

MOBILE COUNTY ENSURING ELECTION INTEGRITY

January 2024

THERE ARE FOUR COMPONENTS TO ELECTION SECURITY - INTEGRITY

1. Election machine integrity - security
2. Ballot integrity - security
3. Voter integrity
4. Election official (poll worker) integrity

ELECTION OFFICIALS

It should be noted that in the United States and in Alabama, our elections are conducted by citizens. Citizens make important community decisions and choose leaders through the election process and citizens conduct the elections. This is unlike elections in many other countries where government employees (who may have a vested personal interest in the outcome of an election) conduct elections. So, the use of citizen poll workers is a “check and balance” against governmental tyranny and promotes the concept of election integrity.

Alabama law provides that poll workers should serve in the election poll for the precinct in which they currently reside. In an emergent situation the Mobile County Election Official Appointment Board (“Appointment Board”) can appoint someone to serve as a poll worker in an election poll of a precinct in which said person does not reside, but this is the exception, not the rule.

Mobile County utilizes “best practices” for election administration published by the United States Election Assistance Commission. A recommended practice is that no more than 2 persons in the same family serve as poll workers. A second recommended practice is that 2 persons from the same family should not serve in leadership roles within an election poll. These practices are utilized in Mobile County.

In Mobile County ALL poll workers must be registered to vote. This is significant because most felons (persons who have been convicted of a serious crime) are not eligible to vote. Most poll workers are nominated to serve by the inspectors of their election poll. The inspectors represent to the Appointment Board that their nominees reside within the election precinct. The Probate Court verifies whether a poll worker nominee resides within an election precinct.

All Mobile County poll workers are trained for their positions. They are informed about what they can and cannot do at an election poll on election day.

Mobile County’s judge of probate and chief clerk personally visit election polls on election days. They are also available by telephone on an election day should an issue of any nature arise.

MACHINES - EQUIPMENT

Ballot counters in Alabama are manufactured by Elections Systems & Software (“ES&S”). All ballot counters and ExpressVote marking devices are kept in a locked, air-conditioned secured area in Mobile County’s Voting Machine Warehouse. Limited Mobile County employees have access to this area. Security cameras record activity around the perimeter of the Voting Machine Warehouse.

The Tenex Electronic Poll Books are maintained in a locked, secure area in the Mobile County Probate Court. Limited Probate Court employees have access to this area. The Court is located in the Mobile County Government Center Annex, which has building security and security cameras.

PROGRAMMING OF BALLOT COUNTERS AND PRINTING OF BALLOTS

GIS Mapping - Preparation Of Flash Drives

Mobile County’s Engineering Department’s GIS Division oversees the mapping of election precincts for Mobile County in coordination with the Mobile County Board of Registrars.

When an election is necessary in Mobile County, the Probate Court will identify the geographic area to be included in the election. For statewide elections, Mobile County transmits definitions and related information to the Alabama Secretary of State’s Office, which transmits said information to ES&S. For county-wide elections, Probate Court configures the election. The configuration definitions and information is transmitted to ES&S, along with the ballot issue(s).

With the data provided, ES&S creates a computer flash drive that is specific to the ballot counters and ExpressVote marking devices assigned to the precincts located within the geographic area. The ballot counter and ExpressVote marking device must have the specifically assigned flash drive inserted in the ballot counter before the ballot counter and ExpressVote marking device will activate. Probate Court confirms and verifies the material provided by ES&S.

Preparation of Ballots

ES&S also prepares a proposed ballot for use in the scheduled election. The proof of the proposed ballot is sent to the Probate Court for approval. Once the ballot is approved, ES&S prints the ballots for the election. The Probate Court specifies the quantity of ballots to be printed. The ballots are stapled in pads of 50 and include a perforation to facilitate the ballots being separated from the stub without tearing the ballots. The “stubs” of the ballots (which are stapled) are numbered. The ballots have printed “timing marks” that are machine specific. If a piece of paper (or ballot) is inserted in an activated ballot counter and does not contain the correct timing marks, the ballot counter will not “read” any data contained on said paper (or ballot).

The ballots are examined by Probate Court upon receipt from ES&S. Probate Court maintains a written record of how many ballots (by sequence number) are assigned to a specific election poll. The ballots are boxed and labeled for the intended election poll by ES&S. Upon receipt Probate Court confirms that the materials received are correct. The ballots are kept in a secure area until

time for delivery to the inspector (person in charge) of the election poll in question.

TESTING OF BALLOT COUNTERS

Shortly before the scheduled election is to occur, Probate Court staff and members of the Mobile County Voting Machine Warehouse will individually test every ballot counter to be utilized in the scheduled election. The test “deck” of ballots and a test file are prepared and maintained for every ballot counter. The test deck contains multiple ballots for the associated ballot counter. These test ballots are marked in order to test the functionality of the basic functions of the ballot counter. The person conducting the test utilizes every ballot in the test deck and documents the results of the test in the test file for the ballot counter. The test file includes the date of the test and the name of the person conducting the test. If a problem is encountered, it is addressed. Otherwise, a new ballot counter is utilized in place of the ballot counter not working properly. Once the test is completed, the ballot counter is “zeroed out” in preparation for the upcoming election. At that point in time the test deck is placed in the test file. The test file is maintained by Probate Court for 23 months following an election. The testing process is open to the general public for observation.

