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R. Michael Alvarez, Lonna Rae Atkeson and Thad E. Hall

Excerpt

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Introduction

Performance-Based Evaluation of Election Administration

There are a common set of questions journalists, election administrators, and candidates sometimes ask about the administration of elections in the United States and internationally. A reporter from a local newspaper will ask whether recent elections in the area were run well. During an interview with a national media outlet, one of us will be asked, in our roles as academics who study election administration, to opine about whether some state has recently done a good job administering a presidential, primary, or other federal, state, or local election. More broadly, we have been asked by journalists from other countries to evaluate how well elections across the United States have been run since the 2000 presidential election.

Although these questions may seem simple, they are inherently difficult and complicated because (1) election administration involves a complex set of procedures, (2) there are many possible aspects of an election to consider to determine if it was “run well,” and (3) currently there is no accepted framework to assess the general quality of an election. More troubling, the question is focused solely on making a snap judgment about a given election – without taking the context of the election or the jurisdiction into account – and is not concerned with improving election management.

Over the past decade, we have worked with local election officials around the country and have found that most of them have a strong desire for well-run, glitch-free elections. They want a smooth voting day and want to know how they can improve their election processes.

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They crave information that will help them meet these goals. Ironically, many election officials are unaware of the number of tools at their disposal to improve their election processes and procedures as well as the overall management of the process. They generate a great deal of data and could, with little cost, increase the amount of data and feedback and use that information to inform and improve their processes for the next election.

For example, in New Mexico, we have been working with election officials for some time, helping to collect information about their election processes: data on provisional balloting, overseas voting, poll worker training, voter attitudes and behavior, election observations, postelection audits, and so on. They have not only valuable information on the strengths and weaknesses within a particular election but also, more important, an ongoing examination and analysis of the election ecosystem that feeds back into the election administration processes and provides for reflection and improvement in the next election.

In Bernalillo County, Clerk Maggie Toulouse Oliver has found that consistent annual data collection and ecosystem evaluation efforts have provided her with valuable information and insight into what she and her staff are doing right, what processes and procedures are effective, and what needs to be done to improve the election experience for her county's voters and for her election. "Our goal is to always be working to improve the election process and the data and information we have received. Working with our academic counterparts has been invaluable to our efforts."

The systematic nature of the efforts in Bernalillo County allows officials to evaluate changes in performance over time and the way in which new processes and procedures either positively or negatively affect performance, for example, training of its poll workers. On the basis of performance-based evaluations initiated in the county, we determined using quantitative and qualitative observational data that there was an ongoing problem in the implementation of voter identification laws. Some poll workers asked for physical forms of identification, which was not in compliance with state laws.

On the basis of these initial findings, the state engaged in a voter education effort, producing a poster for each voting precinct on Election

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Day that explained the voter identification laws in the state. Bernalillo County also changed its poll worker training on this issue and has continued to revise its training based on what has been learned after each election. By systematically conducting surveys and evaluations after each election, the county knows how well its poll workers are implementing the voter identification law, how well voters understand the law, and what needs to be changed for the next election.

Evaluating the election ecosystem may sound quite simple, but it is important to be systematic and detailed and engage in the data collection processes continually, election by election. Currently there is not a strong tradition of a data-driven evaluation of election administration in the United States, unlike public education, for example, where data are published annually to help the public, academics, policy makers, and administrators evaluate schools (test scores, dropout rates, per pupil spending, average class sizes, percentage of students on free and reduced lunch, and teacher qualifications). Such evaluation would include the following:

- Have elections been run with a high degree of integrity, free from fraud?
- How many people were turned away from the polls or voted provisionally?
- Are voters and stakeholders confident that ballots have been cast as intended and confident in the performance level of poll workers who run the elections?
- Did the poll workers report problems in the election?
- Are elections in the area convenient and accessible and do voters turn out to cast ballots in large numbers?
- Are there many reports of problems on Election Day in the area?
- Are election results reported in a timely manner, upheld by subsequent auditing procedures?
- Did the machines count the votes correctly?
- What was the roll-off on down ballot races?

