

## Staff Report to Council

**To:** Mayor Schermerhorn and Members of Council

**Date:** April 28, 2015

**Prepared By:** Susan Beckel, Clerk

**Presented By:** Susan Beckel, Clerk

**Re:** Community & Corporate Services – 2014 Municipal Election Review

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### Staff Recommendation:

**That Council receive for information the Community & Corporate Services – 2014 Election Review report.**

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**Financial Implications:** The total cost of the 2014 municipal election was \$45,200 or \$3.67/elector.

**Accessibility Implications:** Municipal Elections are required to be accessible to all persons including persons with disabilities.

**Information Technology Implications:** For the 2014 election, the Town implemented electronic voting via internet and telephone.

**Energy Management Implications:** Upon review, there are no energy management implications.

**Background Information:** In August 2013, Council authorized the use of internet and telephone voting for the 2014 municipal election by by-law. In January 2014, a contract was executed with Intelivote Systems Inc. for the provision of one-step internet and telephone voting services.

This report will provide an overview of the 2014 municipal election including successes and challenges.

## Discussion

Goals for the 2014 Election:

- (i) Accessibility for all electors, but specifically for electors with disabilities, snow birds and non-residents
- (ii) Increased voter turnout
- (iii) Environmental sustainability

Quick Facts about the 2014 Municipal Election:

- Voter Instruction Letters (VILs) were mailed to electors in early October. Each letter contained elector qualifying information, a confidential PIN, detailed voting instructions, the list of candidates and information on voting assistance;
- Voting period of 8 days from October 20-27, 2014, 24 hours per day;
- Internet & Telephone options to vote using any device with an internet connection or using a toll free telephone number on a mobile telephone or land line from anywhere in North America;
- Polling location was held at 12 Market Square October 20 - 24 during office hours and on October 25<sup>th</sup> from 10:00 a.m. - 2:00 p.m.
- October 27 (Election Day) polling location was moved to the SPC to accommodate potential increased numbers of electors
- Voter Help Line fielded hundreds of calls, the majority being to inquire if they were on the voters' list.

General Statistics regarding Alternative Voting Methods:

- The number of municipalities using internet and telephone voting increased from 44 municipalities in 2010 to 97 municipalities in 2014;
- In 2014, along with Greater Napanee, 32 other municipalities used the same service provider and same one-step PIN method of internet and telephone voting. An additional 14 municipalities used the same service provided and PIN and Date of Birth (DOB) credentials;
- Additionally approximately 130 municipalities used Vote by Mail distributing vote by mail kits;
- Both systems provide unsupervised voting systems;
- Number of Eligible Electors: 12,309
- Number of Electors that Voted: 5,853
- Voter Turnout: 47.6%
- 65.4% of electors voted by internet and 34.6% voted using the telephone
- 30.8% or 1,802 electors voted on election day with 687 (12%) of electors voting between 5:00 – 8:00 p.m.
- To date, 548 VILs have been returned.

Successes:

- Staff Team – Clerk's and IT and Support from Other Departments

Administering an election is truly a team effort. In past elections, it has been increasingly difficult to recruit qualified external election staff. This challenge is

increased with the accessibility and health & safety training requirements and the increased use of technology to manage the voters' list at polls.

For this election, we used only Town staff for election support, which worked well. The Clerk and the Receptionist handled all election administration until the end of September when we added our Management Intern to the team. The IT Clerk worked with the Clerk on the logistics of leasing touch screen monitors, testing the system and setting up the polling stations kiosks, including the mobile polls. Greeters and Deputy Returning Officers (DROs) were added during the voting period. As Clerk, I must commend the excellent staff who rose to the challenge in their roles of executing a new voting system.

- Touch Screen Monitors in Polling Locations

The Town leased 3 large touch screen monitors to be used in the municipal office during the voting period and on election day at the SPC and at the mobile polls. Overall, these units worked well and election staff provided assistance to electors if requested.

- System and Service Provider - Intelivote Systems Inc.

The service provider, Intelivote Systems Inc., was excellent. Their experience, customer support and advice was never waiving and exactly what was needed with this being the Town's first e-voting election. Their detailed daily and weekly task timeline was invaluable. We were able to schedule tasks much earlier than expected, i.e. proofing ballot templates in June. The training plan was comprehensive. In addition, many positive comments were received from candidates regarding the candidates' module, which allowed the candidates to monitor the "live voters' list" in order to tailor their last minute campaigning and to create elector lists lists by street, by group, etc. The statistics and rich data that is able to be provided through this system will be beneficial in future elections (see attached election statistics).

Comments that older electors wouldn't like the system was not a major issue as approximately 53% of total electors that voted were over the age of 60 years and election staff received many comments from older electors who may have never used a computer before and found the system very user friendly.

- Communication Strategy

With a new method of voting being introduced, communication was vital. Information that Greater Napanee would be voting only by internet and telephone in the 2014 election was provided starting in late 2013. Messages concentrated on "no paper ballots" and the convenience of voting from wherever there is a telephone or internet connection. Overall, our communication strategy was successful. A variety of mediums were used (social media, web site, newspaper, radio and Town Guide to Community Services) to relay key election information to the electors. Town media releases were also issued at key times.

In 2014, the Municipal Property Assessment Corporation (MPAC) introduced an on-line enumeration tool – voterlookup.ca. Municipalities were provided with a promotional tool

kit by MPAC and requested to promote this on-line tool, which the Town did using newspaper, website, posters and social media. It appears that municipalities provided the main promotion of voterlookup.ca.

Each morning of the voting period, the Town did communicate the % of electors that had voted through social media and the web site and reminded electors about casting their ballot. The local radio station also reported this information.

Communication of inaccurate information did become a challenge as the election day drew closer. Electors reported being told that they could text their vote, that attending the voting place would allow them to cast a paper ballot and that once an elector voted, the Town could see how they voted. All of this information was not true, and had to be corrected through additional communications.

- System Auditor

The System Auditor conducted test ballots each day of the voting period ensuring that those ballots voted in the audit mode of the system were recorded as cast and that disabled PINs did not work when attempting to vote. This audit system ensures that the system is functioning correctly. It had been recommended from other municipalities that having an auditor with an IT background was essential; therefore Loyalist, Stone Mills and Greater Napanee used the services of the County's IT staff as our system auditors. Each municipality had an auditor that did not reside in that municipality, i.e. our auditor is a Loyalist Township resident. Greater Napanee experienced no issues with the system throughout the entire voting period.

- Accessibility

Internet and telephone voting made a more accessible voting system for persons with disabilities, 'snow birds' and non-resident electors. The system could be used with assistive devices for computers, for persons with visual impairment the telephone option was available and the system was designed to the accessibility guidelines. The Town did have a higher than average usage of the telephone voting method at 34.6% of electors that voted.

One call received on the Voter Help Line, prior to the VILs being mailed, was from an elector with a physical disability. The elector asked questions about the voting system and clarified that the elector would be able to vote from the elector's living room on the telephone. Staff confirmed this and explained how the process would work. The elector then thanked the Town for introducing this voting system advising that the elector had not voted in several previous elections for accessibility reasons.

Challenges:

- Inaccuracy of the Voters' List caused public to question the credibility of the e-voting system

The inaccuracy of the voters' list was the main problem in the election and something that was out of the Town's control. Staff scrub the data with existing resources and databases available, such as the Town's death register, within legislative requirements; however the accuracy is still not at an acceptable level, if technology advances in voting methods are to continue to progress (see attached Position Paper by the Association of Municipal Managers, Clerks & Treasurers Ontario (AMCTO) – Time to Fix the Voters' List).

Some examples of errors on the voters' list include:

- Deceased residents on the list
- Underage persons on the list due to inaccurate birth date information
- People who are no longer qualified electors
- Duplicates
- Electors that didn't receive voter cards however grown children no longer residing in the home did
- Inaccurate or missing elector information.

Tenant information continues to be an increasing challenge.

As a result of cases arising due to this inaccurate voters' list information, some electors began to question the voting system and the possibility of voter fraud; however, no evidence of this was brought to the Clerk's attention for further investigation. Information regarding illegal voting acts was included on the VIL, i.e. voting more than once and using another's PIN to vote. The Town continued to message that election fraud and stealing another person's mail was illegal. We received 548 VILs returned in the mail and received many calls or electors attending the office in person bringing forward information of their inaccuracies. With the system, we were able to make amendments and disable PINs immediately as information was available. If we corrected address information or changed an elector's ward, the system assigns a new PIN which in turn automatically disables the previous PIN so even if a VIL is mailed to the wrong address, the PIN cannot be used.

