

# Guidelines for Using Electronic Pollbook Systems

41st Annual Election Law Seminar for County Election Officials

Texas Secretary of State – Elections Division



# Agenda

- Electronic Pollbook Certification Procedures
- Systems That Use Paper Forms vs. Electronic Forms
- Pollbook Procedures in the Polling Place
- Preparing for Your Election
- Training Poll Workers
- Monitoring the Vendor Console During the Voting Period
- Q&A



# Electronic Pollbook Certification Procedures



# Electronic Pollbook Certification Procedures

- In 2019, Texas Election Code 31.014 was enacted
  - Requires certification of electronic pollbook systems
    - Requires re-certification of each system annually
  - Outlines specific procedures for certification
    - Real-time transmission between early voting locations or countywide polling places
    - Transmission of time-stamp information between polling locations
  - Provides that a county that uses an uncertified pollbook systems in two consecutive general elections for state and county officers (Nov. of an even-numbered year) shall be assessed a non-compliance penalty
- In addition to the requirements of Election Code 31.014, the system must also comply with the general requirements for checking in a voter at a polling place under the Texas Election Code and Chapter 81 of the Texas Administrative Code



## Why Certify?

- Certification ensures that the system meets the requirements of the law and that voters across the state are going through the same basic process to check in at a polling place
  - This allows for a uniform check-in process for all voters
  - Also provides protection for the county by ensuring that the county's process follows the requirements of the Election Code
- Allows for SOS to address issues reported by counties and vendors during the certification process to ensure that those issues are fixed
  - If you know of an issue with a pollbook system, please let us know!
  - We can work with the county and the vendor to address those issues in certification



# Certification Documents

- Our office uses the following documents to conduct the certification process:
  - **Texas Electronic Pollbook Certification Procedures**
    - Outlines the steps for a pollbook system to become certified
  - **Texas Electronic Pollbook Technical Requirements Matrix**
    - Outlines the technical requirements for certification
    - Each system is reviewed by a NIST certified testing laboratory to make sure these requirements are met before the Texas certification exam
  - **Texas Electronic Pollbook Functional Standards**
    - Outlines the legal requirements for certification
    - Each system is reviewed by SOS to ensure that these requirements are met



# Certification Documents continued...

- **Texas Requirements for Pollbook Forms**
  - Outlines the specific requirements for individual forms used within the pollbook
  - This is designed to help vendors understand the exact legal requirements for each form
- **Texas Electronic Pollbook Test Cases**
  - Step-by-Step testing procedures that are used to ensure the system meets the requirements outlined in the Functional Standards and Requirements for Electronic Pollbook Forms



# Recent Changes to Certification

- Updated Functional Standards, Test Cases, and Requirements for Forms
  - Provides vendors with more detailed guidance on the legal requirements for certification
  - Includes more sections of the Texas Election Code and Texas Administrative Code so that vendors can tie the Test Cases to the statute
  - Helps first time certifiers better understand the process
- Updated review procedures to allow for a more in-depth review by SOS in a shorter timeframe





## Future Plans for Certification

- Developing methods to allow county customization of workflows while maintaining uniformity in voter check-in procedures
- Adding a review of accessibility features on pollbook devices
- Providing guidelines for security and testing of pollbook systems
- Streamlining review process for minor updates
- Setting additional benchmarks for vendor systems to highlight systems that provide features beyond the minimum requirements
  - Gold, Silver, and Bronze standards
- We are considering a number of different ideas for future development, and county feedback is welcome!



# Pollbook Systems That Use Electronic Forms vs. Paper Forms



# Electronic Forms vs. Paper Forms

- Current standards allow pollbook vendors to provide certain forms as electronic forms that are completed on the device.
- Different vendors take different approaches to this process
- Our office allows vendors to choose which path they want to take
  - Gives counties options for how they want to manage the paperwork in the election
- Most vendors have several electronic forms in their pollbooks
- Whether your forms are gathered on paper or electronically, at the end of your election every county should have the same basic records for their election



