible in elections, particularly as election day gets closer and the demands on election officials from candidates, voters, observers, and others <u>increase</u>. However, the pandemic provided an opportunity for many election officials to learn how to conduct more of their work remotely and with flexible work hours, and thousands of election officials responded by taking <u>security training</u> that made it easier for them to work remotely yet securely during the <u>first Covid-19 peak</u> in the spring and summer of 2020. For example, many election offices can input and validate voter registration and mail ballot application requests <u>remotely</u> after the hardcopy originals are scanned and securely shared with necessary employees. And nearly all elections officials can do a good deal of their <u>phone-based work</u>, such as the recruitment and confirmation of poll workers and polling places, outside the workplace as well.

While <u>many election processes</u>—such as voting equipment preparation, mail ballot signature validation, and provisional ballot adjudication—will continue to occur at the workplace, the successes achieved from working remotely should be built upon because they can be a win-win situation for both election officials and their governments. Election administrators can save time and money to commute, have improved work-life balance and

fewer distractions and, be <u>more productive</u>. Governments may be able to <u>save</u> on some infrastructure costs and overhead costs, and reduce absenteeism. Organizations that provide the option for remote work have <u>25 percent lower employee turnover</u>; state and local governments would be wise to heed this warning if they hope to retain their best election officials.

7. Advocate for consolidating elections to no more than three per year.

Election officials know firsthand the cost, administrative burden, and job stress caused by the near constancy of elections in some states and localities, which can increase the likelihood of significant mistakes being made and make retaining election officials harder. Others in state and local governments may not feel the administrative burden and job stress as acutely, but they are certainly aware of the cost. Consolidating elections to no more than three per year would enable election officials to keep their skills sharp while also lessening costs and reducing election officials' stress. It could also help <u>increase turnout</u> in both local and national elections.

Consolidated elections admittedly are not perfect, and they require a good deal of change. For example, consolidated elections often lead to longer ballots, which <u>can increase wait times</u> at polling places. However, other measures such as expanded pre-election day voting and a more efficient allocation of staff and voting machines at polling places can help offset such an increase, and <u>most local election officials</u> support consolidating local, state, and federal elections so that they occur at the same time.

8. Make sure election officials are aware of all current security protections in place.

This includes any arrangements with law enforcement, office and worktime security measures, and tools available to help ensure their personal physical security. A meeting between election officials and local law enforcement can help confirm existing protections and identify any potential gaps. Such efforts can also be <u>aided</u> by your local Cybersecurity & Infrastructure Security Agency (CISA) protective security advisor (PSA). PSAs are trained critical infrastructure protection and vulnerability mitigation subject matter experts whose expertise protecting cyber, physical, and human components of critical infrastructure, like elections, makes them both an advisor and a natural go-between for election officials and law enforcement.

9. Develop a plan to provide more enhanced protection for election officials going forward.

During the 2020 election cycle, <u>state</u> and <u>local election administrators</u> across the country received violent threats <u>at work, at home, and elsewhere</u>. Some of these officials feared simply administering an election in which a defeated candidate's most ardent followers could refuse to accept the results. Retaining many of them will be difficult unless more can be done to ensure they feel safe. One place to look for developing a more robust security plan for election officials are federal judges, who are often subject to threats <u>well beyond the courtroom</u> due to the availability of personal information online. In the same way that election administrators can represent or personify the election system, judges and other judicial officials can represent or personify the justice system; in both cases, the <u>motive for an attack</u> can arise out of anger at the respective systems or simply a desire for revenge.

Like <u>federal judges</u>, all election officials should have access to safety education programs that offer trainings on a wide range of threats and how to reduce exposure to them. And like federal judges, state and local governments could also consider <u>more expensive actions</u> as their budgets allow, such as installing and/or updating security systems in their election officials' offices; installing security systems at election officials' homes on an as needed basis; hiring additional security in response to a potential threat; and/or monitoring the public availability of election officials' personally identifiable information and referring suspicious posts to the appropriate law enforcement authorities. Governments should also consult with their legal counsel to see if they can devise a legal strategy for helping deter untoward behavior by election officials. This could include conducting a public messaging campaign that describes how best to interact with election administrators for optimal results, while also noting the consequences for abusive behavior and harassment. It could also include designating a legal liaison to the elections office to help ensure that any potential illicit conduct towards elections officials is quickly reported and addressed.

10. Form a task force made up of government employees to advocate for (or oppose) legislative measures that support your government's work, including your election officials.

Over the past several months, many states have either adopted or introduced legislation that <u>penalizes election</u> <u>administrators and workers</u>. Georgia's new law gives the legislature the power to pick an official who could vote on the state election board for a <u>temporary takeover</u> of up to four county election boards during the time when an election is being administered. Iowa makes it a crime if election workers <u>violate</u> its new rules. And Florida has enacted a law that <u>says</u>, "If any drop box at an early voting site is left accessible for the return of ballots outside of early voting hours, the supervisor is subject to a civil penalty of \$25,000."

Election administration often requires making decisions in the heat of closely contested elections. As a former election administrator myself, I regularly made many such decisions to both protect an individual's right to vote and ensure the integrity of the election, knowing there were <u>robust laws</u> in place to hold me accountable if I acted inappropriately. Exposing election officials to additional, unnecessary civil or criminal liability for such actions could make them afraid to act in such situations and less likely to want to stay in the field.

Conclusion

Election administrators have taken oaths to support the Constitution, which forms the basis of the rule of law. Elections must be administered in a genuine and democratic manner. Election administrators that are concerned for their safety or burnt out from the stress of the job are more likely to perform poorly or even leave the profession. Every citizen, regardless of political affiliation, should want to make sure these defenders of democracy are comfortable performing their legal obligations and administering safe, secure, and transparent elections. Governments that adopt more of this report's suggestions could go a long way towards making this goal a reality, which in turn could make it easier to retain our best defenders of democracy.