STATE OF DELAWARE
DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY
CARVEL STATE OFFICE BUILDING
820 N FRENCH ST SUITE 400
WILMINGTON DE 19801-3531
http://electionsncc.delaware.gov

TELEPHONE: (302) 577-3464
FAX: (302) 577-6545

February 11, 2014

An assessment of Delaware's Election System in relation to the

Key Recommendations of the Presidential Commission on Election Administration (PCEA)

The Presidential Commission on Election Administration's report has key recommendations covering 4 areas:

- Voter Registration,
- Access to the Polls,
- Polling Place Management, and
- Voting Technology.

These are listed on pages 3 & 4 with more explanation of each recommendation in Part III of the report. The Department believes that Delaware stack up fairly well regarding the key recommendations. Find the report and supporting data at http://www.supportthevoter.gov.

The first two key recommendations deal with Voter Registration. The Commission recommends that states "...allow eligible citizens to register to vote and to update their registrations via the internet" and that "States should update and check their voter registration lists against each other...." (PCEA Report, page 3). See pages 22 to 29 of the report for further discussion.

a. Delaware currently allows eligible citizens to complete a voter registration online to both register to vote and to update their registrations. The system currently requires applicants to print, sign and mail their applications to their Department of Elections. The State Election Commissioner's Office has developed a new system that will allow eligible citizens to complete the process online. Implementation is scheduled for mid to late April.

b. Delaware is a charter member of the Electronic Registration and Information Center (ERIC). Member states send information to ERIC and receive information that can be used to update their list of registered voters. Using ERIC data, Delaware has been able to:

   - Cancel registrations of voters who are deceased,
   - Cancel registrations of voters who have confirmed they no longer live in Delaware,
   - Remove duplicate records, and

- Update addresses of voters whose DMV address is more current than their voter registration address.

The next two key recommendations concern Access to the Polls. The Commission recommends that "...states that have not already done so should expand alternative ways of voting, such as mail balloting and in-person early voting." The Commission also recommends that "states should encourage the use of schools as polling places," and, "to address security concerns, Election Day should be scheduled as an in-service day for students and teachers" (PCEA Report, page 3). See pages 33 & 34 and 54 to 58 of the report for further discussion.

a. Delaware does not offer pre-Election Day voting as discussed in the report.

   Delaware's pre-Election Day voting is limited to absentee voting both by mail and at the Departments of Elections in each county. A person must have a reason to vote by absentee ballot and in many instances must have their affidavit notarized.

   In the 2012 General Election, 4.99% of Delaware voters voted before Election Day by absentee ballot. This would increase if Delaware adopted no-excuse absentee voting. For this to happen, the reasons for voting by absentee ballot would have to be removed from the State's Constitution and appropriate legislation enacted.

   In-person early voting is another option of pre-Election Day voting for Delaware. It would be very expensive, require exclusive access to space in buildings for several days, and require the purchase of a voting system capable of handling the early voting process. This may require a Constitutional Amendment, but would require the enactment of appropriate legislation.

b. Delaware schools are closed on the day of the General Election. Although encouraged to take an in-service day, schools are usually in session for the Primary, Presidential Primary, School Board Elections and School referenda. Currently, there are bills before the General Assembly to mandate in-service days for Primaries and School elections.

The 5th key recommendation states that "local officials should employ a resource allocation calculator...in order to optimize the number of voting machines and staff at polling places, thereby reducing the potential for long lines" (PCEA Report, page 3). See pages 42 to 44 of the report for further discussion.

The resource calculator in the Commission's toolkit seems to over assign machines and under assign check-in stations. Delaware Code, Title 15 standards for assigning voting machines and poll workers based on the number of registered voters work very well. As such, Delaware does not have a history of long lines.

The last key recommendation notes that existing voting systems are reaching "...the end of their natural life and require replacement. To address this impending challenge and to usher in the next generation of voting machines, the standards and certification process for new technology must be reformed so as to encourage innovation and to facilitate the adoption of widely available, off-the-shelf technologies and "software-only" solutions" (PCEA Report, page 4). See pages 62 to 66 of the report for further discussion.

a. This recommendation deals with national issues that may affect Delaware's ability to replace its aging voting machines.

   Delaware's voting machines are 18 years old and are still functional. We have concerns, however, about the long-term availability of replacement parts. The conversation about a future voting system should start now so that the State can to make sure that Delaware citizens can continue to vote with a high degree of confidence that their votes are correctly counted and that the results of the State's elections are accurate.

With the exception of giving voters alternatives to voting before Election Day, Delaware's practices are consistent with the key recommendations.

This is the first of several assessments of Delaware's Election System in relation to the recommendations and best practices included in the Presidential Commission's report. The Department will issue further assessments in the near future.

Respectfully submitted,

Anthony J. Albence
Director

Howard G. Sholl, Jr.
Deputy Director