# Forms - Electronic or Paper Allowed

- Many forms can be gathered either electronically or on paper:
  - Combination Form
    - Including Substantially Similar Name Affidavit and Voter Not on List (63.006)
    - If you're gathering voter check-in signatures on the device, you'll need an electronic Combination Form
  - Reasonable Impediment Declaration
  - Oath of Assistance Form
  - Oath of Interpreter
  - Affidavit of Non-Participation and Affiliation (Primary Runoff Only)



## Forms - Paper Only

- Some forms may only be gathered on paper due to wet signature requirements or practical limitations:
  - Statement of Residence
  - Provisional Ballot Affidavit Envelope
  - Application for Limited Ballot
    - These forms all have elements that affect voter registration
  - Request to Cancel a Ballot by Mail for Use in the Polling Place
    - This form is a bit complicated to execute electronically



# Guidelines for Using Electronic Forms

- Electronically gathered forms must meet specific requirements to ensure that they are gathering the information required by law and the same information that is collected on the paper form
  - These requirements are outlined in the Requirements for Electronic Pollbook Forms
  - Each vendor's system is reviewed in certification to determine if it meets those requirements
- These forms are typically stored as reports in the device
- It's important that you run these reports so that you can retain these records during the 22-month preservation period
  - Should store the record as a printed record or an electronic record on a hard drive for the preservation period



# Guidelines for Using Electronic Forms

- The Combination Form report must be run for each election, and for each polling place.
- You will also need to run these reports for each voter that completes the form on the device:
  - Reasonable Impediment Declaration
  - Oath of Assistance Form
  - Oath of Interpreter
  - Affidavit of Non-Participation and Affiliation (Primary Runoff Only)
- If your system gathers these forms electronically but does not generate a producible report for that form, please reach out to us



# Guidelines for Using Electronic Forms

- Keep in mind that there are some forms that cannot be gathered on the device, so you will need to make sure you are providing those paper forms to your polling places:
  - Statement of Residence
  - Provisional Ballot Affidavit Envelope
  - Application for Limited Ballot
  - Request to Cancel a Ballot by Mail for Use in the Polling Place
- Each system handles forms and reports in different ways
  - If you're not sure how your system does it, ask your vendor
  - If you're not sure whether your vendor is doing it correctly, ask SOS





# Guidelines for Using Paper Forms

- Some pollbook systems just act as voter lookup and check in tools that allow you to report check-in history to other polling locations
- Other pollbook systems print labels that can be attached to paper forms
- For these types of systems, you will need to manage your records at the polling place in the traditional manner outlined in Chapter 66 of the Election Code
- Be sure to teach poll workers how to complete forms both electronically and on paper



# Guidelines for Using Paper Forms

- Chapter 66 of the Election Code outlines specific rules for storing and transporting paperwork, ballots, and other records generated at the polling place
- Some records must be transported in locked and sealed ballot boxes:
- Ballot Box 3 – Delivered to General Custodian or CCS
  - Voted ballots,
  - Copy of the precinct returns (or results tape from scanner),
  - Tally list (if hand-counting), and
  - Copy of the poll list
- Ballot Box 4 – Delivered to General Custodian
  - Original ballot register,
  - Register of Spoiled Ballots
  - Spoiled ballots,
  - Defectively printed ballots,
  - Surrendered ballots by mail (Register of Surrendered Ballots by Mail-mandated by SB 1599 coming soon)
  - Any envelope containing cancellation requests and cancelled ballots (Envelope for Requests and Cancelled Ballots)
  - Any other unused ballots.



# Guidelines for Using Paper Forms

- Some records will be stored in sealed envelopes:
  - Envelope 1 – Delivered to Presiding Officer of Canvassing Authority
    - Original of the precinct returns (or results tape from scanner), and
    - Tally list (if hand-counting).
  - Envelope 2 – Delivered to General Custodian
    - Copy of the precinct returns (or results tape from scanner),
    - Tally list (if hand-counting),
    - Original of poll list (or Combination Form),
    - Signature roster (or Combination Form),
    - Precinct early voting list,
    - Any affidavits completed at polling place (unless placed in Envelope 4), and
    - Certificates of appointment of Poll Watchers.