Even if some of this information were available, it may not be clear from the data whether an election was well run. Again, without

performance data, we have no standard for comparing elections, either historically or within or across jurisdictions.¹

Performance Measurement in Government and the Private Sectors

There are six basic steps for developing performance-based management systems:

1. Determine the purpose of the performance measurement process.
2. Identify the organization's mission and customers being served.
3. Identify outcomes important to the organization.
4. Identify outcomes important to the customers of the service.
5. Select appropriate performance metrics that measure the outcomes.
6. Identify sources of data and how these data can be collected.

In the private sector, a performance-based management tool called Six Sigma has been designed to create a system within an organization that has 3.4 or fewer errors per one million events. The organization is constantly focused on ensuring that the process that takes the product or service from start to finish – from “concept to consumer” – is error free.² The central focus of Six Sigma is measuring performance constantly against an absolute benchmark and against previous performance. Collecting and analyzing data and involving individuals across the organization are core aspects of the Six Sigma process. The goal is

¹ This lack of data and performance analysis in elections is odd, especially considering what occurred in Florida in 2000 and because quality over time management-based data-driven evaluation processes are common in the private and public sectors. In the public sector, performance-based management is an integral part of federal, state, and local government budgeting, program management, and program planning in most jurisdictions (Moynihan 2008). In the private sector, it is very common for service and manufacturing sector firms to use customer surveys, market research, and data-driven methods to determine the quality of their services, products, and production processes. It is even becoming more common for colleges and universities to use data-driven quality performance evaluation, and these approaches are now becoming popular in primary and secondary public education throughout the United States.

² There are many hundreds of books and articles on Six Sigma. For an overview of the concept, see Truscott (2003). The preceding one-paragraph summary is only intended to explain aspects of Six Sigma, not the entire concept.

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to use data so that the organization can know how good it is now, how good it can be, what are the barriers to getting better, and how can they be overcome. By establishing a process for improvement, these barriers and problems can be identified and improved.

Performance measurement is quite simple in concept, and variations of such systems have been used for more than a century. Frederick Taylor's scientific management and Edwards Deming's total quality management were precursors to today's performance-based management efforts. The two constants have been the collection of data – from the use of stopwatches to conduct time-and-motion studies to high-tech computer monitors in use in factories today – and the understanding that people operate within systems and that breakdowns in the system can hinder performance, even if individuals work hard and do the best that they can.

Management reforms of the past two decades have assumed that performance will improve when (1) managers have clear goals and results are measured against these goals, (2) managers have flexibility in resource use, (3) government decisions focus on outputs and outcomes rather than on inputs and procedures, and (4) managers are held accountable for the use of resources and the results produced.³

In the case of elections, it is possible to accomplish these four goals, but only if the election officials have thought about performance management at the outset. In elections, poll workers are only as good as their procedures and processes allow them to be. Elections have clear goals, clear sets of customers, and numerous opportunities for data collection and improvement. By having an array of data, across the full spectrum of election-related processes and activities, election officials can communicate effectively about what it is they do, what resources they need to get the job done, and how policy can be improved to make these activities and processes work better.

What underlies the importance of performance-based management is a very basic idea: it is almost impossible to have a discussion about what has happened, how effective a program is, how to improve a program, or how to make claims on additional governmental resources, without quality data (Kettl 1998). Managers can use these data both to improve their internal activities within the organization and to

³ This list is taken almost verbatim from Moynihan (2006, 79).

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strengthen the effectiveness of their collaborations with contractors and their communications with other policy players.⁴

Goals of Performance Measurement in Elections

In 2003, three Brookings Institution scholars noted that reforming government and government programs works “best when they [grow] from strong strategy and [have] robust intellectual support” (Dilulio et al. 1993, 9). The goal of this book is to provide a sound and strong strategy and provide intellectual support for reforming the management and operations of elections, both in the United States and internationally. Our focus is on how election officials can use data and performance measures to develop strategies for improving elections. Developing methodologies for collecting the necessary data, and approaches for analyzing them, is extremely important because without the systematic analysis of election data, election reform may be unresponsive to the needs of its clients and may be creating bureaucracies, administrative rules, and procedures as well as spending large sums of money on solutions for problems that do not exist.

