

E-GOVERNMENT AS A TOOL FOR REFORM IN ELECTION ADMINISTRATION

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When the 2000 Presidential election ground to a halt over disputed ballots, it exposed not only the ambiguity of hanging chads but also the uneven capacity of the institutions responsible for administering elections. Moreover, issues such as the exclusion of minority voters, and politically-charged disputes over voter registration and vote counts have undermined confidence in electoral processes. The Help America Vote Act of 2003 (HAVA) has generated a new role for state governments and provided federal funds for new voting equipment (GAO 2001, 2006; Liebschutz and Palazzollo 2005), but was not intended to be a wholesale support for all aspects of election reform or for financing the universe of election administration efforts. Election administration is a network of state systems operating within the intergovernmental parameters of a federal system. Historically, federal requirements have promoted equity in access and opportunity, while state and local requirements tended to focus on the administration of elections. Perhaps more than any other area of public administration, election administration is characterized by decentralization and fragmentation that impede the capacity of the system (Harris 1934). The capacity to conduct elections rests largely with local (usually county) governments that are dependent upon local resources, and labor largely out of view until election day. Yet, in a federal system wrought with interdependence, the actions (or inaction) of local governments can leave national elections hanging in the balance.

E-government is an administrative reform that can help to modernize electoral systems and to increase the effectiveness, transparency and accountability of electoral processes. E-

government involves the use of technology to deliver government information and services (West 2000). Government websites are a critical part of e-government, especially for transparency as well as the convenience of online information and transactions. Other technology applications – such as the use of databases or networking, for example, are commonly regarded as part of e-government (Jaeger 2003). Mayer-Schonberger and Lazer (2007, 1) argue that e-government should be reconceptualized as “information government,” or the information flows that are facilitated by technology. There are several ways in which e-government can promote change in election administration, and the concept of information government is useful for tying together these different aspects theoretically, as information flows within governments, information across governments in the decentralized policy environment (government-to-government or G2G), and government interactions with citizens (government-to-citizen or G2C) (Fountain 2001; Seifert and Peterson 2002; Evans and Yen 2006).

Much of the attention devoted to information and communication technologies in the reform of electoral systems surrounds the prospects for online voting, or currently, the use of digital technology in voting machines. While both of these topics have significant consequences for electoral reforms, they have overshadowed other fundamental uses for technology in election administration, such as the need for better information and greater transparency, as well as administrative capacity. This paper examines the role of technology beyond voting machines – in the governmental organizations charged with administering elections, and in their interactions with citizens and other governments.

E-GOVERNMENT AND INSTITUTIONAL REFORM

Since the development of the web, government reforms have been tied to information technology (Dunleavy et al. 2006, chapter 1). The United Nations and European Union, for

example, have promoted e-government as a way to increase government transparency, efficiency, and citizen confidence in government institutions (Evans and Yen 2006; Kolsaker and Lee-Kelley 2007). In the United States, e-government has been linked to reforms such as “reinventing government,” accountability measures such as performance management, and more currently, the Obama administration’s effort to provide greater transparency and better communication with citizens through the White House website and recovery.gov (Fountain 2008; Ho 2002; Tolbert, Mossberger and McNeal 2008).¹

One of the goals of e-government reforms at all levels has been to improve trust and confidence in government. Citizens who feel that government processes are open and fair are more likely to trust government (Hibbing and Theiss-Morse 2002; Thomas 1998). The evidence on whether e-government promotes trust is decidedly mixed, as many factors influence trust in government.² More consistently, however, studies have revealed other positive attitudes toward government as a result of e-government use (West 2004; Tolbert and Mossberger 2006; McNeal, Hale and Dotterweich 2008). Technology use may affect citizen perceptions because of increased transparency, opportunities for democratic participation, efficiency and effectiveness, responsiveness, responsibility (for privacy and security), and government accessibility (Tolbert and Mossberger 2006). We discuss these potential benefits of e-government for elections in relation to internal information management, government-to-citizen applications, and government-to-government information sharing, and give some examples of best practices in these areas.

¹ For reviews of e-government and reform at the federal level, see Fountain 2008 and 2001. On the relationship between local government and reinvention, see Ho 2002; for state government see Tolbert, Mossberger and McNeal 2008.