An example of some of the changes made to the PLE and voters' list:

- 181 deceased electors were removed,
- 422 electors' information was updated,
- 221 duplicates were addressed

Changes such as these have occurred in past elections and staff make every attempt to improve the accuracy of the voters' list. Changes are forwarded to MPAC following the election. In speaking with other Clerks, these inaccuracies are common in other municipalities as well.

At a presentation at an AMCTO Zone Meeting on April 23<sup>rd</sup>, 2015, an MPAC Representative reviewed the new tools that MPAC has to assist with the goal of increasing the accuracy of future Preliminary List of Electors (PLEs), including an

agreement with the Ministry of Government Services to purchase their database of registered deceased persons to update the election information and access to the National Register of Electors information. MPAC advised that more than 40,000 changes were made to elector information through voterlookup.ca and over 120,000 searches were conducted across Ontario.

Electronic Voting also provides additional forensic capability when trying to determine if something untoward has been attempted with electronic ballots as IP addresses and telephone numbers are tracked in the system.

- Staff Resources for Mobile Polls

As Council is aware, the Town has a hospital, 3 long term care facilities and a retirement residence, for which we conduct mobile polls. Even though Council had authorized reduced hours for these polls, it still causes two staff to be out from 10am - 7 pm all day servicing those polls. As per the Municipal Election Act (MEA), these polls must be done on election day. With the review of the MEA pending this spring/summer, staff will be recommending that the Act be amended to provide the option that these polls be held as advance polls as well.

- Number of Electors Voting on Election Day

With the new e-voting system in place and not knowing what to expect with respect to voter turnout, it was very difficult to predict how many electors would still attend a poll to vote. Being able to monitor the percentage that had voted during the voting period was beneficial. On the morning of election day, the percentage voted was close to the voter turnout for the 2010 election so no changes were made to staffing at the SPC voter location. Unfortunately, the number of electors that voted on Election Day was underestimated. We did experience a bottleneck of voters who required enumeration, and as a result some voters were required to wait for voting. Overall, 30.8% of electors voted on election day and of that, approximately 7% voted at the SPC in person.

Another issue that arose due to the number of electors that voted from 5:00 - 8:00 p.m. on election day (687 or 11.7%), was that the administrative side of the system slowed significantly causing line ups for those electors needing enumerating. Fortunately, this problem only effected the administrative side of the system and electors voting in the system were not effected. The service provider was able to improve the speed of the system within approximately one half hour.

- Local Media Reporting on Several Municipalities' Elections

Local media reporting on municipal elections of neighbouring municipalities, two of which used internet and telephone voting and on election day had paper ballots. This may have caused confusion for electors, who thought there would be paper ballots at our polling station as well.

- Questions from the Voter Help Line

With the Voter Help Line, staff policy was to stay on the telephone line with the elector until their issue was solved. This could sometimes take several minutes and as the

voting period drew closer, the number of calls increased as expected. The majority of the calls were:

- (i) to confirm voter information;
- (ii) as a result of the web link to the voting system not being GOOGLE searchable for security purposes, many callers required direction as to where the address bar was on the screen for entering the web link; and
- (iii) asking general information about the voting process.

▪ Spoiled Ballots

The Clerk received the following email (ward number and candidate name removed).

*"I was voting on line last night. I am in Ward X, but the candidates available to chose from were from Ward Y. I voted for the person from Ward Y thinking it was for the School Board. I had not been paying attention to that level of government so chose the first person on the list. After that vote, my Ward X candidates did not come up. You now have one too many for the first person on the ballot for Ward y and one less for the Candidate in Ward x."*

The VIL included candidate information listed on the back.

When voting via internet:

- the candidates names appeared.
- when an elector selected one candidate, he/she was then prompted to click the SUBMIT button.
- the next screen would advise that he/she had selected X candidate for that race and were then prompted again to click the VOTE NOW or RETURN TO BALLOT button;
- the elector would have clicked VOTE NOW and the vote was "dropped in the ballot box".

There are two opportunities to verify your selection. As a result of this process, it was difficult to spoil a ballot unintentionally. This was not a significant issue as the number of spoiled ballots, which includes intentionally not voting for a certain candidate, was within the average typically seen by the service provider.

Comments received from Electors:

*"When I heard that Napanee was voting this year by phone or internet, I have to admit being a little put off with the change in what I had thought of as a tradition. I have just voted by Internet and what an amazingly simple user friendly process it was! I was very surprised at the simplicity. Great job to whomever brought this system to our municipality for this election! Wonderful to see this type of encouragement to ease the voting process."*

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*"Just to let you know, the computer vote system worked like a dream. I had my vote paper on my desk and within less than 5 minutes I had gone through the whole process and disconnected. Simple and easy and with a "verification" at each step of the process."*

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*"In May 2014, I purchased a computer for the first time. I am still not very proficient with it. In September 2014, I went on line to make sure I was on the voters' list. It took about 5 minutes to check. When the letter came showing how to vote, I realized I had 8 days to cast my ballot for the Oct. 2014 election. As a novice computer user, I found it convenient and easy to follow the instructions."*

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*"Here is a cutting from the Globe and Mail which supports electronic voting. I thought it might give you some hope that our town was forward thinking to adopt it." (The Globe and Mail – Saturday, November 8, 2014 – Digital Democracy – Online voting is a long-overdue concept Young adults ignore municipal elections, while many cities don't bother with proven technologies that youth use all the time.)*

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*"I am writing to add to the increasing number of comments on the less than adequate voting system that was used in the recent municipal election.*

*My wife and I, who have been on the local voters list for some 40 years, were required to go to the town offices and show ID and add our civic address number to our information so that we could be "on" the voters list and yet our three grown children who not longer reside in this riding received voting letters.*

*Our children did not vote in the local riding, however I'm sure we were not the only family that received voting documents for family members that no longer reside in this community. What guarantee do we have that some of these letters with pin #s were not used in the recent election. There needs to be a recount, not to recount the electronic votes but to verify that all votes were legitimate."*

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*"I was one of the ones that did not receive a voting card and did not know what to do until just before voting ended when I seen it on a friends facebook. I know I am not alone as a friend of mine did not receive any for anyone in her household (4 of voting age).*

*In previous years I had not voted as I did not have the opportunity to hear or see what candidates were offering our town but did receive a voting card. This year I read up on our candidates and viewed some of the Facebook posts for them and was ready to vote, especially since I could do so without having to come into town and fight the crowds but had no card nor did I know what to do at that point.*

*Just wanted to make you aware of this issue as it seems there are many more out there in the same boat as me. My thoughts...a new election!"*

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Outcome:

- Results were finalized before 8:30 p.m.
- Auditor was present to verify his results with the Clerk's
- Recount was conducted for the Mayor's race as the 2 candidates were within 3 votes. Same process was followed as per legislation and same result obtained.
- Voter turnout increased from 39.8% in 2010 to 47.6% in 2014



- Many positive comments were received regarding the accessibility of the voting system.

Conclusion:

