

CITY OF CRANSTON
BOARD OF CANVASSERS
Regular Meeting of September 25, 2017 – APPROVED MINUTES

The Cranston Board of Canvassers met on September 25, 2017, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on September 20, 2017. The meeting was called to order by the Chairperson, Randall Jackvony, at 3:02 p.m. It was held in the Canvassing Office at Cranston City Hall, Room 100.

MEMBERS PRESENT: Randall Jackvony, Gary Vierra

MEMBERS ABSENT: Ed Lemoi

NON-MEMBERS PRESENT: Nicholas Lima (Registrar), Theresa Bucci (Canvassing Aide), Maria Madonna (Data Entry and Maintenance Specialist), Bob Rapoza (Executive Director, state Board of Elections), Miguel Nunez (Planning and Program Development Specialist, state Board of Elections)

The chair declared a quorum present.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE AGENDA
- III. APPROVAL OF MINUTES – 8-29-17
- IV. PUBLIC COMMENT
- V. CHAIRPERSON'S ANNOUNCEMENTS – RANDALL JACKVONY
- VI. UPDATES AND REMARKS
 - A. BOB RAPOZA, EXECUTIVE DIRECTOR, BOARD OF ELECTIONS
 - B. REGISTRAR – NICHOLAS LIMA
- VII. COMMENTS OF BOARD MEMBERS
- VIII. ADJOURNMENT

APPROVAL OF THE AGENDA

Mr. Jackvony welcomed Miguel Nunez and Bob Rapoza from the state Board of Elections to the Cranston Board of Canvassers.

MOTION: By Mr. Vierra and seconded by Mr. Jackvony to approve the agenda as posted.
PASSED ROLL CALL VOTE – 2-0

APPROVAL OF MINUTES

Mr. Jackvony asked if the membership had an opportunity to review the draft minutes.

MOTION: By Mr. Vierra and seconded by Mr. Jackvony to approve the meeting minutes of 8-29-17.
PASSED ROLL CALL VOTE – 2-0

PUBLIC COMMENT

There were no members of the public present who appeared to speak.

CHAIRPERSON'S ANNOUNCEMENTS

CHAIRPERSON – Randy Jackvony

Mr. Jackvony had no announcements.

UPDATES AND REMARKS

BOB RAPOZA, Executive Director, Board of Elections

Mr. Jackvony congratulated Mr. Rapoza on his appointment as Executive Director of the state Board of Elections.

Mr. Rapoza thanked the Board for having him and Mr. Nunez at the meeting. He said it has been the practice of the state Board leadership to visit the various boards of canvassers periodically to communicate, address concerns and comments, and work closely to improve elections in Rhode Island. Mr. Rapoza said he has worked for the state Board for 20 years, and Mr. Nunez has been with the Board for 17 years.

Mr. Rapoza said the state is very optimistic that electronic pollbooks will be acquired for statewide implementation prior to the 2018 elections. Mr. Lima said that an effort had been made by the Elections Committee of the Rhode Island Town and City Clerks Association last May to include funding for the e-pollbooks in the FY18 state budget, which proved unsuccessful, but Mr. Rapoza said he was very optimistic that those funding concerns had been alleviated. Mr. Rapoza asked if Cranston had been part of the pilot program to test e-pollbooks during the last election cycle, and Mr. Jackvony said they were used at several precincts.

Mr. Rapoza said that voters, pollworkers, and local boards all loved the e-pollbooks wherever they were implemented due to the benefits they provided, including savings in staff time from no longer having to manually scan ballot applications following the election. He said that, more than likely, the e-pollbooks would be delivered to the Cranston Board of Canvassers in advance of elections, and be distributed by city personnel to the precincts along with the materials the city typically provides to the polling places.

Mr. Rapoza asked for the Board's ad-hoc opinion on providing city-lead training for pollworkers on the e-pollbooks ahead of the 2018 elections, rather than the training be provided by the state Board. He said that, historically, local boards have more knowledge about the ability of individual pollworkers, and that it could be difficult for the state Board to set up several facilities throughout the state to train supervisors on the use of e-pollbooks; local boards taking on this responsibility would mean that workers would not have to travel to an out-of-city location to receive training. Mr. Rapoza said

the state Board would have to hire temporary workers to conduct training if they took on this responsibility.

Mr. Rapoza said that in 2016, the Board of Elections increased the number of technicians in the field to 105. He said that, due to the introduction of the e-pollbooks, also known as pollpads, he anticipates having twice as many technicians available statewide to help municipalities conduct 2018 elections and to assist in the rollout, a number that would be reduced for future elections. He said that the pollpads would remove the need for having different voter lines separated alphabetically, making the check-in process for voters faster and more efficient, which would likewise reduce the need for supervisors in future elections, after the pollpads are well-established, and as such, will reduce cost for municipalities. He said boards would still need printed copies of pollbooks as a contingency.