² See Welch, Hinnant and Moon 2005, who found support for improved trust and confidence in government; Tolbert and Mossberger 2006 for improved trust at the local level only; and West 2004, McNeal, Hale and Dotterweich 2008 and Sweeney 2008 for null results.

INTERNAL INFORMATION MANAGEMENT

Accurate databases that can be accessed in a timely fashion throughout the election cycle are critical for ensuring the right to vote. The concept of establishing and maintaining voter rolls in electronic databases has come of age alongside the spread of e-government and the growth of electronic recordkeeping as a method of maintaining public records in general. The challenges presented by these databases stem from the complexity of the American intergovernmental system and the complexity and variation of state administrative practices in election administration as well as in other functional areas of government. Yet the benefits are substantial, for better records can maximize opportunities for democratic participation, reduce variance and error in administration of a complex system and provide greater efficiency and effectiveness for elections.

Historically, voter registration was typically conducted at a local election office and local government officials were responsible for generating and maintaining voter rolls, which were printed paper rolls on which a voter's name appeared in only one polling place. Today, the construction and maintenance of accurate voter rolls is a herculean task. Data comes to local election offices from prospective voters as well as from multiple government offices (state motor vehicle licensing agencies and other locations of public assistance pursuant to the National Voter Registration Act of 2003) and nonprofit organizations. Rolls must be maintained to reflect deaths, changes of address and other conditions of ineligibility. Federal HAVA reforms require that states establish and maintain computerized state-level databases of eligible voters. The idea of a standard, statewide information set is now more than a desirable option; it is a requirement,

and one that can be met only through information sharing between state agencies across state government and by sharing information between state and local election offices.

The interagency and intergovernmental information exchanges necessary for voter roll maintenance reflect considerable detail and state-to-state variation in eligibility requirements such as those for voter identification (either at the point of registration and/or at the time a ballot is cast) and for restoration of voting rights subsequent to a criminal conviction. Statewide voter databases must reconcile large amounts of information generated by different agencies and branches of government, including election offices, motor vehicle and public assistance agencies, corrections departments and courts. These offices generate information in different formats and for different reasons, and yet the end product must be an accurate set of data available to government and to citizens throughout the election administration process.

Increased accuracy in electronic voter rolls should reduce the need for provisional ballots, which are used when questions arise regarding a voter's registration and/or voting status. This is particularly important as within-state variation in registration practices continues to occur and provisional ballots may or may not be counted, depending on individual state rules (GAO 2001; 2006). Over time, electronic voter rolls should also reduce the practice of using identifying information such as Social Security numbers to reconcile voter registration disparities; theoretically the use of this information is restricted to situations of last resort because of the known inaccuracies of the federal data set, however the actual practice may be quite widespread (e. g., Norden 2009, 101).

Best practice: Electronic poll books in Larimer County, Colorado. Electronic poll books are now in use within some local jurisdictions and their use facilitates further reform. In Larimer County, Colorado, for example, the consolidation of voter rolls from *all* precincts into

an electronic format available at *each* polling location was a key element in the implementation of the innovative concept of Election Day Vote Centers (Montjoy 2008). Electronic databases also allow poll workers and other election officials to resolve discrepancies that occur when voters appear at the wrong polling location. As implemented in Larimer County, the vote center concept is linked to increased turnout among those least likely to voter (Stein and Vonnahme 2008).

GOVERNMENT TO CITIZEN/CITIZEN TO GOVERNMENT

Government websites are an important channel for communication between government and citizens. According to a November 2008 survey conducted by the Pew Internet and American Life Project, 59 percent of Internet users have visited a federal, state, or local government website. While all federal and state agencies are online, local governments vary (Norris and Moon 2005). Yet elections are largely the responsibility of county governments, and counties have not universally embraced e-government. A 2005 study of 3,099 US counties found that only 56.3% had e-government portals. County web presence ranged widely across the states from 100% in Delaware and 96 percent in North Carolina, to 10.6% in South Dakota and 12.7% in West Virginia, at the other end of the spectrum (Huang 2007). Despite these current limitations, e-government has significant potential because of its ability to make information more accessible and to use online transactions to make participation easier.