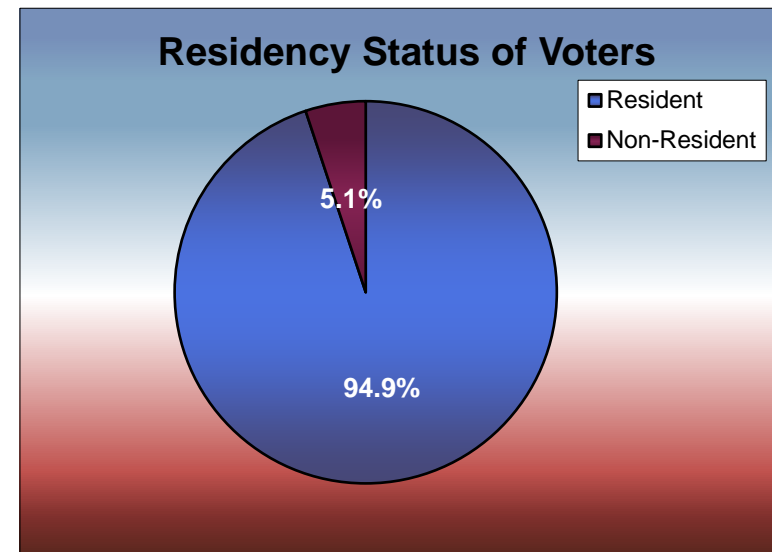
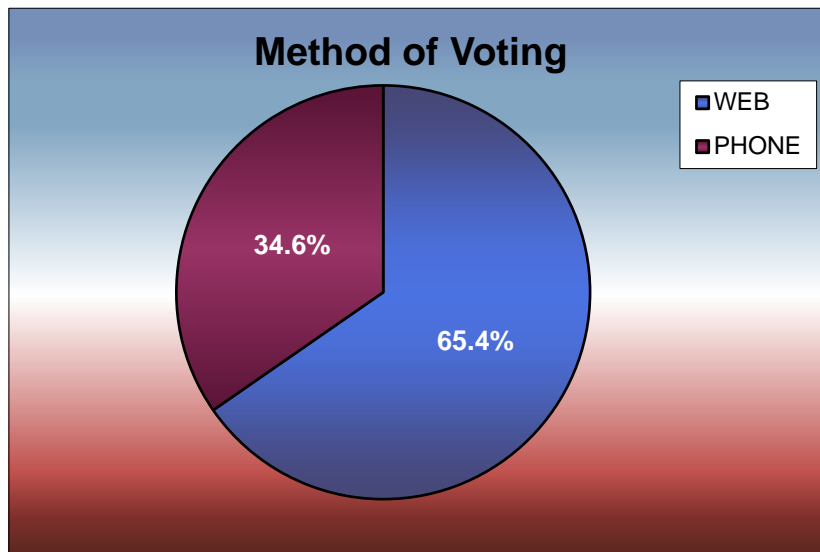
In conclusion, the 2014 municipal election met the stipulated goals. Voter turnout increased from 39.8% to 47.6%, no paper ballots were used and travelling to polls in vehicles was reduced significantly making the voting system a more environmentally-friendly system; and most importantly, the accessibility for persons with disabilities was improved. The successes outweighed the challenges; however many times it's the negative view that is more vocal. As with any system, there will be challenges, but once identified, action plans can be developed to mitigate them in the future.

## 2014 Ontario Municipal Election Greater Napanee - Election Statistics

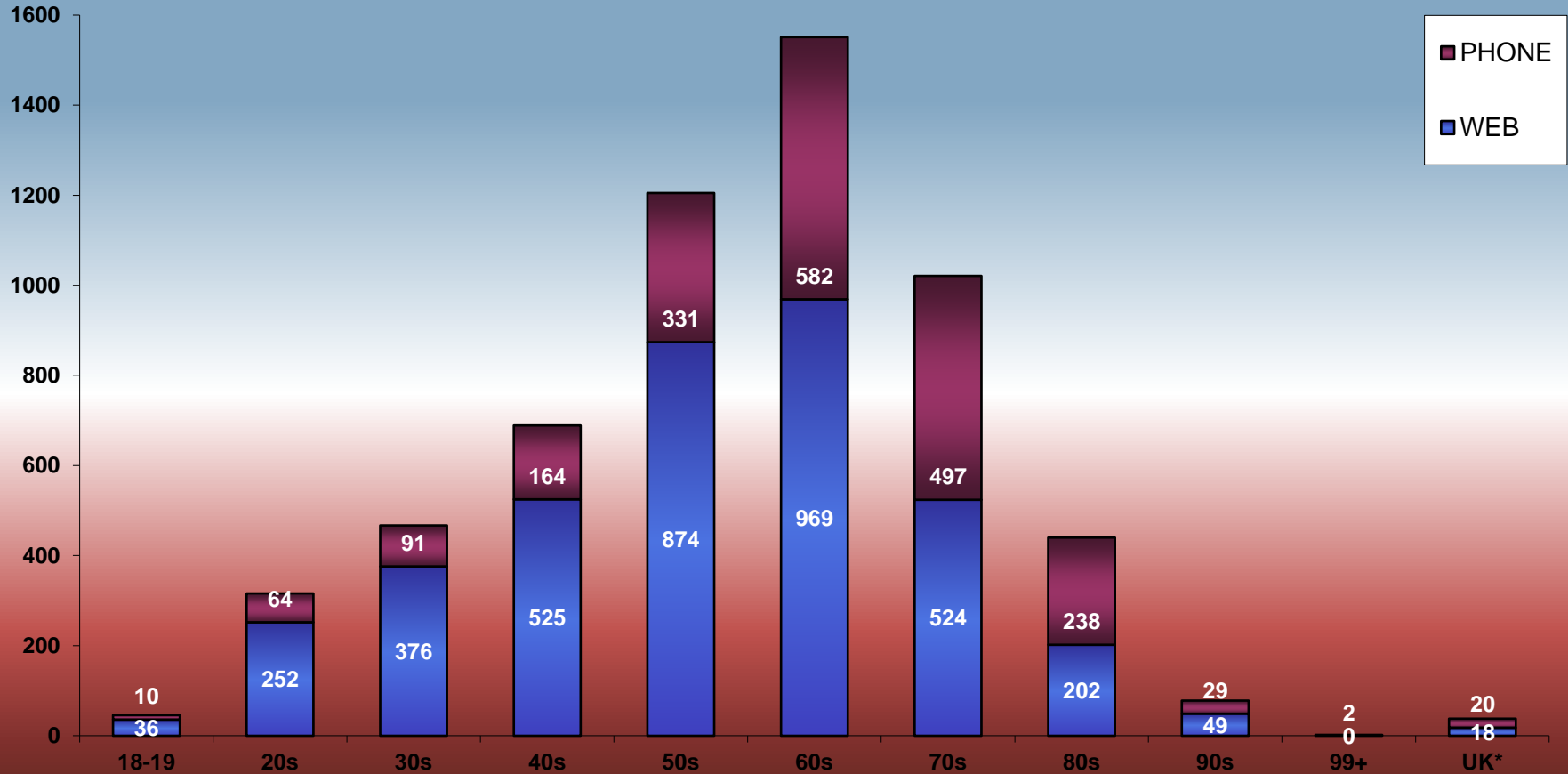
	Information Base	Number	%
1	Number of eligible electors setup in system.	12,309	
2	Number of electors who cast at least one ballot.	5,853	
3	Participation rate.	<b>47.6%</b>	
4	Voters who used the Internet to vote.	3,825	65.4%
5	Voters who used the phone to vote.	2,028	34.6%
6	Voters casting ballots with "Resident" status.	5,553	94.9%
7	Voters casting ballots with "Non-Resident" status.	298	5.1%
8	Voters casting ballots with unknown residency status.	2	0.0%
9	Average amount of time a voter spent voting using the Internet.	1 min. 15 sec.	
10	Average amount of time a voter spent voting using the telephone.	1 min. 56 sec.	
11	Number of voters on the elector list with age listed.	11,906	97%
12	Number of voters with no age listed.	403	3%
13	Other Canadian Provinces votes - Total phone and Internet votes from 5 provinces. (AB, BC, NL, NS, QC)	128	2%
14	United States votes - Total phone and Internet votes from 9 US states. (AZ, CA, FL, IL, NY, OH, PA, SC, TX).	23	0%
15	Total Internet votes from outside North America. (Ireland, Portugal, United Kingdom, Uruguay)	5	0%

Age Breakdown of Who Voted					
Age	ELIG.	VOTED	WEB	PHONE	% Part.
18-19	150	46	36	10	31%
20s	1,233	316	252	64	26%
30s	1,345	467	376	91	35%
40s	1,708	689	525	164	40%
50s	2,462	1,205	874	331	49%
60s	2,513	1,551	969	582	62%
70s	1,530	1,021	524	497	67%
80s	757	440	202	238	58%
90s	194	78	49	29	40%
99+	14	2	0	2	14%
UK*	403	38	18	20	9%
<b>Total</b>	<b>12,309</b>	<b>5,853</b>	<b>3,825</b>	<b>2,028</b>	<b>48%</b>

\*UK = Unknown age - not listed on elector's list.



