SB 362: Election Law - Absentee Ballots - Timing of Canvass
Heard in the Education, Health, and Environmental Affairs Committee, February 6, 2020
Position: FAVOR

Chairman Pinsky and Committee Members,

This bill seeks to address a problem that the State Board of Elections (SBE) claims exists in some counties: that election officials are not able to upload electronic pollbook data from election day in time to begin canvassing absentee ballots on the schedule specified in currrent SBE regulations. This bill would allow an extra day for the uploading and processing of that data.

The solution the SBE has proposed instead — setting up a live wireless network in the six most populous counties — is expensive, unnecessary, will create long lines at polling places in the affected counties, and adds dangerous security vulnerabilities to our elections.

The disastrous launch of untested software in the Iowa caucuses earlier this week should provide a stark warning about deploying unproven, uncertified technology in live elections. The SBE's network system has been developed behind a similar veil of opacity as the software used in Iowa. It has never before been deployed anywhere else, has not been rigorously tested or certified by independent experts, and even the counties that are being forced to use it have been kept in the dark about the technical details. But two things are known for certain:

- It is nearly impossible to set up a secure wireless network on this scale, in this variety of settings, and with volunteer election judges responsible for deploying it, which places the integrity of our voter registration database at risk; and
- Any network this large with this type of load placed on it at busy times is likely to collapse under the strain, causing slow-downs at check-in, long lines and potential voter disenfranchisement.

In its initial deployment earlier this week during the special primary congressional election, this network had to be abandoned because it slowed down check-in even with the very light load placed on it then. Only 78,672 voters turned out, spread across 3 of the counties (Baltimore City, Baltimore County and Howard County) that will be expected to deploy this system later this year. Contrast that with the 2.1 million eligible voters in those same 3 counties who might show up in November, or the more than 650,000 eligible voters in Montgomery County, 580,000 in Prince George's, or 386,000 in Anne Arundel. A network failure would affect all of our most populous counties while voters in the rest of the state would be able to vote unhindered by this risk.

The $1.8 million price tag, originally intended to be forced onto the affected counties, is now proposed to be covered by federal funds. While that softens the financial blow to those counties, it does not mean the system is free of charge. That federal funding was intended to help pay for our next voting system, since the lease on our current system expires after this year's elections. Using that money now for this unnecessary expense just means that counties will have to find it later when the next voting system needs to be paid for.

We urge you to pass this important legislation that will allow Maryland voters to vote efficiently and uniformly throughout the state.

With greatest respect for all that you do for the voters of our state,

Robert Ferraro and Rebecca Wilson, Co-Directors
SAVE our Votes: Secure, Accessible, Verifiable Elections for Maryland
ferraro@SAVEourVotes.org   301.661.2989
rebecca@SAVEourVotes.org 202.601.8182