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Santa Clara County accepts nation's first electronic voting registrations

By Ken McLaughlin

The Santa Clara County Registrar of Voters made history Friday when it allowed eight county residents to register to vote by writing their signatures on iPads, iPhones and other mobile touch-screen devices.

It was the first time an election official in the United States, possibly in the world, permitted anyone to register to vote that way. Voting rights advocates cheered the news as a major milestone in making it easier for millions of people to register to vote, but critics worry that digital signatures could be difficult to verify and pave the way for voter fraud.

County Registrar Jesse Durazo made the decision to permit the electronic signatures after the county board of supervisors and county counsel gave their blessings to the proposal by Verafirma, a Silicon Valley company whose partners include San Jose political strategist Jude Barry.

The firm has been stymied in court in its efforts to allow Californians to sign initiative petitions on mobile devices rather than on paper petitions in front of supermarkets. So Durazo's decision was a welcome victory for the fledgling company.

"It's truly awesome and fantastic that a county registrar is allowing this to happen. It's a huge, huge step," said Thomas Bates, vice president for civic engagement at Rock the Vote, a Washington, D.C.-based organization that registered 2 million new voters in the 2008 election. "We're supportive of anything that modernizes the antiquated voter-registration system in our country."

Barry said Verafirma will now try to make the technology available in all of California's 58 counties by the November election.

Some election officials have raised concerns about possible voter fraud, as well as privacy and security issues, in regard to electronic signatures. But the founders of Verafirma point out that Wells Fargo Bank is so confident in the technology that it allows customers to open a bank account with an electronic signature.

The new technology also appears to be speeding ahead of current election laws. Nicole Winger, spokeswoman for California Secretary of State Debra Bowen, expressed some concern that the state's election codes don't mention things such as the three-year-old iPhones or the brand-new iPad. But Bowen does not have the authority to tell the county registrar to reject the signatures of the Santa Clara County voters who agreed to be guinea pigs, Winger said. Unless someone sues to stop Durazo from registering the voters, the electronic signatures will stand.

Barry, who called electronic signatures "the future of voter registration," said Verafirma has developed new software on a website that will allow people to use the National Voter Registration Act form to produce a "secure electronic signature" in the same way shoppers sign their name after swiping a credit card at supermarkets and large drugstores.

But, he said, the new technology does a lot more than that. As a person writes his or her name, the software records the speed at which someone signs, the way they cross their "t's," dot their "i's" and round their "e's."

"Every stroke, the timing of each stroke, the curve, the shape and the order of the strokes are all captured in real time," said Verafirma co-founder Michael Marubio. "The way you signed your name can then be played back on a computer screen like a movie."

Marubio, who has worked in the digital signature business for 15 years, said the software is located on a muscular Google server. "So if 300 million people decide to use this tomorrow, the server won't blink," he said.

Durazo was at an all-day meeting Friday and could not be reached for comment. But his spokesman, Matt Moreles, said the registrar's office will treat the eight signatures submitted on the electronic forms "like any other registration form."

The signatures will not be stored electronically. They'll simply be printed out. After one of the new voters mails in a ballot, those signatures will be compared against the electronic signatures.

Winger said one concern is that registrar workers will have to compare an electronic signature with one created with pen and paper. And as anyone who has ever used one of the signing machines at Trader Joe's knows, they often look quite a bit different.

But Moreles said registrar workers are confident they'll be able to match the signatures — particularly because workers are trained to watch for variations in signatures, which often change over time.

County Supervisor Dave Cortese said Verafirma's proposal was discussed Monday in closed session because of potential litigation — and that the full board was enthusiastic. County Counsel Miguel Marquez also signed off on the plan, clearing the way for Durazo's approval.

"If we have voter registration fraud going on, it's not going to be because of electronic signatures," Cortese said. "The tone in the room was much more in the direction of exuberance than concern. We certainly don't want to serve as a bottleneck to a good thing."

