Maryland drops plan to make largest counties share data with state over wireless network on Election Day

Kevin Rector
By KEVIN RECTOR
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Maryland elections officials said Friday they will no longer require the state's largest jurisdictions to use a wireless network to transmit voter information to the state during its upcoming primary and general elections, after the network caused a significant slowdown during voting in the special 7th Congressional District primary.

Baltimore City and Montgomery County promptly opted out. Howard County said it would keep using the network, pending a review.

The network, which cost about $2 million in federal funds to set up, was used for the first time Tuesday in Baltimore City, Baltimore County and Howard County, where voters were electing nominees to fill the remainder of the late U.S. Rep. Elijah Cummings' term in the House of Representatives.

The Maryland Board of Elections said it could return the network to service in the future but won't require its use in the April 28 primary or in the general election on Nov. 3, when voter turnout is expected to be far larger than Tuesday.

 "We're just making a decision for the 2020 elections. 2022 is two years from now. We see the need and benefit of it, so I would say it's not scrapped. It's just been postponed," said Nikki Charlson, the board's deputy administrator. "We always hope that every voter has a good voting experience, and when they don't, we take that seriously, and that's what we've done."

The network connects tablet-like pollbooks that poll workers use to check in voters, allowing the workers to transmit information to the elections board in real time.

"There are benefits, really good benefits, for the local boards of elections to get insight into what's happening at their voting locations," Charlson said — including the ability to track turnout in real time, anticipate shortages in paper ballots and remotely spot problems with the pollbooks.

If local jurisdictions choose to use the network in the coming elections, the state board will continue to assist them in doing so, Charlson said.

The decision not to force the state's six largest jurisdictions to use the wireless network won praise from critics who had cited Tuesday's slowdown as fresh evidence the system was poorly conceived and inadequately vetted.

"The County is very grateful to the State Elections Administrator for considering the concerns of the County regarding cybersecurity risks and potential malfunction on election day," Montgomery County Executive Marc Elrich said in a statement. "Montgomery County will opt out of using the system for the 2020 election cycle."

Baltimore elections director Armstead Jones said the city also would opt out, given slowdowns experienced in the city Tuesday.

Sen. Cheryl Kagan, a Montgomery County Democrat who had introduced emergency legislation in Annapolis that she said would make the network unnecessary, said in a statement Friday that she was "relieved" the Board of Elections staff had "abandoned their flawed plan."

"One of the most consequential presidential elections in history is not the time to experiment with wireless devices statewide," Kagan said. "Instead, Maryland should avoid installing new wireless technology so as to ensure security of our process and the resulting confidence in the election outcome."

Kagan, Montgomery County officials and other critics complained before Tuesday that the network served no purpose, unnecessarily exposed the state's election system to possible cyberattacks, and unfairly burdened the jurisdictions. Baltimore City and the counties of Anne Arundel, Baltimore, Howard, Montgomery and Prince George's all have large Democratic voter bases.

Officials at the State Board of Elections disputed those claims, arguing even after the problems Tuesday that the system was secure and would be ready for the larger number of voters this spring and fall. They said they are conducting a full review of what happened Tuesday, and are confident they will identify the issue to avoid similar slowdowns in future elections.

Guy Mickley, Howard County's election director, said he is confident, as well — and plans to continue using the network.

"After the extensive testing, which I know the state is going to conduct, I'm happy with it," he said.

Until Tuesday's slowdown, which Mickley was among the first to notice late in the day, the network had been fantastic, he said, giving him insights into turnout and other problems in the process in real-time. And when the slowdown did arise, he simply disconnected from the network, which remains an option in the future.

"My goodness gracious, the advantages of administering an election using this system — it's like the best thing since sliced bread," he said.

Katie Brown, Baltimore County's election director, said her county would decide whether to use the network again once the state board completed it's review. Representatives from other counties did not respond to requests for comment.

Tuesday's slowdown was resolved by disconnecting the pollbooks from the network. Officials said no one was prevented from voting by the slowdown. And they said all of the information that was supposed to be transmitted to the state over the wireless network was simply submitted in the traditional way instead, with poll workers removing databases from the pollbooks and physically driving them to their local elections boards for uploading to the state system after polls closed.