What is a high-performance election? Local election officials will answer: “As long as we were not in the newspaper” or “As long as we don’t get sued by a candidate.” These are both reasonable answers; bad news stories or candidates suing election officials because of discrepancies in the implementation of election processes are clear signs of problems in the electoral machinery.

We want to think beyond the simplest definitions of a quality election and determine whether the various processes of the election were performed with high quality, regardless of whether the problems affected the election outcome or the experience of voters. Consider the following three examples:

1. A voter may be required to vote using a provisional ballot at a precinct because her name is not listed in the voter rolls and she thinks she is registered to vote there. She⁵ may leave the precinct

⁴ Addressing both internal organizational needs and external network needs is critical for effective government organizations. See, e.g., O’Toole and Meier (1999, 2003).

⁵ Statistically, most voters are women, so we use feminine pronouns for ease of writing and because women are the modal gender in elections.

perfectly satisfied with her polling place experience and very confident that her ballot will be counted accurately. However, the voter does not know that the poll worker filled out the back of the provisional ballot incorrectly and that therefore her ballot will not be counted.

2. Voters who vote via absentee ballots in a jurisdiction may make more errors on their ballots – overvotes or undervotes – than voters voting in a precinct.
3. The voter registration file in a jurisdiction contains many voters who are no longer in the jurisdiction. This results in the misallocation of poll workers across precincts and the printing of too many ballots.

In many ways, elections are an activity where, from a management perspective, the inputs and outputs really matter. It is easy to forget that some elections, party primary elections, for example, are a government activity provided for the express benefit of third parties – the candidates and political parties who want to select candidates for their organization to run in the general election (which is why independent voters and voters who decline to state a party preference are often excluded from participating in primary elections). In all elections, candidates and parties are important customers of the election services and election officials should be (ideally) indifferent to the outcome. They should want their customers – the voters, candidates, and political parties – to be highly satisfied with the *process*, even if they are unhappy with the *actual outcome of the election* (in other words, they are confident in the process even if their favored candidate loses).

Elections Are about Data

Elections are about data, about counting votes and voters – and election administrators routinely engage in all sorts of procedures that generate vast quantities of information. However, much of these data are not generated for the purpose of evaluation. Instead, they are generated as part of the routine checks and redundancies of election administration. More troubling, these data are also often not combined with other data collected by the local election official (LEO) and used for performance-based management, organizational training, and

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quality improvement. Rarely are the detailed data from a postelection ballot audit provided to the public, or even to other election officials. When these data are reported to the public, it is usually in the form of an aggregated report such as overall results for a county or perhaps the results by precinct. The raw data describing the errors and source of errors are rarely included in these data reports.

We know of no jurisdictions where these results are reported in a way that makes it convenient or possible to compare the postelection audit results across counties or across states. The lack of reporting of detailed data from postelection ballot audits and the subsequent lack of analysis mean that valuable opportunities to study the performance of voting systems across jurisdictions, voting populations, voting technologies, and election administration procedures and practices are lost.

One example of data that could be invaluable for evaluating election performance and for performance-based management comes from the provisional voting process used throughout the United States. Provisional voting, often known more generally as failsafe voting, is a procedure intended to allow a potentially eligible voter to obtain and cast a ballot even if her name does not appear on the voting registry used in the polling place. Typically those who use the provisional voting process will mark their ballots, put their marked ballots into privacy sleeves, and then place the privacy sleeves containing their ballots into larger envelopes. On the exterior of this larger envelope are places for the potential voter to write her name and address, an affidavit for the voter to sign, and components that the poll worker must complete. Completed provisional ballots are then taken back to the elections office, where the information on the exterior envelope is compared to the complete and final voter registration database for that election. If the potential voter is found in the database, her ballot may be included in the tabulation, but if she is not found in the database, her ballot will not be included in the tabulation.⁶

