



# **Protecting Voter Data Privacy While Expanding Participation**

**Presented by  
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# About the California Voter Foundation



## ***Mission:***

*Through research, oversight, outreach and demonstration projects to improve the election process so that it better serves the needs and interests of voters.*

## ***Three key goals:***

1. Assess the California voting process to identify needed improvements
2. Modernize California voter registration to facilitate greater participation
3. Improve disclosure of financial interests in initiative campaigns to help voters make informed choices.

# **How can states take advantage of technology to expand participation while minimizing risks to voter privacy?**

*Technology offers numerous opportunities as well as risks for potential voters.*

## Talk outline:

- Opportunities
- Risks
- Findings from nationwide assessment of state election web sites (Pew study)
- Best Practices
- Resources

## Introduction

For most voters, state election web sites are one of many helpful resources they can rely on to help them participate in elections.

But for millions of overseas and military U.S. voters, these sites are an **essential gateway** to exercising their right to vote. They have little to no access to local TV, newspapers, neighbors, campaign mailers. These voters are highly dependent on the Internet to enable their participation.

Implementation of the federal MOVE (Military and Overseas Voter Empowerment) Act in 2010 ushered in new content and resources for military and overseas voters on state election web sites beginning with the November 2010 election.

## **Opportunities/Conveniences (for all voters):**

- **confirming registration status online**
- **registering to vote online**
- **requesting absentee ballot online**
- **personalized ballot information/sample ballot**
- **checking on absentee ballot status (ballot transmission/receipt)**
- **locating polling place**

## **Opportunities/Conveniences (for all voters):**

***A 2011 national poll of registered voters conducted for the Pew Center on the States by the Mellman group found that:***

- A majority (57%) said they looked up what was on their ballot before voting most recently
- Almost half sought out where to vote (45%) and voting hours (44%)
- About a third (30 percent) verified that they were officially registered

## Risks:

- Personal information being compromised/Identity theft
- Registration record being altered/potentially impacting voting rights
- Not registering and voting due to voter data privacy concerns

*Online voter registration, fax voting and online voting pose different risks:*

- Loss of the right to cast a secret ballot
- Ballot tampering/fraud

# **What do state election web sites offer to voters?**

## **“Being Online is Still Not Enough”**

released December 2011

*Study was conducted in 2010 for the Pew Center on the States by the California Voter Foundation, Center for Governmental Studies and Nielson Norman Group.*

**We assessed state election web sites :**

- Content (50%)**
- Lookup Tools (25%) and**
- Usability (25%)**

# Scoring State Election Websites

Researchers assessed the sites between May and November 2010, using detailed criteria to evaluate the content, lookup tools and usability.