The eight voters created their electronic John Hancocks at either Barry's office downtown or at a table set up outside the student union at San Jose State in the past two weeks.

The first to sign was Tim Howell, a 24-year-old public relations major at SJSU.

After a friend noticed the call for volunteers on Facebook, Howell registered on an iPhone.

It wasn't the first time he had tried to register. When he tried the first time in 2008, he said the registration card he mailed in apparently never got to the registrar — so he never got the chance to vote.

"This time it was easy," Howell said, "and I guess it's cool to make history."

May 19, 2010

Will Touchscreen Devices Transform Voter Registration Systems?

By Russell Nichols, Staff Writer

With November elections on the horizon, Santa Clara County made a strategic move last Friday, May 14, when its Registrar of Voters became the first in the nation to accept electronic signatures for voter registrations

The decision came after Verafirma, a Silicon Valley technology company, pitched the idea to use the county as a test bed for its e-signature system. Using the National Voter Registration Act form on the company's website, the software captures a "secure electronic signature" that the registrant writes on an iPad, iPhone or another mobile touchscreen device. Created to eradicate issues with the pen-and-clipboard method of years past, advocates said this historic and innovative approach could forever change the process of voter registration

"Being in Silicon Valley, we're proud of our efforts to promote electronic voter registration," said Elaine Larson, assistant registrar of voters for Santa Clara County, "and make it available to everybody to register to vote in a safe and secure manner."

So far, five people have used the free service and signed voter registration forms electronically at a table set up at San Jose State University. Three of the five were re-registration forms with information that was "really clear and better than what we have on file," Larson said.

Santa Clara County's effort represents the latest wave in a broader movement to modernize voter registration systems across the country. By using the Internet and new technology, state and local governments hope to reduce voter registration costs and mistakes created from processing paper files.

In recent years, more and more states have been exploring online voter registration systems, which link data obtained at motor vehicle divisions to state election offices, said Michael Slater, executive director of Project Vote, one of the nation's leading voter engagement organizations. Project Vote estimates that at least 10 states will have online voter registration by the end of 2010.

Electronic signatures elevate this trend, giving people the option to fill out the voter registration form from anywhere, anytime. Of course, this method may raise security concerns and fears of voter registration fraud. But Slater called the Santa Clara County system a forward-thinking, efficient "innovation of convenience," which makes online registration available to anybody with minimal risk.

"I'm sure that there are some tech experts that would find security and privacy concerns," he said. "Is it worth the modest risk? Unless someone convinces me otherwise, I'd say why not."

Cost Factor

Oregon spent approximately \$8.8 million — or \$4.11 per active registered voter — on its voter registration system during the 2008 election, according to a recent report by The Pew Center on the States.

Conducted by the Pew Center on the States with assistance of Oregon state and local election officials, researchers tout this landmark case study as the first publicly available, detailed compilation of state voter registration costs. Variations in state laws and differences in duties between state and local election officials make it tricky to obtain such figures.

But with Oregon's real numbers under the microscope, *The Real Cost of Voter Registration* puts state dollars into perspective to help states estimate their expenses and figure out how to modernize efforts, according to John Lindback, senior officer for Election Initiatives at the Pew Center on the States and former Oregon state election director.

"States need to analyze their current voter registration costs before they can determine effective ways to modernize the process," Lindback said in a statement. "A good starting point is to use 21st-century technology that will not only make registration less expensive, but also more efficient and accurate."

With electronic voter registration, states can cut costs significantly. In Phoenix, for example, it costs at least 83 cents to process a paper registration form, but it only costs about 3 cents for online registration. The Washington Office of Secretary of State saves 25 cents per online application while counties save between 50 cents and \$2 per online application compared to paper forms, according to research by the Pew Center on the States.

Delaware, the Pew report noted, reduced its labor costs "by \$200,000 annually with its e-signature practice that requires every visitor to the Division of Motor Vehicles (DMV) to register to vote, update their record or decline to do so and then electronically syncs the data with the state election office."