LOCKING AND SEALING OF BALLOT COUNTERS - PASSWORD

The ballot counters require the entry of a password to activate the ballot counters. The password is changed with each election. Upon completion of the test of the ballot counter, the ballot counter is locked and seals are affixed. The number on the seal is noted in the test file. The ballot counter is then wrapped in plastic and readied for deployment to the assigned election poll.

DEPLOYMENT OF BALLOT COUNTERS AND EXPRESS VOTE MARKING DEVICES

The Mobile County Voting Machine Department oversees deployment of the ballot counters and Express Vote marking devices to the election polls. Specific ballot counters are assigned to specific election polls. Records of assignment are maintained. The ballot counters and ExpressVote marking devices are usually delivered to the poll location 3 to 4 business days before an election. The delivery is coordinated with the owner/manager of the premises where the election poll is located.

CONNECTIVITY BETWEEN BALLOT COUNTERS, EXPRESSVOTE MARKING DEVICES AND TENEX ELECTRONIC POLL BOOKS

There is NO connectivity between the ballot counters, ExpressVote marking devices and Tenex Electronic Poll Books. **The ballot counters and ExpressVote marking devices are NOT connected or accessible via the Internet.**

Probate Court staff have accessed every ballot counter and visually inspected all ballot counters to ensure that no modem exists. Further, the administrative screen on each ballot counter has been activated and confirmed that no modem is detected to be present or connected to the ballot counter. Written documentation confirms these actions.

DEPLOYMENT OF BALLOTS AND TENEX ELECTRONIC POLL BOOKS

The ballots assigned to a specific election poll and Tenex Electronic Poll Books are hand delivered to the inspector of the specific election poll 2 to 3 days before an election. Records/receipt of delivery are maintained. The inspectors take an oath of office to safely maintain the ballots, equipment and other materials until election day and until said items are returned to the Court at the conclusion of an election. The oaths are in writing and maintained by the Probate Court.

ELECTION DAY ACTIVATION OF EQUIPMENT AT ELECTION POLLS

On election day the inspector and other poll workers (under the direction of the inspector) open up the election equipment and activate the machinery. There is a written checklist included of actions to be taken. The inspector has to certify that the seals on the ballot counters were intact and not broken or missing at the time the ballot counter was opened. **If a seal is broken or missing, the inspector must contact the Probate Court immediately to report the same. The ballot counter cannot be used until it is checked and cleared by members of the Voting Machine Warehouse Department and Probate Court.**

ELECTION DAY - SPOILED BALLOTS

If a voter needs a new-second ballot, the inspector oversees said process. The process includes recordation of the issuance of a new, fresh ballot in the Tenex Electronic Poll Book system. The voter will tear the “bad” ballot and place it in the election poll’s “spoiled ballot” envelope. At that time the inspector will facilitate a second, fresh ballot being provided to the voter.

BALLOT ACCOUNTING CERTIFICATE

At the conclusion of an election, all of the ballots assigned to an election poll must be accounted for. The inspector notes the number of ballots issued during the course of election and the number of spoiled ballots. These numbers are subtracted from the number of ballots issued to the election poll (stated on the ballot accounting certificate by the Probate Court before the election). The number of ballots utilized should match the number of ballots issued according to the Tenex Electronic Poll Book system and the sum of the number of ballots reflected on the individual ballot counters assigned to the election poll. If there is a discrepancy, the inspector must explain the discrepancy.

PRINTING OF RESULTS BY INDIVIDUAL BALLOT COUNTERS AND RETRIEVAL OF FLASH DRIVES FROM BALLOT COUNTERS

At the conclusion of an election, the ballot counters are instructed to print out the results reflected in the ballot counter. Multiple copies of this printed tape are printed. Once all of the tapes have been printed, the ballot counter is turned off and the flash drive is retrieved from the ballot counter. The inspector delivers the flash drive and a set of the ballot counter results (each machine) to the deputy sheriff assigned to the election poll. A receipt is given for the flash drive and results tape. The deputy sheriff proceeds to transport the flash drives and tapes to the Probate Court. A second set of the printed results are posted on the door of the building where the election poll is located for review

by the general public. Other sets of the printed results are placed in designated envelopes for delivery to various parties.

VOTED BALLOTS

Voted ballots are delivered by the inspector to the Sheriff of Mobile County. The Sheriff stores these ballots for 23 months.

UNUSED BALLOTS

The inspector returns all unused ballots to a designated location at the conclusion of an election. A receipt is provided by Probate Court or the Mobile County Sheriff's Department (depending on the location and the employee who is assisting the inspector with return of election materials to the inspector for all materials that are delivered.