### Method of Voting by Age

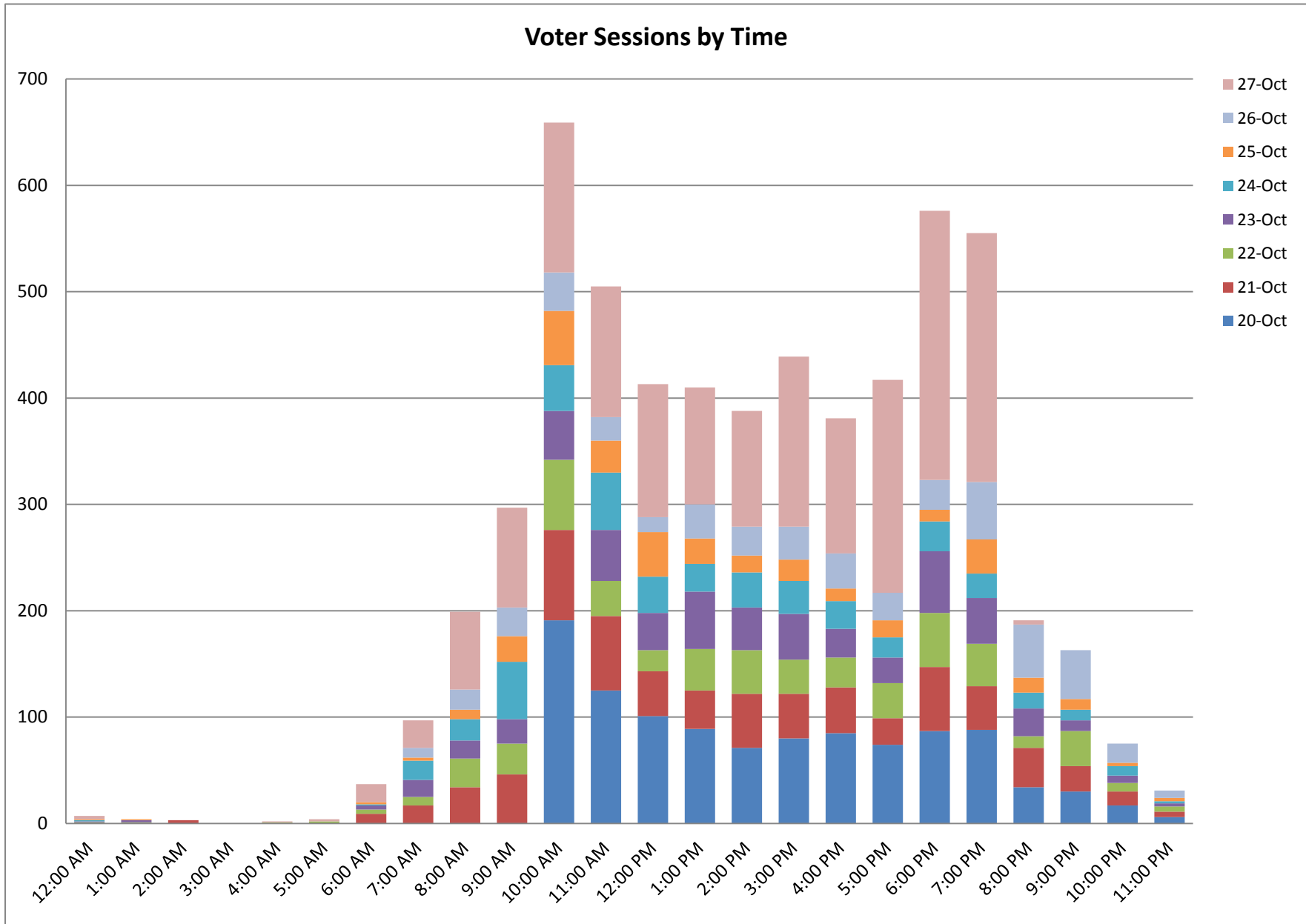


## 2014 Ontario Municipal Election Greater Napanee - Voting Time Breakdown

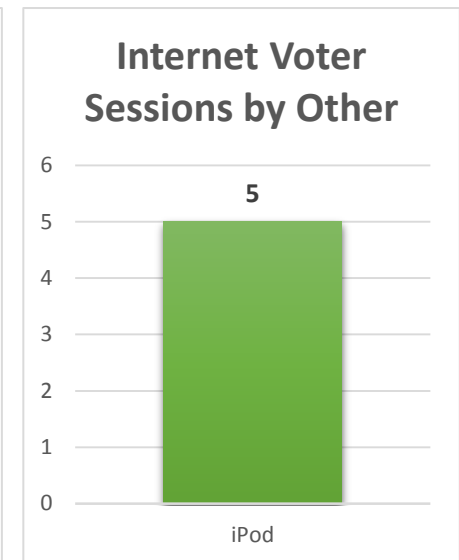
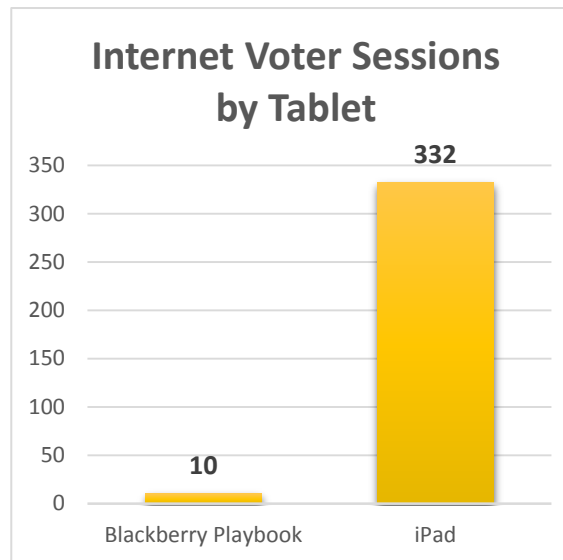
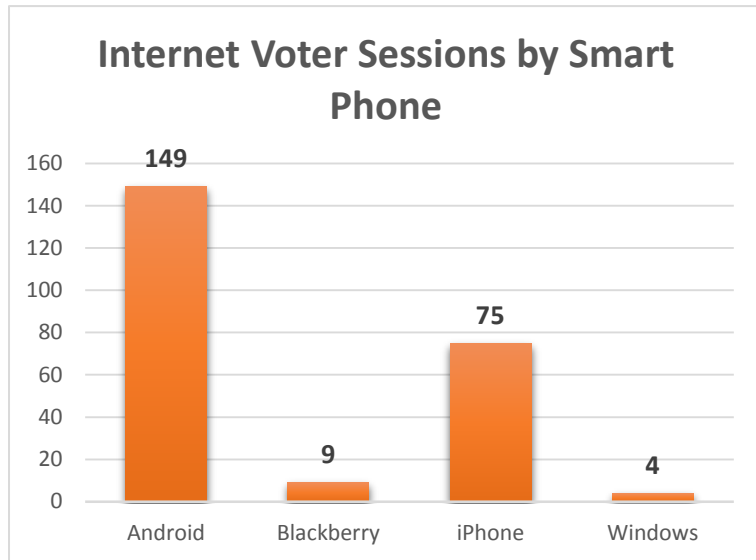
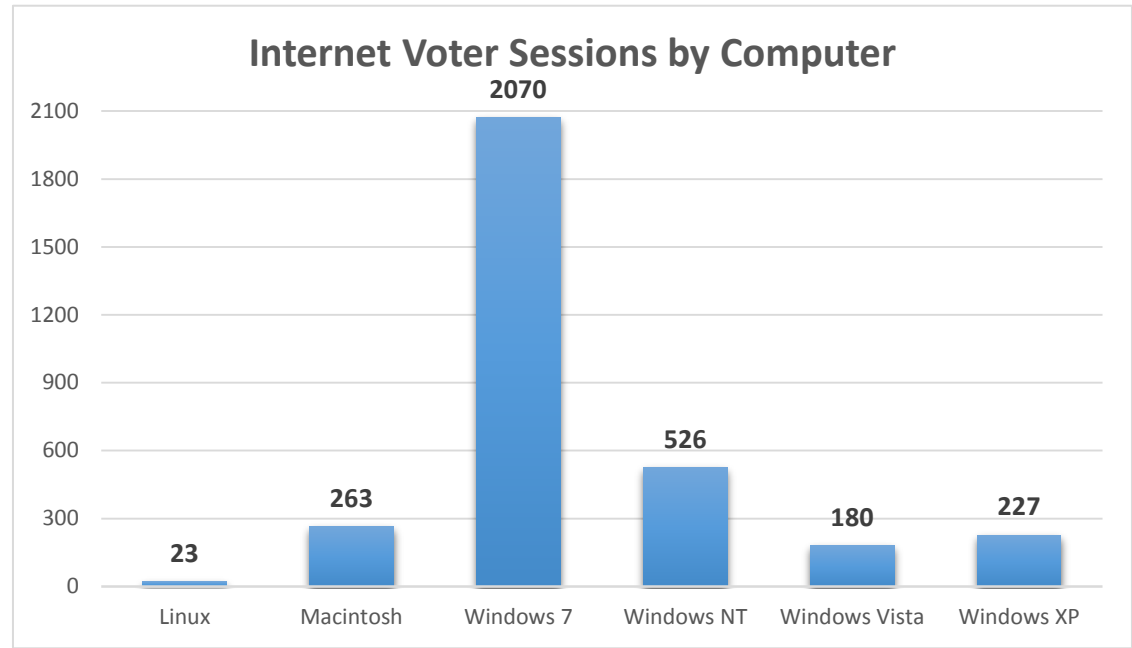
Date & Time	20-Oct	21-Oct	22-Oct	23-Oct	24-Oct	25-Oct	26-Oct	27-Oct	Grand Total	%/Hr.
12:00 AM			1	1	1	1		3	7	0.1%
1:00 AM			1	2		1			4	0.1%
2:00 AM		3							3	0.1%
3:00 AM									0	0.0%
4:00 AM			1					1	2	0.0%
5:00 AM			2					2	4	0.1%
6:00 AM		9	4	4	1	2		17	37	0.6%
7:00 AM		17	8	16	18	3	9	26	97	1.7%
8:00 AM		34	27	17	20	9	19	73	199	3.4%
9:00 AM		46	29	23	54	24	27	94	297	5.1%
10:00 AM	191	85	66	46	43	51	36	141	659	11.3%
11:00 AM	125	70	33	48	54	30	22	123	505	8.6%
12:00 PM	101	42	20	35	34	42	14	125	413	7.1%
1:00 PM	89	36	39	54	26	24	32	110	410	7.0%
2:00 PM	71	51	41	40	33	16	27	109	388	6.6%
3:00 PM	80	42	32	43	31	20	31	160	439	7.5%
4:00 PM	85	43	28	27	26	12	33	127	381	6.5%
5:00 PM	74	25	33	24	19	16	26	200	417	7.1%
6:00 PM	87	60	51	58	28	11	28	253	576	9.8%
7:00 PM	88	41	40	43	23	32	54	234	555	9.5%
8:00 PM	34	37	11	26	15	14	50	4	191	3.3%
9:00 PM	30	24	33	10	10	10	46		163	2.8%
10:00 PM	17	13	8	7	9	3	18		75	1.3%
11:00 PM	6	5	5	3	2	3	7		31	0.5%
<b>Grand Total</b>	<b>1,078</b>	<b>683</b>	<b>513</b>	<b>527</b>	<b>447</b>	<b>324</b>	<b>479</b>	<b>1,802</b>	<b>5,853</b>	
%/Day	18.4%	11.7%	8.8%	9.0%	7.6%	5.5%	8.2%	30.8%		

