2009 Professional Practices Program

Sleeping a Little Easier On Election Eve

Travis County, Texas

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The term “sleepover” usually conjures up images of preteen girls staying up late, having pillow fights, and engaging in complex debate to determine the cutest Jonas Brother. Unfortunately, in the world of Elections, the term is not so fondly used. It refers to the practice of Election Judges keeping equipment and materials overnight at their homes until the polls open election morning. It represents a procedure that combines inherent security risks; a bad public rap; and usually expensive, logistically nightmarish solutions.

Election administrators are always searching for better ways to protect the security and integrity of the voting process, and especially in these times, the judicious use of taxpayer dollars. In that spirit, we offer a low-cost, low-tech solution that improves the security of sensitive election items as they move from the central election office to the polling location and back again. This solution can be applied to Early Voting and Election Day operations and used with all voting systems.

Two circumstances led us to believe this was not just our geekish obsession with protecting chain of custody and our procedure might benefit others. First, we realized the issue had made it into the public consciousness when the nationally syndicated column, “News of the Weird” mentioned the practice of the “sleepover.” Second, our jaws dropped when we saw a YouTube video of poll workers in another state involved in a high-speed car chase while delivering voted ballots. Why? Because poll watchers were simply trying to follow them because they were worried about ballot tampering during the drive to the central station!

In our case, we were concerned about the transport of the Hart Intercivic Judge’s Booth Controller (JBC), the equipment that stores the electronic ballots at each polling location. We highly respect our Election Judges and several security measures are in place to prevent and detect tampering with the JBC. However, it seemed strange to have easily observable and documentable information regarding the custody of the JBC at the central office location and the polling place, but less rigorous chain of custody standards when the Election Judges had sole possession of the JBC.

Some of our clever colleagues have found solutions that work for their counties. Some purchased large metal locking cabinets. Their versions of JBCs were locked in these cabinets at the central office then transported and stored for several days at the polling places before Election Day. This idea has merit, but the cost to purchase, deliver, and store these bulky cabinets was beyond our budget. Another administrator has Election Day Judges pick up their equipment at 4:00 a.m. on Election Day. While it works for them, we were concerned we could never get a full complement of our Judges to consistently arrive at the central office at 4:00 a.m. on Election Day and that the financial and mental health costs every time someone did not show up on time were too high. Further, none of these solutions supplemented the security of the electronic ballot box during the drive to the central station.

So what is our idea to help minimize risk? It is a specially designed, numbered plastic bag that is tamper resistant and (since nothing is ever 100% impenetrable) tamper evident. This is the kind of bag that is used by banks for transporting money and by law enforcement for storing crime scene evidence. The bags are see-through and very difficult to tear. The seal cannot be cleanly picked open. The bags come in sizes large enough to hold a JBC or even a conventional ballot box.

In Travis County, we place the JBC in a bag at the Elections Division, seal it, and record its number. We then put it into a carrying case and secure the case using a seal that operates as a padlock. The padlock seal number and the numbers of a second set of bag and padlock seals are also recorded on a form. A copy of this form is added to that polling place’s materials. As part of their training, each Election Judge is instructed to carefully store this case in his/her home until it is taken to the polling location.

Just before the polls open, poll workers pull out the document with the seal numbers. They examine the case and bag for evidence of damage or tampering. With their signature, they attest that the numbers on the form match those on the padlock and the bag. When the polling place is closed, the procedure is repeated in reverse. The JBC is sealed into a new bag and secured back into the case. The numbers on the new bag and case seal are compared to those on the form. When the case is returned to the central station, election officials (with the poll workers present) check for tampering and match the bag and seal numbers. If irregularities are found, workers are instructed on how to document the situation so that an investigation can be conducted. Election workers are trained to allow poll watchers to observe the sealing and unsealing of this equipment, view the form with the record of seal numbers, and record the numbers of the seals. Poll watchers are also allowed to view the receiving process at the central station.

Costs: Bag = 82 cents, padlock = $5.46, replaceable seals for the padlock = 6 cents. Total amount per polling place = $6.34.

We hope this suggestion is useful and helps trigger even better ideas. After all, an election administrator’s job, like that of those nervous, wistful parents of the preteens, is to always wonder if we have done enough. Have we created a secure environment? Have we given our election workers the knowledge and tools they need to do what is right? Have we created a transparent process to protect those trusted poll workers from anyone doubting their actions are honorable? We hope so; but like all election administrators, we still stay up late at night wondering.