Mr. Rapoza said that the Board of Elections is engaging with the Engineering Department at the University of Rhode Island to review diagrams of polling places to determine room set-up and queuing efficiencies. He said that, as opposed to the former Eagle voting machines, the state Board became aware that the new DS-200 machines have a longer processing time in scanning ballots that are fed by voters into the machine, which can result in lines at the machine in busy precincts or those where the ballot is multiple pages long. He said legislation was introduced and passed this year that will give the state Board more flexibility in assigning multiple machines to busy precincts to eliminate this issue.

Mr. Vierra asked if paper ballots would still be in use under the new system, and Mr. Rapoza said that the use of paper ballots will not be changed. Mr. Rapoza said the advantages to switching from a paper system to pollpads for checking voters in only were significant, ranging from more information that the reader on the pollpad can provide at a glance, such as directing a voter to their correct polling location, to the substantially reduced time at check-in.

Mr. Jackvony said that during the last election, there were significant problems in the office with processing emergency voters as part of the mail ballot process, and wondered how the new pollpads would affect that. Mr. Rapoza said for 2018, the state Board will still direct the printing of pollbooks, and may still ask for labels to be pulled from voters who voted during the mail and emergency period. He said the e-pollbooks will automatically update to include information of those who have already voted via emergency ballot. Mr. Rapoza added that state law was also changed to no longer require a demonstration DS-200 unit to be kept in each local board of canvassers, which can now be returned to the state and reallocated to augment machines at busy or multi-page ballot precincts.

Mr. Jackvony asked if the Cranston Board of Canvassers could do anything to support or encourage the funding and implementation of pollpads for the 2018 elections. Mr. Nunez said he appreciated the offer, but added it is highly likely that the funding will be in place pending an effort by the Secretary of State. He said that some local boards that have switched to pollpads have set up floor lines or signage to guide voters who had been accustomed to waiting in lines according to their last name, so they understood that each pollpad station now covers the entire alphabet.

Mr. Nunez said that in precincts where e-pollbooks have been used, they are so efficient that they can result in lines forming at the polling booths or at the DS-200, which is why the state Board had legislation passed this session to provide more flexibility in the assignment of each of those resources. Ideally, precincts will be set up to avoid situations where voters are holding the ballots in their hands for an extended period of time, waiting to insert them into the DS-200, as that can lead to jams from ballots affected by folding, crinkling, or even perspiration.

Mr. Rapoza advised that, given the trend of more voters utilizing Category 4 emergency ballots to vote before Election Day, local boards should prepare and be adequately staffed during the emergency period to prevent such voters from bogging down the office's Election Day preparations. He said that in 2014, there were 25,000 voters who requested such a ballot; in 2016, the number increased to 40,000. Mr. Rapoza anticipates the number increasing to 60,000 or more in 2018, unless legislation is passed that establishes early voting or changes mail/emergency ballot procedures. He said that in recent special elections, mail and emergency ballots have even surpassed the largest precincts in terms of total votes cast. He said the advantage of early voting legislation, if implemented, is that it would simplify the process, establishing an early voting precinct where voters insert their ballots into the machine themselves, rather than dealing with a sealed mail ballot that is counted later, outside of the voter's presence.

Mr. Rapoza said that if early voting legislation does not pass ahead of the 2018 elections, the state Board would implement new office procedures to account for the volume of mail and emergency ballots that are delivered to the state Board each day.

Mr. Lima asked what was the main factor that prevented the early voting legislation from passing this session, despite endorsements from the state Board, RITCCA, and lobbying from the Secretary of State, who sponsored the legislation. Mr. Rapoza said that several municipalities had logistical, staffing, and cost issues with weekend voting, up to three weeks ahead of Election Day, which was reduced to just one weekend later in the session as a compromise. However, the bill was competing with multiple other priorities, and several legislators had reservations. Mr. Nunez said one concern raised in hearings was the advancement of the campaign timeframe 20 days, which some argued reduced the time candidates would have to reach out to voters. However, Mr. Nunez said that early voting continues to be the trend nationally, which will continue to put more pressure on local elections officials if state law does not keep up.

Mr. Lima said that, compared to the overall costs of running elections in the city, early voting would not result in a significant spike in cost, however, his main concern would be securing a location that can be used to store equipment and conduct early voting for a varying number of voters for the entire time period defined by law. Mr. Lima said he understood traditional, philosophical arguments that attempt to preserve Election Day as the primary focus of casting a vote, however, he noted that he has read studies that show that, nationally, more votes are now being cast before Election Day than on it, a trend which is continuing to increase rapidly.