\*Please note, there were 4 sessions accessing the system just prior to 8:00pm which concluded after 8:00pm, or were votes cast at a voting kiosk after 8:00pm.

**2014 Ontario Municipal Election**  
**Greater Napanee - Voting Time Breakdown**



Device	Operating System	Voter Sessions
Computer	Linux	23
	Macintosh	263
	Windows 7	2070
	Windows NT	526
	Windows Vista	180
	Windows XP	227
Smart Phone	Android	149
	Blackberry	9
	iPhone	75
	Windows	4
Tablet	Blackberry Playbook	10
	iPad	332
Other	iPod	5



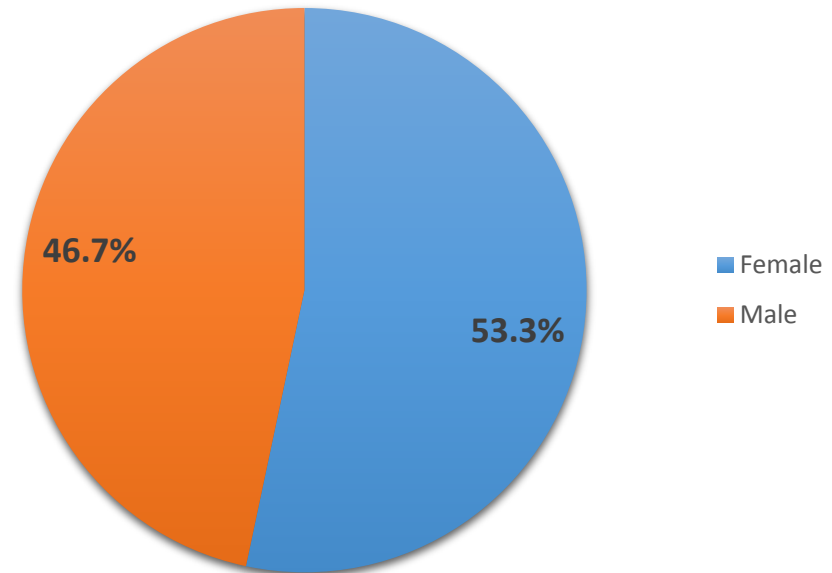
## 2014 Ontario Municipal Election Greater Napanee - Age & Gender

Age Breakdown of Who Voted							
Age		ELIG.	VOTED	WEB	PHONE	% Part.	Total Part.
18-19	F	81	26	20	6	32%	31%
	M	69	20	16	4	29%	
20s	F	593	158	133	25	27%	26%
	M	640	158	119	39	25%	
30s	F	678	251	203	48	37%	35%
	M	667	216	173	43	32%	
40s	F	867	367	275	92	42%	40%
	M	841	322	250	72	38%	
50s	F	1252	635	454	181	51%	49%
	M	1210	570	420	150	47%	
60s	F	1317	827	492	335	63%	62%
	M	1196	724	477	247	61%	
70s	F	796	531	259	272	67%	67%
	M	734	490	265	225	67%	
80s	F	419	251	107	144	60%	58%
	M	338	189	95	94	56%	
90s	F	139	54	33	21	39%	40%
	M	55	24	16	8	44%	
99+	F	8	1	0	1	13%	14%
	M	6	1	0	1	0%	
UK*	F	208	20	11	9	10%	9%
	M	195	18	7	11	9%	
Total		12,309	5,853	3,825	2,028	48%	

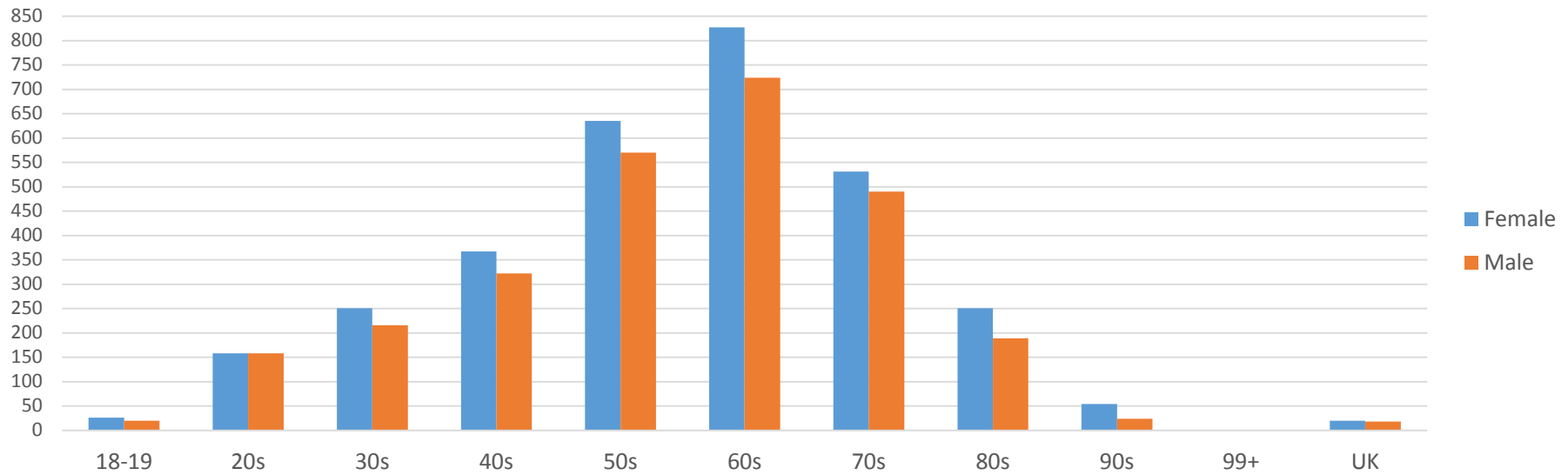
Gender	Total Eligible	Total Voted	Participation
Female	6,358	3,121	49%
Male	5,951	2,732	46%
Total	12,309	5,853	48%