⁶ We say “may be included” as there are a variety of regulations that will govern whether the ballot, or some part of it, is eventually tabulated. For example, some jurisdictions require that the provisional ballot be cast from the voter’s correct precinct – meaning that if a registered voter casts a provisional ballot from a precinct other than her own, it may not be tabulated. And in other places, if a voter marks a provisional ballot in the incorrect precinct, election officials will count only those races in which the voter was eligible to participate.

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Another example of invaluable data is the number of provisional ballots completed and tabulated in an election. It might be seen as a potential measure of the quality of a jurisdiction's voter registration process. A voter whose name is not on the registry but who casts a valid ballot through the provisional process is a voter whose name should have appeared in the registry in the polling place. Information about the precincts where provisional ballots are most likely to be cast and about the demographic characteristics of provisional voters is critical for understanding the population of voters for whom the voter registration system is not performing adequately (Alvarez and Hall 2009; Atkeson et al. 2009). Moreover, because completing the provisional ballot requires the poll worker to complete certain tasks as well, the ability of poll workers to do these tasks correctly can be a measure of training effectiveness and poll worker competence.

Another example of underutilized performance data are those data generated in postelection ballot audits. Some states, like California, have long mandated that counties conduct routine postelection audits of ballots cast in elections, primarily as a simple means of verifying that the voting systems used in each county are tabulating votes as expected. Other states, like New Mexico, have recently implemented more complicated risk-limiting postelection ballot audits. In other parts of the world, nations employ independent auditing firms to conduct postelection audits.⁷

These postelection ballot audits collect an amazing array of valuable data. A typical postelection ballot audit has an election official select some random sampling of ballots or ballots from a sampling of precincts; the ballots included in the audit are recounted by hand, and those results are compared to the reported results from the initial tabulation. Discrepancies between the original results and the audited results in a single election jurisdiction can indicate malfunctioning voting systems or that the voters are not interacting correctly with the technology used to count their votes and that better voter ballot education is necessary.

⁷ An excellent example of another nation that has employed independent auditors in past elections in Estonia. See Hall and Maaten (2008) for a discussion of this type of auditing.

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Collection, Transparency, and Openness

A data-driven performance evaluation process for election administration will require federal, state, and local election officials to do two things. First, they must develop standardized election administration data metrics that are collected in an electronic format in a standardized manner. Across various states – and often across local election jurisdictions within a single state – various election data are collected differently and reported differently, and in very different formats (see Alvarez and Hall 2006; Kimball and Baybeck 2008). Some local governments do not collect data electronically or systematically organize and report data that they have on hand. Across states, there are different definitions for the same term – for example, voting in person before an election in some states is *early voting*, whereas in other states, it is *in-person absentee voting* – and these data on early or absentee voting may not be kept separate from data on Election Day voting. For example, data on uncounted votes in a given race may not be available for specific modes of voting, which means that it is not possible to identify problems that may exist with the voting process in absentee or Election Day voting.

Second, data-driven performance-based management in elections will require unprecedented levels of transparency on the part of state and local election officials. In many states, election laws explicitly do not provide local governments enough time or resources to capture data about the election before the election has to be certified and the data from the election sealed. For example, in Georgia, election officials have fewer than three days to certify an election because of the state law governing runoff elections. Once the election is certified, state law requires the election data – from counts of provisional ballots and problems that might have ensued to cause absentee ballot rejections – to be sealed and not be opened without a court order. For a data-driven performance-based management process to be put in place, state laws must facilitate the capture of data, and those who control the access to data must be willing to use those data, or to provide those data to others, to conduct evaluations.

Our collective experience suggests that most election administrators want to – and try to – conduct efficient and effective elections and engage in many activities to ensure a smooth election process. Over the