Mr. Nunez said there could be a cost savings further down the road if early voting legislation is enacted, where if significant numbers of voters are casting ballots prior to Election Day, fewer poll workers will be needed on that day.

Mr. Lima asked if the legislators who were opposed or skeptical about early voting were aware of the inherent flaws in the current system, and the burden placed on local elections offices, creating an environment prone to errors, if laws do not keep up with reality on the ground. Mr. Rapoza agreed with Mr. Lima's contention and said those are concerns legislation would mitigate.

Mr. Rapoza said another advantage is that, in the past, persons voting by mail ballot close to the election did not have a guarantee that the ballot would be received by the state Board in time to be counted. Early voting would provide that voter an opportunity to vote and have his or her ballot counted on the spot, increasing voter confidence and significantly reducing the number of mail ballots cast overall.

Mr. Rapoza said the state Board is currently using half of the parade floor at the Cranston Street Armory to store elections equipment – over 20,000 square feet – and could be seeking additional space in the future, particularly to securely store the e-pollbooks.

Mr. Nunez said there will be some seminars scheduled for elections officials later this fall to review Title 17 and rules and regulations, geared in particular to new officials but also serving as a refresher for others. The seminars will also get local boards up to speed on new legislation and go over the vast array of existing laws governing elections in Rhode Island. He said the seminars will be voluntary for clerks, staff, and board members. Mr. Rapoza said the seminars will be offered at different locations around the state to be more accessible to boards and staff. Mr. Vierra said as a new member on the Board he would be interested in attending. Mr. Lima said he would await notice from the state Board and inform the staff and Board members as soon as he receives details.

Mr. Jackvony said Mr. Lima keeps the Cranston Board of Canvassers updated frequently, and Mr. Rapoza said that's good, and important, to keep the Board appraised of what's going on in the elections realm in Rhode Island.

Mr. Rapoza asked if there was anything else he and Mr. Nunez could discuss with the Board. Mr. Jackvony said that early voting and polling places were the two primary issues he wanted to learn more about, and was glad the state Board staff thoroughly covered those two issues.

Ms. Bucci said that the Canvassing Department likely won't know how many pollworkers need to be hired if early voting is implemented, because we don't yet know the impact it will have on Election Day voting. Mr. Rapoza said that it will take a few elections cycles to determine trends, but in time he feels that the number of workers needed for Election Day will be reduced, especially if one-third or more of the total turnout starts voting early. Mr. Nunez said early voting will reduce both emergency voting and mail ballots, freeing up resources the 39 cities and towns have been spending on maintaining those processes.

REGISTRAR – Nicholas Lima

Mr. Lima said that in other states, there are designated vote centers and larger polling places, although he prefers the localized, community nature of elections in Rhode Island. He imagined early voting, as currently proposed, generating such a center in a city such as Cranston, where, prior to Election Day, residents who wish to vote early appear at City Hall or a designated, centralized location to cast their ballots. As early voting catches on, and 10,000 to 15,000 Cranston voters decide to vote early, Mr. Lima asked if that centralized location would become inadequate, necessitating the opening of multiple locations in the city prior to Election Day where early voting can take place, in order to handle an increasing volume of voters in future election cycles. Mr. Rapoza said that in a city the size of Cranston, he does foresee the need to open more than one early voting location in future cycles to properly serve the population.

Mr. Rapoza said that the post-election, risk-limiting audit bill championed by Common Cause RI was passed by the General Assembly, giving the state Board the option to conduct risk-limiting audits in the 2018 cycle and mandating them starting in 2020. He said that local boards of canvassers will need to participate, similar to the existing procedures in which representatives from municipalities transport ballots and witness recounts at the state Board. Mr. Nunez said the risk-limiting requirement is a complex, statistical method to manually hand count a small percentage of ballots based on a number of factors. Mr. Lima said the number counted is escalated if discrepancies are found in the initial count. Mr. Jackvony said it was good to know this information, given that the last election produced several recounts in Cranston, and that Board members should be aware that they might need to be available for several days after the election to participate in both recounts and the post-election audit process.

Mr. Rapoza noted that the primary election in 2018 may occur on a Wednesday, rather than the anticipated date of Tuesday, Sept. 11, due to a state law mandating that the election cannot be held on a religious holiday. He said the Secretary of State will release the official elections calendar early next year, but it was important to keep this in mind in the interim.

Mr. Lima asked Ms. Madonna, who coordinates Cranston's pollworker personnel, her thoughts on Mr. Rapoza's earlier suggestion of training Cranston's workers in the use of e-pollbooks using our own staff. Ms. Madonna expressed concern about requiring pollworkers to attend a second mandatory training session in addition to their other commitments. She was also concerned about the availability of canvassing staff to conduct these training sessions while simultaneously preparing for the election itself, ahead of both the primary and general election. Mr. Rapoza said the pollworkers would still attend the state training as they always have, and that the canvassing staff would only be conducting the pollpad training. Mr. Rapoza said this was a preliminary proposal, and he was mostly looking for feedback on the concept. Mr. Lima said that, being a new elections official heading into 2018, he lacks a frame of reference, and as such relies heavily on the opinions of the canvassing staff given their experience running past elections.