Gender	WEB	PHONE
F	1,987	1,134
M	1,838	894

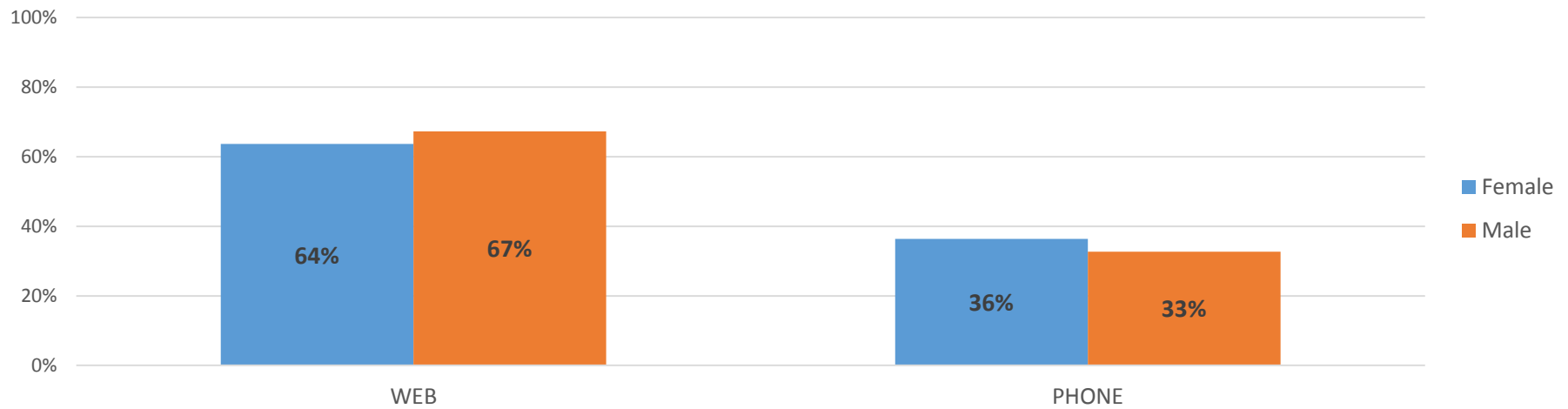
Participated Voters by Gender



Participated Voters by Age and Gender



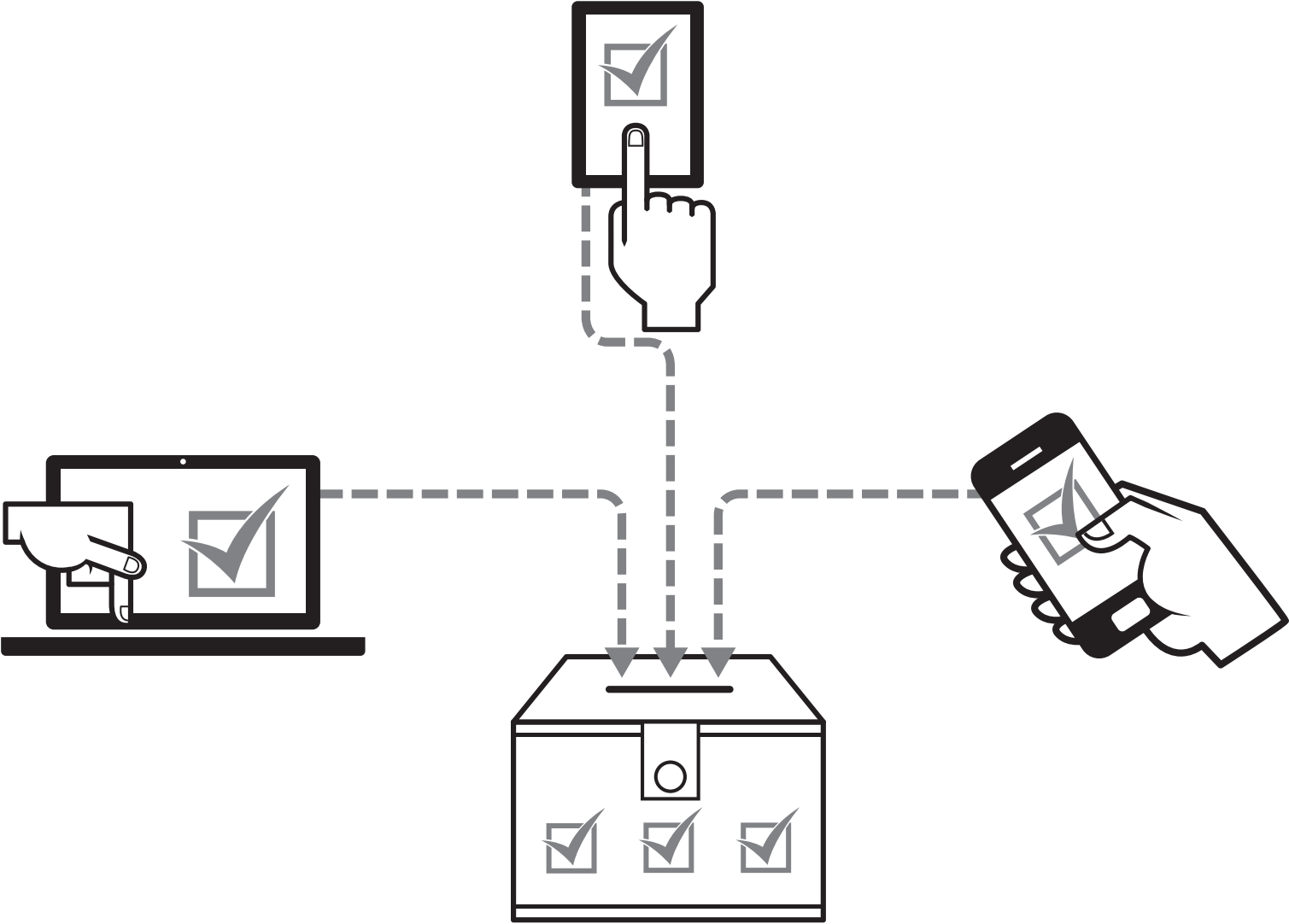
Participated Voters' Method Choice





# AMCTO POSITION PAPER

TIME TO FIX THE VOTERS' LIST



**About AMCTO:**

AMCTO represents excellence in local government management and leadership. AMCTO has provided education, accreditation, leadership and implementation expertise for Ontario's municipal professionals for over 75 years.

With approximately 2,200 members working in 98 per cent of municipalities across Ontario, AMCTO is Canada's largest voluntary association of local government professionals, and the leading professional development organization for municipal administrative staff.

Our mission is to provide management and leadership service to municipal professionals through continuous learning opportunities, member support, and legislative advocacy.

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# INTRODUCTION

Every four years millions of Ontarians exercise their democratic franchise by voting in municipal elections. Municipal Clerks, as the professionals who administer local government elections, work hard to ensure that these elections are free and fair, and that the right to vote is protected for all who seek to exercise it.

Over the past 20 plus years in Ontario, the rapid expansion of the information age has made elections increasingly more complex to administer. At the same time, citizens have become progressively disengaged and voter turnout for elections at all three levels of government has steadily dropped. In response, election administrators at the municipal level have pioneered the use of electronic tabulators and other new vote-counting technologies and introduced Internet voting alongside a range of other alternative voting methods. Yet, their best efforts to offer a high-level of service, have been consistently compromised by one of the most elementary ingredients of a free and fair election: an accurate list of eligible voters.<sup>1</sup>

The voters' list in Ontario is plagued by inaccuracies, and despite previous promises of reform, has remained a thorn in the side of election administrators across the province, and a constant source of frustration for voters. Neither the use of new technology, nor a willingness to explore new methods of voting have altered the reality that every four years municipalities will be provided with a list of electors that is deeply flawed.

The purpose of this position paper is to advocate for a new approach to building the voters' list in Ontario, a position that AMCTO has long supported for its impact on election administration and the integrity of the election process. There are few issues affecting AMCTO's approximately 2,200 members that generate such a visceral reaction as the state of the voters' list for municipal elections in Ontario. The status quo is no longer an option.

## PROBLEMS WITH THE CURRENT APPROACH

The current approach to the voters' list has been premised on two underlying assumptions: that municipal elections are particularly susceptible to fraud, and that the property assessment roll should serve as the basis for developing the list of eligible electors.