Greater transparency may restore confidence in the system, if citizens are able to scrutinize candidate campaign finance and hold institutions accountable for fair and effective election administration. Transparency is fostered by government websites that disclose financial information for candidates as well as policies and rules. Many election office websites display this type of information. The Cook County, Illinois election department website recently featured

press releases warning candidates about improprieties that would not be tolerated during upcoming elections. Such messages communicate policies visibly to citizens (and are noteworthy in a county famed for being the foundation of the Chicago machine).

In addition to the practices that are apparent online today, it is possible to imagine other ways in which election websites could promote accountability. Online complaint forms or contact information might solicit feedback from voters about problems at the polls, or even suspected violations. The latter is an example of what Archon Fung and his colleagues have dubbed “collaborative transparency,” where consumers or citizens provide bottom-up intelligence that identifies problems for government action (Fung, Graham and Weil 2007, 153). Positive incentives for good election practices could be enhanced through online ranking of county election systems on state election websites, or of states on federal websites (see also Gerken 2009).

Websites inform voters on issues and candidates, voter registration, polling locations, and voting procedures, promoting knowledge and participation. To be effective, information must be user-centered and relevant. Websites are capable of presenting information in ways that are searchable and customized. For example, voters can type in an address to find the nearest polling location. Additionally, online transactions make participation easier, demonstrating the responsiveness of government to citizen needs as well as efficient management.

Although online voting could be considered the ultimate expression of citizen–government interaction through e-government, no American election jurisdiction has yet made that step. In many states, potential voters can go online to verify their registration status, request absentee or early voting ballots, and request registration forms. Building on the concept

electronic requests for paper forms, the process initiated by Washington illustrates one approach to a more complete form of online voter registration.

Best practice: Online voter registration in Washington State. Through an online link in the web site of the Elections Division of the Office of the Secretary of State, prospective registrants use their birth dates, driver's license information and zip code to enter the system. Registrants are presented with current information (the county where the voter is registered and a notification of active or inactive status) and can change addresses online through a personalized voter information website. Behind the scenes, driver's license information and voter registration information are reconciled electronically between state departments and are also transmitted to local jurisdictions. The system checks information against the state's statewide voter registration database. Prospective registrants attest to the truth of their information and sign their registration forms online. This system generates information for county election officials, who mail registration certificates and ballots to voters (Washington Secretary of State 2009). The Elections Division also provides prospective registrants with an online presentation that provided step-by-step instructions about how to complete the registration process online.

GOVERNMENT TO GOVERNMENT

E-government also provides some solutions for encouraging change in the decentralized federal system through the sharing of information in professional networks. The Internet serves as a platform for the diffusion of policies and practices as well as research evidence and "how-to" information. The decentralized and fragmented system of election administration is a double-edged sword, introducing uneven capacity for administering elections, but also producing discretion for experimentation and innovation where the need and the will exist.

While states frequently are knowledgeable about trends in other states and may emulate neighbors or well-known innovators (Walker 1969; Grupp and Richards 1975), federal agencies and professional associations often circulate information about policies and practices among state and local governments (Eyestone 1977; Balla 2001; Mayer-Schonberg and Lazer 2007; Fountain 2008). In election administration, the patterns of information diffusion have been strongly influenced by local elections offices and professional groups as well as by federal initiatives (Hale and Slaton 2008). The diversity of sources in intergovernmental and intersectoral networks can promote widespread awareness of possible models for adoption, policy debates, and research evidence (Mossberger and Hale 2002; Mossberger 2000). The Internet now provides the backbone for these networks, increasing the ease of information search, accelerating the speed at which information diffuses, and linking sources.

At the federal level, the web site of the Election Assistance Commission (EAC) provides numerous examples of the use of e-government in discharging its role under HAVA as a national information clearinghouse on election administration.³

Best practice: Ballot design. One example is in the area of ballot design. As in most other areas of election administration, ballot styles, content, and operation differ across states and within local jurisdictions (e.g., Herrnson et al. 2008). Increasingly, local jurisdictions must also produce ballots and other materials in multiple languages (Voting Rights Act Section 203).