Registration Reform

The pen-and-paper model of collecting information has already faded away in various other sectors, so why not voter registration?

"You can apply for a mortgage online. You can get a car without signing a piece of paper. In the software industry, you can click 'I Accept' to download a document," said Michael Marubio, co-founder of Verifirma. "The last vestige of the all-paper process is the local government."

The traditional paper-based method requires thousands of pieces of paper that must be filled out, collected, checked, entered into the system and delivered to election officials.

When it comes to transitioning to an electronic system, Marubio believes it's a matter of education. That means informing people who may not understand the concept of an electronic signature or have concerns about security. Verifirma knew election officials would support the idea in Santa Clara County, home to Silicon Valley tech pioneers such as Apple and Google.

In Santa Clara County, you can visit the Verafirma site, fill out the voter registration form and sign it using a mobile touchscreen device. The company will e-mail you a "tamper-proof" PDF document, which you then e-mail to the registrar. Once Verafirma sends the locked PDF, Marubio said, the company purges the system of any data. An audit trail tracks the registrant's experience, which includes the IP address, the location of the mobile device, the time it took to fill out the form and encrypted stroke data on the signature, he said.

"Did you dot your i's midway through the signature or at the very end?" he said. "Did you cross your t's from left to right or right to left?"

Bounded to each document, this data helps prevent fraud because election officials can trace the information back to its original source. For example, officials would see red flags if 10,000 electronic forms came into the system from the same IP address. But, Marubio said, "If 10,000 paper documents were dumped on your doorstep, it would be difficult to identify intentional fraud."

It took about two years to get the system launched in Santa Clara County. The company and county officials had to work through the technical and legal issues. Voter registration statutes vary from state to state and sometimes between counties, but he said 18 states would allow a system with e-signatures on mobile devices for voter registration.

"If there was any county that would have the technical know-how to understand this system, it was Santa Clara," he said. "Our plan here is to expand to all counties in California and the 17 other states. Everyone, I think, agrees on the inevitability. We just hope it's sooner rather than later."

E-Trend

Signing a voter registration form on an iPad or an iPhone may represent the next step of electronic voter registration. But the movement has roots in 2002 when Arizona launched its online voter registration system.

Arizona implemented the system through its Motor Vehicle Division, which allows residents to make updates to motor vehicle and voter registration records at the same time. In 2008, Washington state implemented a similar online voter registration system, but is maintained by the Office of the Secretary of State and data only "flows in one direction from the driver's license records to the state Elections Division," according to a Pew Center on the States study released in April.

Ever since a federal law required states to upgrade databases to centralize electronic records, Slater said, election officials have been able to communicate with DMVs in ways that were impossible before. Passed in response to the nearly 2 million ballots that were disqualified in the 2000 election debacle, Slater said the Help America Vote Act of 2002 set the stage for the current electronic voter registration trend.

"You don't complete another piece of paper," he said. "The information is just pulled out of the fields that you already filled out, making it a seamless process from the point of view of the applicant."

But for these systems, residents can only register to vote if they have a state driver's license or state identification card number. This restriction, Slater added, primarily affects people who are "underrepresented in the electorate, particularly low-income individuals, people of color and youth."

To boost registration rates, Project Vote recently teamed up with Echo Interaction Group to create a mobile-based application universally compatible with all iPhone, BlackBerry, and Symbian-based operating systems, including the iPad. Set to debut this month, the app will collect, process and upload voter registration data to state election officials. This will not only streamline the voter registration process, Slater said, but also decrease costly and timely mistakes that lead to rejected or duplicate forms.

It remains to be seen whether other counties and states will sign off on Santa Clara County's innovative e-signature strategy, but the move gives municipalities a potential model to follow.

"I think it is fantastic that this happened, and we'll have a role model for people to look at and emulate," Slater said. "Whether states will move in that direction is complicated to predict."