However valid these building blocks may have been for the creation of our voters' list regime at conception, their relevance for today's context is questionable. For one, since the creation of our current system the risk of voter fraud has decreased significantly. New sophisticated and secure forms of personal identification have been developed, election administration has become more sophisticated, and the penalties for voter fraud have been strengthened. Even

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<sup>1</sup> The voters' list in Ontario is supplied by data from the Municipal Property Assessment Corporation (MPAC). Though MPAC does not explicitly create the "voters' list," they create the Provincial List of Electors (PLE), which forms the voters' list. This paper will refer to the PLE as the "voters' list."

in jurisdictions with alternative systems, such as Alberta where there is no voters' list, there is no evidence to suggest that voter fraud is a significant concern.

Increasingly, there is also little justification for the voters' list to be based on the property assessment roll. Aside from concerns about equity and representation, this system was designed with what data was available, rather than what information was needed. Better sources of information are now available, and using the property assessment role as a starting point is no longer a viable or desirable way to provide this service.

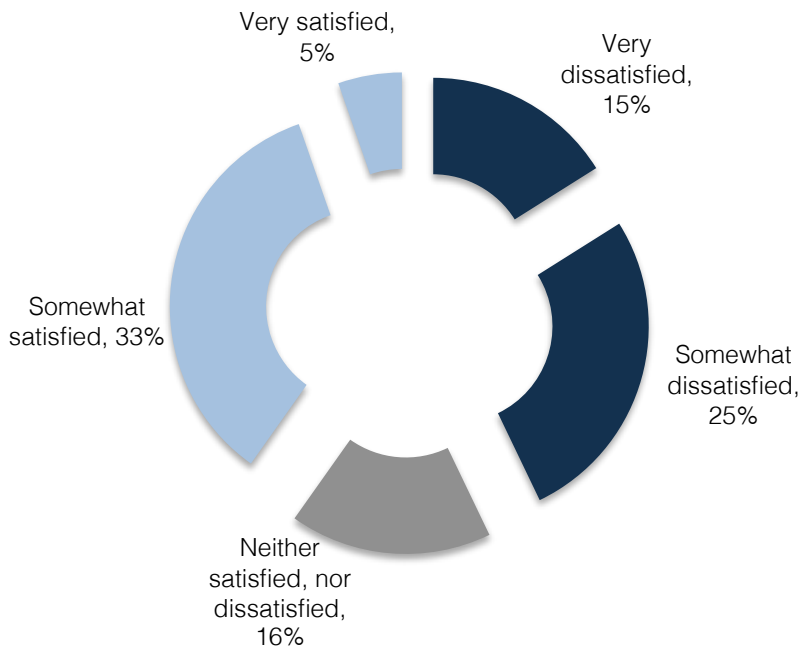
However, the larger concern is that these assumptions have given rise to a method for creating the voters' list that simply does not work. Instead the voters' list is plagued by a host of problems that not only create an administrative nightmare every four years, but also threatens the legitimacy of municipal elections in Ontario.

### **ACCURACY**

The most obvious, and potentially severe problem with the voters list is its inaccuracy. The errors with the voters' list are widespread and systematic. They occur in large and small municipalities, rural and urban, northern and southern, and whether there has been significant voter migration since the last election, or none.

Figure 1:

**Overall, how satisfied were you with MPAC's service during the 2014 election?**



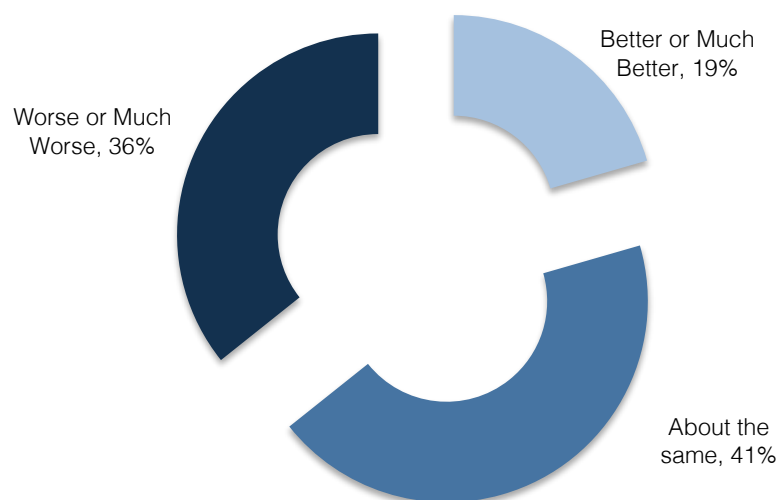
Source: AMCTO 2014 Post Election Survey, January 2015 (n=112)

In 2014 for example, data was often incomplete, incorrect or simply inaccurate. Many eligible electors, even those who had voted in the last election in the same municipality, were not on the voters' list, while many ineligible electors were. Election administrators feel this reality acutely. For instance, Figure 1 shows that 40 per cent of respondents to AMCTO's post-election survey were either 'somewhat dissatisfied,' or 'very dissatisfied,' with MPAC's ability to provide accurate and useful data for the 2014 voters' list.

The accuracy of the voters' list was a significant issue during the 2014 election, but it was far from being a novel concern. Following municipal elections in 2010<sup>2</sup>, administrators across the province declared 2010 to be one of the most challenging election years ever experienced, as a result of the volume of errors on the voters' list. However, Figure 2 shows that 36 per cent of respondents to AMCTO's 2014 post-election survey indicated that data supplied by MPAC for the 2014 voters list was 'worse,' or 'much worse' than in 2010, while 41 per cent felt that it was 'about the same.' Clearly this is a situation that is not improving, and indeed appears to be getting worse.

Figure 2:

**Compared to 2010, how would you rate the accuracy of MPAC's data in 2014?**



Source: AMCTO 2014 Post Election Survey, January 2015 (n=112)

Creating a voters' list that is 100 per cent accurate is not possible in a province that experiences as much internal and external migration as Ontario. However, there is an acceptable threshold of errors, and our current voters' list does not come close to meeting it.

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<sup>2</sup> AMCTO, *AMCTO Discussion Paper: Issues and Options on the Use of a Voters' List for Municipal Elections in Ontario*, January 30, 2012, 8.

## **COSTS**

While the accuracy of the voters' list is the most consequential concern, it is not the only one. There is also an increasing level of unease about the costs, in staff time and, data storage, cleansing and management that municipalities and MPAC are being forced to pay to maintain a broken system. During the 2010 municipal election, MPAC spent over 4 million dollars to deliver the Preliminary List of Electors (PLE). As Table 1 indicates, however, despite this significant expenditure, municipalities also incurred significant costs to revise and correct the data that they received from MPAC.

*Table 1:*

### **Sample of Financial Costs for Municipalities to Revise MPAC Data During 2010 Municipal Election**

<b>Activity</b>	<b>Cost, by population</b>		
	<b>87,000</b>	<b>121,000</b>	<b>350,000</b>
MPAC PLE Revisions	\$10,750	\$15,000	\$6,500
Voters' List Revisions	\$15,750	\$20,500	\$15,000
Advance Vote and Election Day Revisions	\$19,500	\$23,600	\$91,500
Post-voting Revisions	\$1,000	\$16,000	\$31,500
Operating expenses (to complete revisions)	\$5,600	\$4,000	\$11,300
<b>Total</b>	<b>\$51,600</b>	<b>\$79,100</b>	<b>\$155,800</b>

*Source: AMCTO Discussion Paper: Issues and Options on the Use of a Voters' List for Municipal Elections in Ontario, January 30, 2012, 11*