After the 2000 election and in response to the well-publicized difficulties presented by a particular ballot style used in one Florida county, the EAC initiated a project to develop

³ The EAC is an independent, bi-partisan agency established under HAVA to assist state and local election officials with the administration of elections. The EAC disburses and administers federal funds provided to states to assist with implementation of HAVA requirements, conducts studies and other activities to facilitate effective election administration and serves as a national information clearinghouse on election administration.

guidelines for ballot design. The EAC worked with AIGA Design for Democracy, a strategic initiative of the AIGA as the national professional association for communication design. AIGA Design for Democracy developed a list of guidelines for all types of printed material used in the conduct of federal elections, and has developed a full report on design that is published by the EAC and made available through the EAC website (EAC 2008). This report presents guidelines developed from “best practices in communication design, consultation with election officials nationwide and extensive voter testing” (AIGA Design for Democracy 2008; Davies 2008).

The information that is provided goes far beyond a written report posted on the Internet. Guidelines include electronically editable sample ballots and other written materials (e.g, signage, notices, voter education information) that demonstrate application of the design principles on different types of equipment and for different types of information. These standards have produced measurable improvement demonstrated through performance in a variety of state and local elections. In Cook County, Illinois, for example, participation in local judicial elections increased dramatically after ballot design standards were implemented beginning in 2002 (Davies 2009).

Best practice: Poll worker training. Poll worker training illustrates another use of e-government practices by the EAC in communicating with election officials. In 2007, the EAC developed and disseminated a compendium of statutes and regulations pertaining to poll workers in the fifty states, the District of Columbia and U. S. territories (EAC 2007a). The EAC also developed a guidebook of practices for successful poll worker training, recruitment and retention; this project was a joint effort between the EAC, IFES (formerly known as the International Foundation for Election Systems), The Poll Worker Institute and the League of Women Voters (EAC 2007b). The poll worker materials contain templates, ideas and techniques

(e.g., sample slide presentations, simulations, peer-to-peer and interactive techniques and online processes) collected from local election officials that other election administrators can customize to adapt to local requirements and preferences. These reports are disseminated to officials online and are available in electronic formats such as DVDs; these reports are also available to the general public through the EAC web site.

The tools themselves also include e-transactions between local election officials and poll workers. Local jurisdictions are implementing online tools to conduct poll worker training and improve retention of trained volunteers. Santa Clara County, California, trains more than 4,000 poll workers annually (Hale and Slaton 2008). Miami-Dade County, Florida, uses an online poll worker newsletter to share information about upcoming elections and provides a way for poll workers to stay involved and connected between elections (Miami-Dade County Elections 2007).

THE ROAD FORWARD

One of the promises of e-government is its potential for improving the relationship between the institutions of government and the governed. Information technology presents new opportunities for managing electoral processes, interacting with citizens, and innovating through networks. By producing reforms that allow for greater transparency, more effective administration, increased accessibility and responsiveness to citizen needs, e-government can promote participation and help to restore confidence in democratic systems.

Realizing the potential benefits of e-government requires in many cases, however, advancing technological infrastructure across state and local government. The data on county websites indicate that counties as a group lag behind other governments in technology use. With the required development of computerized state-level voter databases, and the emergence of online voter registration, the need for maintaining privacy and security of data increases as well.

One tool that governments can use to build capacity is to hire staff dedicated to technological development. The presence of a chief technology officer enhances the spread of e-government at the state level (Tolbert, Mossberger and McNeal 2008) and in local jurisdictions (Wohlers 2009).

The promise of e-government is that it is not only an object of innovation, but an agent of it as well. The Internet can foster conditions that support and maintain innovation, including the development of intergovernmental information networks. In turn, these networks foster the development of specific skills and also build a collaborative, network-wide capacity for addressing systemic challenges. E-government can be used as a tool to facilitate the exchange of data necessary to build appropriate, accurate voter databases; in promoting information exchanges between networks of governments and between citizens and their governments, e-government has the potential to foster the development of further collaborative processes that are essential for governing in the contemporary intergovernmental environment (Kettl 2002; Agranoff 2007; Montjoy 2008; Hale and Slaton 2008). One potential outcome of such collaboration could be the development of standard operating procedures called for by academics and practitioners alike (e.g., Alvarez and Hall 2008; Norden 2009). Much as Harris (1934) predicted, further regulation of elections alone – through vehicles such as HAVA – appears insufficient to bring about reform that will foster renewed public confidence in the democratic process. E-government and the technologies that governments use to connect with each other and with citizens are poised to provide a unique opportunity for leveraging the interdependence and complexity of election administration to public advantage, and for promoting the process of government as an instrument of reform.

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