State Government Committee Public Hearing Tuesday, October 4th, 2016 10:00 a.m. Irvis Office Building, Room G-50 Written Testimony

Preparation

Many people believe the election process only happens twice a year or worse, only every four years. Of course, these are misconceptions. If you include the voter registration aspect along with everything needed to create an election, this has become a year round occupation. Preparations for the November 8th Presidential Election are and have been in full swing since wrapping up April's primary. Registration forms are being delivered at a feverish pace by mail, by individuals, by members of groups performing drives and now even by the Internet, thanks to efforts by the Department of State (DOS) making registration even more accessible. The number of registration applications processed before the October 11th deadline is expected to exceed the comparable 2008 election between President Obama and Senator McCain.

County election personnel are diligently processing absentee applications from all over the world. They are checking for errors. They are answering endless questions via email and the never ending ring of the telephone. They are checking for errors. Workers are preparing machines, databases of candidates and encoding media. They are checking for errors. Workers are preparing notices to keep voters informed. They are checking for errors is based on getting accurate information to the voters in a timely manner.

Nothing is new about using the judicial system to forge what will be on or off a final ballot, however; recently the timeliness of court decisions has severely impacted the final product for the voter. For example, Vodvarka in the primary and currently Solange Chadda and Rocky De La Fuente have delayed ballots from being delivered. It seems every election County Officials are forced to wait until the last possible moment to move forward with meeting mandated deadlines; only to have a court decision change our final product forcing the county to remedy the previous decision to the best of their ability. This process doesn't always give the voter a uniform ballot across all 67 counties and brings to question the integrity of the entire process.

Integrity

Statements by a candidate and exposed vulnerabilities to voter registration databases in other states are undermining the good perception of the Commonwealth's election process. Security of voter registration records and the actual voting methods are and have been tremendously important since the implementation of electronic means to voting. Security has never been an after thought or something that we are just now thinking about. There are two unique areas that create your voting experience, voter registration and the machines themselves.

The database breeches reported in Illinois and Arizona along with attempted breeches to other states have been to the voter registration portion of the voting process, not to voting machines. The DOS houses the voter registration records of each county in Pennsylvania and can answer specific security questions. We are assured by the DOS and are confident that our information is secure. The security of the voting machines is the responsibility of each individual county. Under the guidance of the DOS, counties adhere to best practices for electronic device security as well as compliance with state and federal guidelines and mandates. Our equipment is stored in locked facilities with controlled access. Our voting machines, tabulation equipment and servers are on isolated networks with absolutely no connection to the Internet. Taking networks and Internet out of this equation limits hacking to physical proximity of each system. Data results on election night are transferred to Harrisburg using a file transfer process. In Lehigh County results will be loaded on new USB media, sneakerneted to a networked computer and dropped in the Election Night Return (ENR) file for transferring to the DOS. The USB media will only be used once on election night restricting any possible infection to the isolated voting system.

Speaking for all 67 counties, our equipment, neither physically nor electronically, is exposed to outside influence that would cause catastrophic disruption of the election process for the entire state of Pennsylvania. No one has enough time with our systems to compromise their integrity without being noticed by the safeguards in place.

Future Legislation

The County Commissioners Association of Pennsylvania (CCAP), along with the Eastern & Western Associations of Election Personnel have adopted a platform with the hopes of moving voting systems in the Commonwealth forward.

We are looking for flexibility in deciding the best way for each individual county to provide elections for their citizens. Flexibility will only be accomplished through legislative changes to an Election Code that was written in 1937. As other states have adopted new methods, we would like the option to implement no excuse absentee voting, vote centers, and vote by mail if so decided. A precinct model may be good for a rural area in one part of the State, but vote centers would be more efficient in an urban area. Currently, efficiency isn't always an option.

Counties do not have the funding to replace voting systems every ten to fifteen years. This is a never ending cycle of purchasing and replacing. Assistance from the Commonwealth and Federal Government will be necessary to continue this trend. Simply, we will need funding to continue in the same manner.

Third, changes to the Election Code are necessary. There are so many places the outdated Code can be updated that would ease the administration of elections. For example, poll workers who wish to run for office are hard to find, let us appoint them. Adjusting deadlines for changes to the ballot would alleviate many headaches. These are just a couple ideas, but there are many places for improvement.

Thank you for your interest. We are always available for questions and concerns.

Timothy Benyo, Chairman Association of Eastern Pennsylvania County Election Personnel

Chief Clerk Lehigh County Election Board & Voter Registration