TABULATION OF RESULTS FROM BALLOT COUNTER FLASH DRIVES AND COMPARISON TO PRINTED TAPES GENERATED FROM BALLOT COUNTER AT ELECTION POLL

As results arrive at the Courthouse, they are transported by Probate Court staff to Courtroom 1 where they are read in to the Election Night Reporting ("ENR") software provided by ES&S. As each flash drive is read in to the system, the corresponding printed machine totals are verified. Once verified, the next tape and flash drive are read-in and compared. This process continues on throughout the night until ALL precinct machine totals are read-in to the ENR software and all are confirmed correct.

TRANSMITTAL OF UNOFFICIAL RESULTS TO MONTGOMERY - SECRETARY OF STATE'S OFFICE

Results are transferred periodically throughout the night from the results laptop with hardened connectivity via external thumb drive to the SOS' website using a secure connection with multi-factor authentication. Results are verified using the SOS' website portal and this process continues until the last set of data is loaded.

PROVISIONAL BALLOTS

Provisional ballots cast at an election poll are placed in the provisional ballot box. This box is sealed at the conclusion of the election and returned by the inspector at the conclusion of the election. The Sheriff assumes custody and control of the provisional ballot box. They are kept in a secure location under lock and key.

One week following an election, the Mobile County Board of Registrars will inform the Mobile County Election Canvassing Board of which provisional ballots should be retrieved from the provisional ballot boxes and counted. This process is conducted in the presence of media and political party leadership. Once the provisional ballots are counted, the final election results are obtained.

FINAL TRANSMITTAL OF ELECTION RESULTS TO MONTGOMERY

Once all results are read-in to the ENR software, they are transferred to a flash drive, which is then used to securely connect to the SOS' website using multi-factor authentication. The final transmittal of data is verified against reports produced from the ENR software and confirmed as correct before uploading to the SOS' secure website.

VOTER REGISTRATION - UPDATE - CLOSURE

Alabama law provides that the boards of registrar shall not register any person as a qualified elector within 14 days prior to an election. This is also the deadline date for updating information in the Alabama voter registration system for registered voters.

VOTERS LISTS PREPARED - DATA LOADED UPON TENEX ELECTRONIC POLL BOOKS

Once the Board of Registrars confirms that all data entry work is complete, the Probate Court accesses the Alabama voter registration system to print the voter list for each election precinct. Said lists are bound by Probate Court and included in election precinct emergency supplies. The voter registration data is also loaded onto the Tenex Electronic Poll Books.

ACCESS TO TENEX ELECTRONIC POLL BOOKS

The Tenex Electronic Poll Books are secured and password protected that only appointed election officials are provided at the time of their training. This ensures that only Probate Court staff and appointed election officials can access the Electronic Poll Books. New passwords are used for each election.

ENSURING CITIZENS VOTE AT CORRECT ELECTION POLL FOR CORRECT CANDIDATES

It is the law in Alabama that voters are to vote at the poll serving the precinct in which the voter resides on the day of the election. Any ballot cast at an incorrect election poll is not to be counted. It is also an election crime for a voter to knowingly vote at an incorrect election poll and it is an election crime for an election official to knowingly permit a citizen to vote at an incorrect poll. It is also common for Mobile County citizens to move a new home in Mobile County but not change or update their voter registration with the Mobile County Board of Registrars.

These voters can obtain their correct poll information by: (1) going to their old poll on election day, where the clerk at the poll will give each voter the correct poll information for the voter's new residence; (2) contacting the Mobile County Board of Registrars by telephone at 574-8586; and/or (3) by use of the Internet, go to the "Elections" section on the Mobile County Probate Court's web site [www.probate.mobilecountyal.gov]. A voter who has changed his address but not yet registered his new address with the Board of Registrars can choose any of these three ways to make sure he goes to the correct poll to vote on election day. After the voter gets to his new poll on election day,

the voter will complete a provisional ballot and during the course of doing so, the voter will provide his new address to update the voter's registration information and then vote at the new poll. The good news is that the voter's provisional vote will count and the voter will be properly assigned in the Alabama voter registration system as to future elections. There are many acceptable forms of photo identification that can be utilized in Alabama elections. The voting citizen chooses the form of identification utilized - not the election official. Many of the acceptable forms of photo identification do not contain the voting citizen's address and/or date of birth. However, some do.

If the name, address or the date of birth stated on a voting citizen's chosen form of photo identification does not match what is recorded in the Alabama voter registration system, it is important that the election poll leadership confirm that the voting citizen is who they claim to be (in the instance of a name or date of birth difference) If there is an address difference, it is important that the election poll leadership confirm that the voting citizen is voting at the correct election poll for the correct candidates.

If it is reasonably believed by the election poll leadership that a voting citizen is voting at an incorrect election poll, the election poll leadership will inform the voting citizen of said determination and offer to direct the voting citizen to the correct election poll to vote. As noted above, if the voting citizen goes to the correct poll to vote (provisionally), the voter's provisional vote will count and the voter will be properly assigned in the Alabama voter registration system as to future elections.

If the voting citizen refuses said advice, the election poll leadership will require the voting citizen to cast a provisional ballot (at what is believed to be the incorrect election poll) and the Mobile County Board of Registrars will determine during the week following the election whether the voting citizen was at the correct election poll to votes and whether the voting citizen's provisional ballot should be counted.