

The Corporation of the Town of LaSalle

Date	March 30, 2017	Report No:	CL-7-17
Directed To:	Mayor and Members of Council	Attachments:	
Department:	Council Services	Policy References:	
Prepared By:	B. Andreatta, Director Council Services/Clerk A. Armstrong, Deputy Clerk		
Subject:	Alternative Voting Method for 2018 Municipal Election		

RECOMMENDATION:

That E-Voting (internet and phone) BE APPROVED as the alternative voting method for the offices of Mayor, Deputy Mayor, Councillor and School Board Trustees for the municipal election to be held on October 22, 2018 in the Town of LaSalle, in accordance with the *Municipal Elections Act, 1996* and consideration BE GIVEN to the necessary by-law to enact same during by-law stage on the agenda.

REPORT:

Purpose

Municipal Elections in Ontario will be held on Monday October 22, 2018. Recent changes to the *Municipal Elections Act, 1996* have “upfronted” several key dates by which decisions must be made with respect to how the election will be run. Accordingly, a decision on use of an alternative voting method must be made and approved by by-law by no later than May 1, 2017. The purpose of this report is to recommend the alternate voting method for the 2018 election.

History

Alternative or non-traditional voting methods have been in use in Ontario since 1996 when legislation was amended to allow municipalities to use forms of voting other than paper ballots at polling stations. Alternative methods include vote-by-mail, internet, and phone voting. Council will recall that the alternative voting method of “vote by mail” was first implemented in LaSalle in the 2010 election and was used again in 2014.

Internet voting was first used by the Town of Markham in 2003. In 2006 several municipalities followed suit and in 2010, 44 municipalities offered internet voting. In 2014, the number of municipalities offering internet voting more than doubled to 97, representing 22% of all municipalities in Ontario. Internet voting allows the voter to cast their vote online from any

device (computer, laptop, tablet or smartphone) that has internet access, from any location. E-voting is the combination of internet and phone voting.

While “vote by mail” was used successfully in LaSalle in the last two elections, there are several drawbacks to using the method. It is very labour intensive as returned ballot kits must be opened, separated (ballot from declaration), stored by poll, batched and eventually prepared for the scanner/tabulator to be counted. In addition, staff follow-up is required to input completed voter declarations into the electronic database of voters to reflect the ballot package as having been received and to supply candidates with a daily list of voters who have voted. Expenses are higher as postage is required to initially send the ballot kits to electors and for return postage envelopes back to the municipality. Tabulators must be leased and tested in order to count the ballots on election day. Mailed-in paper ballots may also be declared spoiled for a number of reasons. The declaration form may not be signed, a race may be over-voted, a note or writing appears on the ballot face rendering it invalid or the voter may neglect to place his/her ballot in the secrecy envelope. A significant amount of staff time is spent following up on these issues requiring staff to set aside their regular duties and incur overtime. In 2014, an Election Assistant was also hired to assist with cleansing of the voters’ list and to handle hundreds of inquiries from electors, make additions/deletions to the voters list, issue new and re replacement voter kits and to process incoming ballot packages.

In both 2010 and 2014 over 1000 voters ignored or did not pay attention to the instructions on the vote by mail kit and came to Town Hall on election day to vote. Many were told to go to Town Hall by candidates and information to this effect was included in campaign material. This created a huge amount of work on election day to cancel voter kits, re-issue and process the ballot packages. Increased costs were incurred as extra ballot kits must be purchased to provide what is essentially a second ballot kit to each voter. As votes were counted by poll, continuous sorting and batching of the last minute ballots occurred over the course of the day. A handful of voters, undecided as to how to complete their ballot, further delayed results by remaining in the voter stations after the close of the vote at 8:00 p.m. Accordingly, the results in 2014 were delayed.

E-voting

A move to e-voting or internet/phone voting would eliminate the voter having to manually exchange an incorrect ballot package and administration from cancelling and re-issuing them. E-voting requires no additional labour costs to manage vote counting. The voter cannot accidentally spoil a ballot and allowances can be made to allow under-voting. A ballot confirmation process is included by race to ensure that the voter’s intention is always verifiable and the counting of the ballot is always confirmed. There are no unintentional spoiled ballots and voter intention is left entirely with the voter.