Mr. Rapoza said that if local boards object to this idea, the state Board will hold consolidated training classes, although the necessity of having a large enough space and equipment available will mean that these classes will have to be held at centralized locations, which may not be the most convenient option for pollworkers. He said that if the state Board can, the goal is to keep the training as localized as possible. Mr. Nunez added that due to the fact the state Board has a limited staff and over 3,100 pollworkers to train in a four-to-six-week period, having to train the workers in the use of the e-pollbooks would necessitate conducting the trainings well in advance of the election, making it more difficult for the workers to retain what they've learned in the training.

Ms. Madonna cautioned that mandating two separate trainings for pollworkers could result in the loss of workers who are unable to dedicate so much time on top of their Election Day responsibilities. Mr. Rapoza said the biggest problems in the past involving elections have been either pollworkers, or polling places, and that they are, by far, the hardest element in running elections. He said that the goal is to ensure the election is conducted as smoothly as possible, and that, ultimately, if that means pollworkers need to attend two trainings to achieve that outcome, that is what needs to be done.

Ms. Bucci said it is already difficult to recruit pollworkers, and that the city has struggled to meet goals in recent election cycles. Mr. Lima said there are ways to mitigate that problem, and that some laws regarding recruiting pollworkers have recently been relaxed.

Mr. Lima said there are two major initiatives the Cranston Canvassing Department has been working on over the past several months: voters registered at commercial property; and municipal boundary issues where voters are registered, inadvertently, in the wrong city due to overlapping street ranges with other cities. Mr. Lima asked how Cranston was doing with these initiatives in comparison to other cities and towns.

Mr. Rapoza said Mr. Lima is doing a great job, and is ahead of other cities and towns. Mr. Lima said Cranston has contacted over 50 voters that were suspected to be registered at commercial property, a portion of whom have changed their registration address in response, some of whom have alerted the Canvassing Department to information that was not otherwise available regarding residential units, and some who have not yet responded. Mr. Lima will be sending certified letters to those who have not responded, and has already sent several.

Mr. Nunez said it is resource-intensive to get updates from voters, and said Cranston is the only community he is aware of so far that has sent out certified letters as a second step, which he thought was a prudent action for Cranston to take. He said that the end result of many of these cases could be the voter being made inactive or removed from the rolls, depending on the outcome of any challenge hearings that the Cranston Board undertakes as a final step.

Mr. Lima said some of the initial letters have come back undeliverable, and in all of those cases so far the voter has no recent voting history, which leads him to believe that those voters will be made inactive over time anyway, negating the need for further action regarding those voters. Mr. Nunez said that communicating with voters who send

in new registrations from commercial property is likewise important, as they are often not aware of the state statute.

Mr. Lima said that the present Cranston-Providence boundary issues he is working on with his counterpart in Providence, Kathy Placencia, is uncharted territory, as they have identified 34 streets to make adjustments to, affecting voters on about half of them. Mr. Rapoza said it's a great exercise to undertake, as we are cleaning up the voter rolls, and it's something that needs to happen, however difficult it can be to unravel. He said Cranston is doing a great job.

Mr. Lima said that if there is any legislation that could be introduced to clarify where voters should be registered when a boundary line intersects their property or residential structure, it would save a lot of time and headaches in the future. Mr. Nunez and Mr. Rapoza said it is a longstanding issue that comes up from time to time in various cities and towns, including, for example, on the Rhode Island-Connecticut state boundary.

COMMENTS OF BOARD MEMBERS

Mr. Lima said that the Canvassing Department is conducting a Voter Registration Drive to mark National Voter Registration Day tomorrow, Tuesday, Sept. 26 at the Cranston Central Library from 1 to 4 p.m. Mr. Lima and Manny Hernandez from the state Board will be staffing the drive. Mr. Lima said Cranston Public Library has helped in advertising it on social media and at its branches, and he was able to place write-ups advertising the drive in the Cranston Herald, Cranston Patch, and several other online outlets at no cost to the City.

ADJOURNMENT

MOTION: By Mr. Vierra and seconded by Mr. Jackvony to adjourn.
PASSED UNANIMOUSLY – VOICE VOTE

The meeting was adjourned at 4:12 p.m.

Respectfully Submitted,

Nicholas J. Lima
Registrar
Cranston Board of Canvassers

APPROVED by the Cranston Board of Canvassers: January 23, 2018