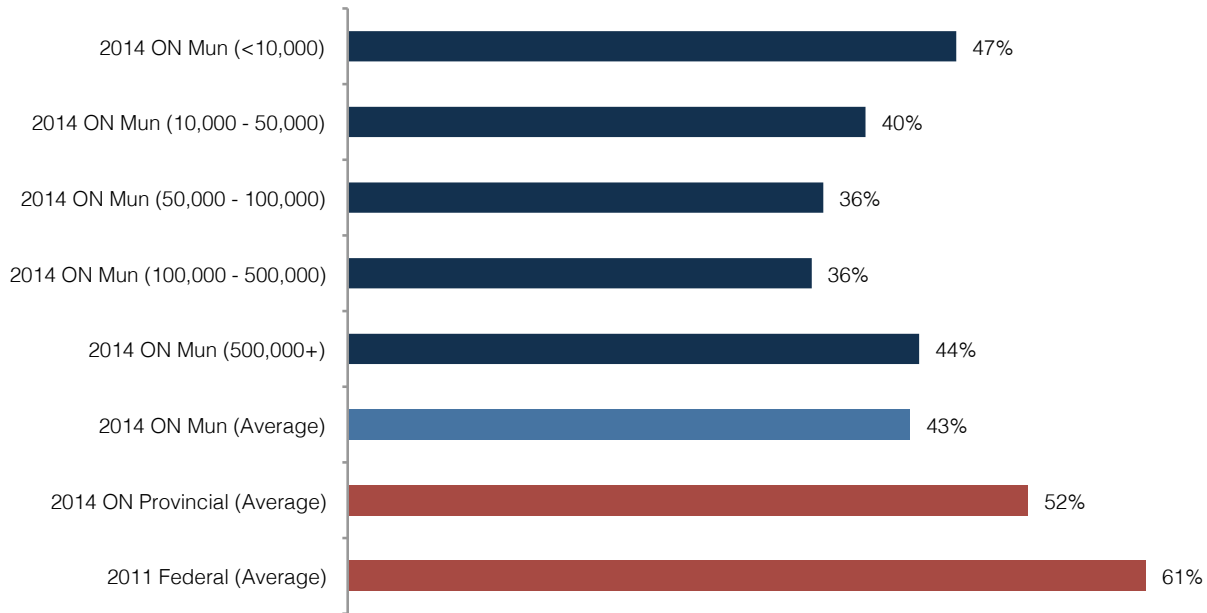
Creating a voters' list is a difficult task, and municipal administrators recognize this. However, municipalities are required to pay MPAC to create the PLE and then spend additional resources correcting it. Several AMCTO members have noted that the current quality relative to costs of the voters' list would not be tolerated in any other procurement process. Surely, the standards for fiscal responsibility and proper stewardship of increasingly scarce taxpayer dollars should apply to the voters' list as well.

## **VOTER TURNOUT AND THE DEMOCRATIC PROCESS**

There is also mounting concern about the possible effects that the poor quality of the voters' list is having on citizen participation, voter turnout, and the democratic process. Low voter

turnout is a concern at all three levels of government in Canada. However, as seen in Figure 3, participation during municipal elections is especially low.

Figure 3:  
**Voter Turnout by Population, 2014 Ontario Municipal Election<sup>3</sup>**



Source: AMCTO 2014 Post Election Survey, January 2015 (n=112)

There is no doubt that multiple factors cause citizens to disengage with the democratic process, or forgo voting. A poor quality voters' list is not the sole, or even likely the most important factor contributing to low and declining levels of voter turnout. However, while there are many conditions that election administrators cannot control, ensuring an accurate voters' list is one thing that can be ensured. There is no need to risk inadvertently creating a barrier to eligible electors participating in elections.

## **ACCESSIBILITY**

There is also no need to create unnecessary barriers for the use of alternative and unsupervised voting technologies. The use of unsupervised voting is increasing at a rapid pace in Ontario, especially with respect to Internet voting, with over 20 per cent of municipalities using it in 2014. Similarly, close to 60 per cent of respondents to AMCTO's post-election survey indicated that they would recommend that their municipality use Internet

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<sup>3</sup> Voter turnout average for the 2014 Ontario Municipal Election is based on responses to AMCTO's 2014 Post-Election Survey, and is not meant to serve as a statistically representative sample of the province as a whole.

voting in the 2018 municipal election<sup>4</sup>. However, unsupervised voting requires an accurate and legitimate list of electors, and the current problems with the voters' list threaten to jeopardize the use of this technology. Some AMCTO members have opted to forgo the data provided by MPAC and create their own lists in order to ensure that their data can be trusted, thus protecting their ability to innovate and make use of alternative forms of voting.

## ***ACCOUNTABILITY***

The current approach to the voters list is also bereft of any rational accountability. While Clerks are the mandated authority to administer free and fair elections, they have limited control over the voters' list. This creates a fragmented accountability relationship, where though MPAC is responsible for delivering the data that forms the municipal voters list, they are one step removed from the implementation and delivery of municipal elections. As a result, their accountability to the voter, who relies on the list to exercise their democratic franchise, is unclear. In the eyes of the public the burden of this responsibility rests with the municipality, unfair as that may be.

## ***ONE VOTER, THREE LISTS***

The accountability relationship is further complicated by the confusing structure of elections in Ontario, where there is one voter, and three separate voters' lists. Regardless of the merits of this composition, it creates confusion and frustration amongst the public, who wonder why they get a voting card for federal or provincial elections, but not for those at the local level.

The average voter may or may not be able to differentiate the responsibilities or functions of different levels of government, or understand why they are all creating their own separate lists. Regardless, the fragmentation of the one voter, three lists system in Ontario only serves to further confuse, disenchant and disengage Ontarians.

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<sup>4</sup> AMCTO 2014 Post Election Survey, January 2015 (n=112)



## WHY NOW?

Concern over the quality of the voters' list is not a new phenomenon, and neither is the desire to see it improved. In December of 2012 representatives of a number of municipalities, associations, and MPAC agreed that a different approach to the voters' list was necessary<sup>5</sup>. Since that time AMCTO has attempted to work with MPAC to find a solution and improve the enumeration process, yet fundamentally nothing has changed. Minor reforms have been implemented, but the larger system has not changed, and therefore not improved.

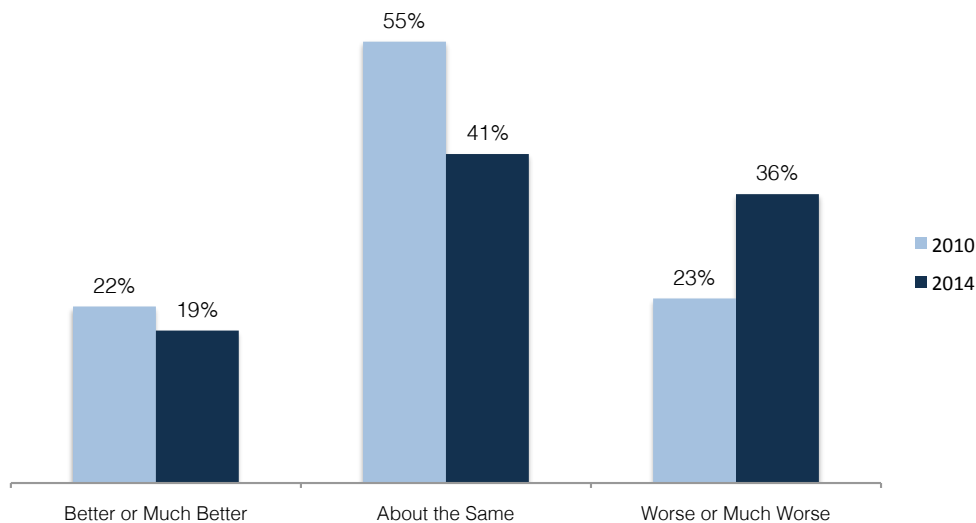
***“Something has to be done about the quality of the voters’ list. Each election it is the same excuse and nothing changes.”***

—AMCTO Member (Source: AMCTO 2014 Post-Election Survey, January 2015)

The simple truth is that the current system is broken, and cannot be fixed. Since the municipal election in 2010, the quality of data that makes up the voters' list has not improved, and appears to have gotten worse (see Figure 4). Regardless of whether they lack the tools or the access, MPAC has not been able to fix the data for the voters' list, despite their attempts to do so.

Figure 4:

Quality of MPAC’s Data, Compared to Previous Election (2010 and 2014)



Source: AMCTO 2014 Post Election Survey, January-February 2015 (n=112); and, AMCTO 2010 Post Election Survey, February-March 2011 (n=168)

<sup>5</sup> ICA Associates Inc., Results: Ontario Voters' List Forum, December 5, 2012.

# CONCLUSION

Ontario's municipal professionals take pride in being able to offer a high-level of service to the members of their respective communities. However, when it comes to elections their ability to do so is unjustifiably constrained by an unclear, inaccurate, and broken system for managing the voters' list.

There are no shortage of options to create a better outcome for all citizens and stakeholders. In 2012 AMCTO produced a discussion paper, which outlined many of these potential options. The purpose of this paper was not to advocate for a particular solution to the problem, but simply to state that this is a problem that can no longer go unaddressed. It is an issue that affects every citizen, and the very sanctity of the democratic process.