Costs for E-voting are based on the number of eligible electors on the voters’ list. While an RFP has not been issued, preliminary information from one supplier indicates that the cost per elector to offer internet/phone voting is in the area of \$2.35 per elector. Using 2014 eligible electors statistics, the cost of an internet/phone solution by the supplier would be \$52,555. The only other costs would be advertising and voters list management estimated at \$3000. In 2014, using vote-by-mail, the cost of the election was significantly higher at \$104,547. Excluding wages for a contract employee, the cost was in the area of \$78,000.

There is no requirement for scanners or tabulators. Voter list management is updated by the supplier and stored electronically up to and including Election Day. The voter is able to select

their language of choice (English or French) using either phone or internet. The timelines for mail-in voting require sufficient lead time to allow for the kit to be sent out, marked by the voter and returned by mail. Candidates may still be campaigning and voters may have already voted. E-voting can be done in a shorter time frame and there is no requirement for mail back and voters can vote right up to the last minute of the election.

Accessibility is a cornerstone by which every election is measured. Changes to the *Municipal Elections Act, 1996* now require the municipality to issue an accessibility plan prior to the election rather than an accessibility report post-election as was previously required. The plan must identify how various disabilities have been taken into consideration. E-voting provides visually impaired voters with options including telephone and their internet screen recognition readers. Persons with other physical disabilities or mobility issues do not need to attend a voting station or bring their voter kit to a mailbox. Internet and phone voting are the most accessible forms of voting providing persons with disabilities with the most independence. Many persons with disabilities already have adaptive devices on their home computers and phones that would be used to access the internet or vote by phone without the assistance of a family member or friend. Special voting hours, prior to election day, would be established at the two retirement home in Town, to assist residents with the voting process. A similar process occurred in 2010 and 2014.

Candidate access to voter lists and updates on who has voted can be provided by electronic access so that the candidate can view the status of voter activity online in real time. The candidate cannot see how a voter has voted, only that they have voted. In the vote-by-mail system, daily updates had to be ordered by the undersigned and forwarded to all candidates on a daily basis.

The greatest concern expressed in connection with electronic voting is that of the security of the process, secrecy of the ballot and the integrity of the election. All electronic voting service providers have measures to prevent breaches of security, maintain the secrecy of the ballot and ensure the capacity of the system to deal with the anticipated volume of traffic. In preliminary discussions with the Town of Tecumseh, staff indicated that the by-election held in 2016, wherein internet and phone voting were used, ran very smoothly with results being available within minutes of the close of the vote. Council may recall that several Essex County municipalities opted for internet and phone voting in 2014 and experienced delayed results due to mislabeled files by the election supplier. The company that conducted those elections is no longer operating. The Town of Tecumseh used the same company that provided e-voting services to almost half of the 97 municipalities that offered e-voting in 2014 and were very pleased with the timeliness of service, ease of use and security measures.

One of the measures to ensure the identity of the voter is the use of voter credentials which are sent to the voter in the voter information package. When the voter accesses the internet or telephone system, he or she receives a "ballot" by inputting their credentials in addition to answering a question based on information contained in the voters' list (ie. birth date). A declaration of identity can also be required prior to accessing the system. The Act provides that it is an offence for any voter to:

- vote without being entitled to do so
- vote more times than the Act allows
- induce or procure a person to vote when that person is not entitled to do so, or
- attempt to do the above

Only the voter can see their ballot and verify intent.

Voters can cast their ballot by internet or phone for a specified number of days leading up to and including election day. The voting period is shorter than the one required for vote by mail giving candidates more time to canvas.

It is the intention of Administration to meet with suppliers of internet and phone voting at the annual AMCTO conference this June to obtain information, see demonstrations and obtain pricing. The following factors will be considered:

- Does the system ensure the integrity and secrecy of the election process?
- Is the system reliable and accurate?
- Is the system user friendly and accessible to electors?
- Is the system financially reasonable?
- Does the system have an audit trail where appropriate?

After speaking with Tecumseh election officials regarding their by-election experience, and reviewing testimonials of other municipalities that utilized e-voting in the 2014 election, administration is confident that an internet/telephone solution is the preferred method for voting in 2018. A subsequent report to Council will follow on a preferred vendor, cost and details in response to the above factors.

 Brenda Andreatta
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 Agatha Armstrong
 Deputy Clerk

Reviewed by:							
CAO	Finance	Council Services	Public Works	DSI	Culture & Rec	Fire	