# Guidelines for Using Paper Forms continued...

- Envelope 3 – Retained by Presiding Judge
  - Copy of the precinct returns,
  - Copy of poll list (or Combination Form), and
  - Copy of ballot register.
- Envelope 4 – Delivered to Voter Registrar (or to General Custodian to be delivered to VR)
  - Precinct list of registered voters,
  - Registration correction list, and
  - Statements of Residence.



# Pollbook Procedures in the Polling Place



# Pollbook Procedures in the Polling Place

- Pollbook devices generally mirror the process for checking in a voter using paper forms, with some exceptions
  - They allow for voter check-in information to be reported in real-time to other polling locations in the jurisdiction
  - They allow the process to be streamlined in some ways
  - They can reduce the need for detailed training on certain procedures
    - The system should provide the election worker with guidance about the next steps in the check-in process based on the voter's situation
    - However, it will require training your workers on how to use your system



# Pollbook Procedures in the Polling Place

- Curbside Voting
  - Voters who vote during curbside voting are entitled to the same check-in procedures as voters who vote inside the polling place
  - For polling places where voters are processed electronically on the pollbook device, this means that curbside voters should be checked in on the pollbook device in the same manner as other voters in the polling place
  - Provide additional pollbook equipment at your locations in order to process curbside voters at the same time you are processing your voters in the polling place, if possible
    - Don't take a paper Combination Form to the curbside – this is a de facto tracking mechanism for those who voted at curbside.
    - Pollbooks are not allowed to track who voted at curbside



# Pollbook Procedures in the Polling Place

- Backup Plans
  - Having additional pollbook equipment at the polling place is also a helpful contingency plan to address any equipment issues with your other pollbook devices
  - Deploy backup paper Combination Forms at your polling places in the event that you experience issues with your pollbook devices or your overall system
  - Every form that is integrated into the pollbook should be provided in the election forms kits in case of an emergency.
  - It is important to have a backup plan to allow you to continue processing voters in the event of any equipment failure
  - We recommend having forms available at the county election office and ready for deployment to the polling locations in the event of any widespread outages, extended voting due to a court order, or for general replenishment due to increased turnout.





# Preparing for Your Election



# Preparing for Your Election

- Testing Recommendations
  - We recommend conducting L&A testing on your pollbook devices
    - Verify that your voter database has been successfully imported onto the device
    - Verify that your pollbook device is issuing the correct ballot styles for your voters
    - Test your precinct splits and your ballot styles that include your joint election partners
    - Verify date and time information is correct – be aware of daylight savings!
  - Testing your peripheral devices is important too!
    - Make sure any devices used to issue ballots are working correctly and issuing the correct ballot styles for voters
    - Test other peripheral devices like printers, scanners, etc. to ensure that they are also operating correctly with your system
  - SOS Test Cases can be used to test the system's functional workflow
    - Is the system performing the check-in process correctly according to the law and the certification standards?
    - Step-by-step procedures for testing those workflows
    - This isn't required, but may be a good practice for acceptance testing



# Training Poll Workers



# Training Poll Workers

- Train Poll Workers to Set Up Equipment at the Polling Place
  - Focus on:
    - Starting the set up process shortly after they arrive
    - Devices may need to connect to the network and update records, which can take some time
    - Setting up early can help avoid delays in opening your polling place
    - Who to call if pollbook needs troubleshooting
    - How to do periodic spot checks to determine if pollbooks are syncing peer to peer
    - Train them on procedures to process paper forms if the pollbook goes down.



# Monitoring the Vendor Console During the Voting Period



# Monitoring Pollbook Traffic in EV and on EDay

- Assign a person from your office to monitor the vendor console
  - Look for voting sites as they gain connection before the polls open to make sure all have connected
  - Look for pollbooks that aren't connected to the network
    - Call the voting site
    - Troubleshoot with the poll worker
  - Communicate with voting sites that have irregular activity during the day
  - Monitor the wait time feature if it exists in your system
  - Watch the console as pollbooks sign off at the end of the day in Early Voting
  - Watch the console as pollbooks sign off on Election Day to gauge voters still in line being qualified and other sites that may be in trouble.



# Q&A



# Topics to Discuss

- What would you like to see from the certification process?
- What process works best for your county (paper or electronic), and why?
- What do pollbooks do well, and what are their limitations?
- Anything else you'd like to discuss!