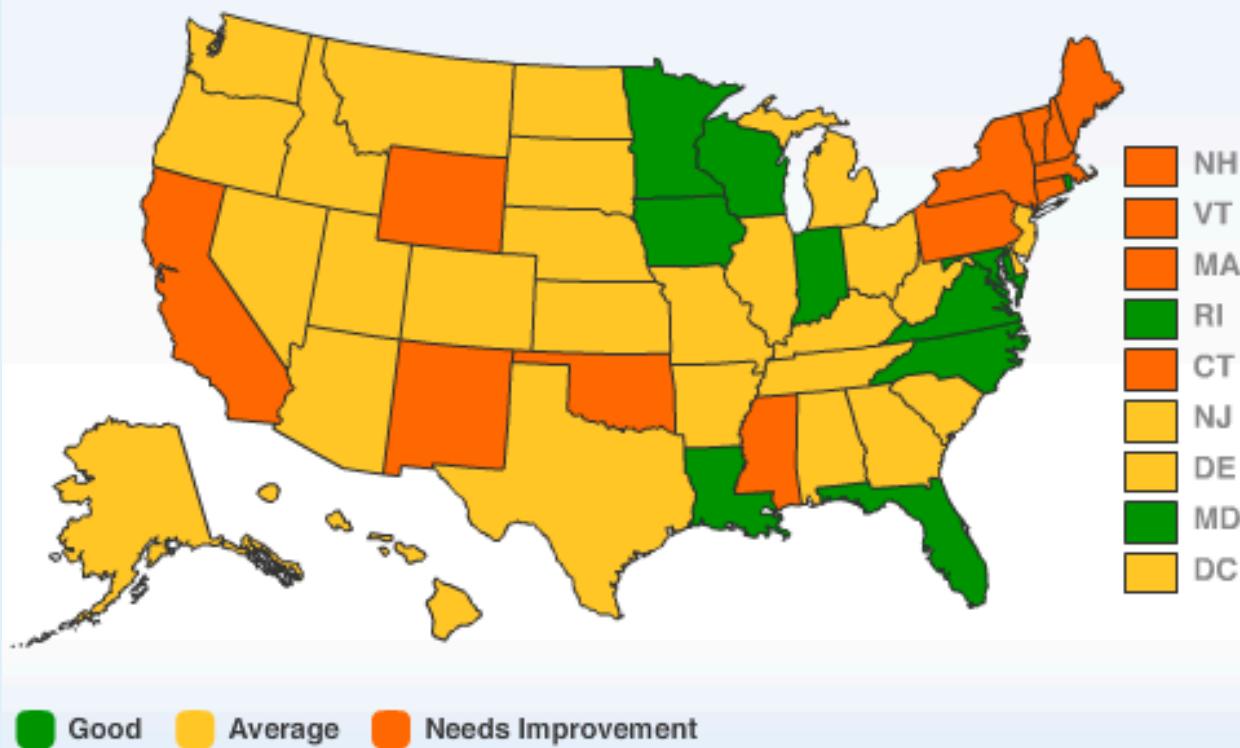
GRID

Overall

Content

Lookup Tools

Usability



**Good = 79-100**

**Average = 64-78**

**Needs Improvement = 0-64**

## **CONTENT: Overall nationwide score in each of the ten Content subcategories:**

1. Election results (93%)
2. Future elections/elections calendar (85%)
3. Election officials' contact information (84%)
4. Casting a ballot (82%)
5. Registering to vote (82%)
6. Privacy protection of site users' data (81%)
7. Voters with disabilities (73%)
8. Absentee and early voting (73%)
- 9. Military and overseas absentee voters (71%)**
10. Ballot information (69%)

## How many state election web sites provide the following information for military and overseas absentee voters?

Does the site provide a special section of information designed to help overseas and military voters register and vote?	50
How to register to vote overseas absentee?	45
How to verify your registration?	27
How to register as a military voter?	42
How to register as a military voter's family member?	38
Under what circumstances military voters must re-register?	22
Under what circumstances military voters must renew absentee ballot requests?	31
Is there a way to check whether a voted ballot has been received?	33
What to do if a ballot is not received by a military or overseas voter in time to vote?	35
Does the site highlight or publicize the Federal Write-in Absentee Ballot (FWAB)?	39
Are instructions provided for how to obtain and complete an FWAB?	30

***Overall, states scored on average 71 percent nationwide in this subcategory, the second lowest of all the subcategories in the Content section.***

***But it is a significant improvement over preliminary results, completed in August, when the nationwide average score in this subcategory was just 62%.***

***Many states made significant changes to their election web sites between Sept.-Nov. 2010, several in partnership with the Overseas Vote Foundation.***

**Seven states received perfect scores in this subcategory:**

- Colorado, Georgia, Iowa, Kentucky, New Hampshire, New York and West Virginia.

**Other states with high scores include:**

- Alabama, Arizona, Connecticut, Florida, Illinois, Minnesota, Nebraska, Ohio, South Carolina, Tennessee, Texas and Vermont.

**States that were found in 2010 to need the most improvement are:**

- Delaware, District of Columbia, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Utah and Wyoming.

## LOOKUP TOOLS

- **Confirming registration status online:** 41 states / 82%
- **Sample ballot:** 22 states / 42%
- **Absentee ballot status:** 29 states / 57%  
(request/transmission/receipt)
- **Locating polling place:** 49 states / 96%
- **Provisional ballot status:** 19 states / 40% (of PB states)

## **LOOKUP TOOLS**

**States that offer all lookup tools relevant to voters in their state:**

Indiana, Louisiana, Maryland, Minnesota, North Carolina, North Dakota, Rhode Island, Utah, Virginia and Wisconsin

**States offering none of the five lookup tools assessed:**

California and Vermont

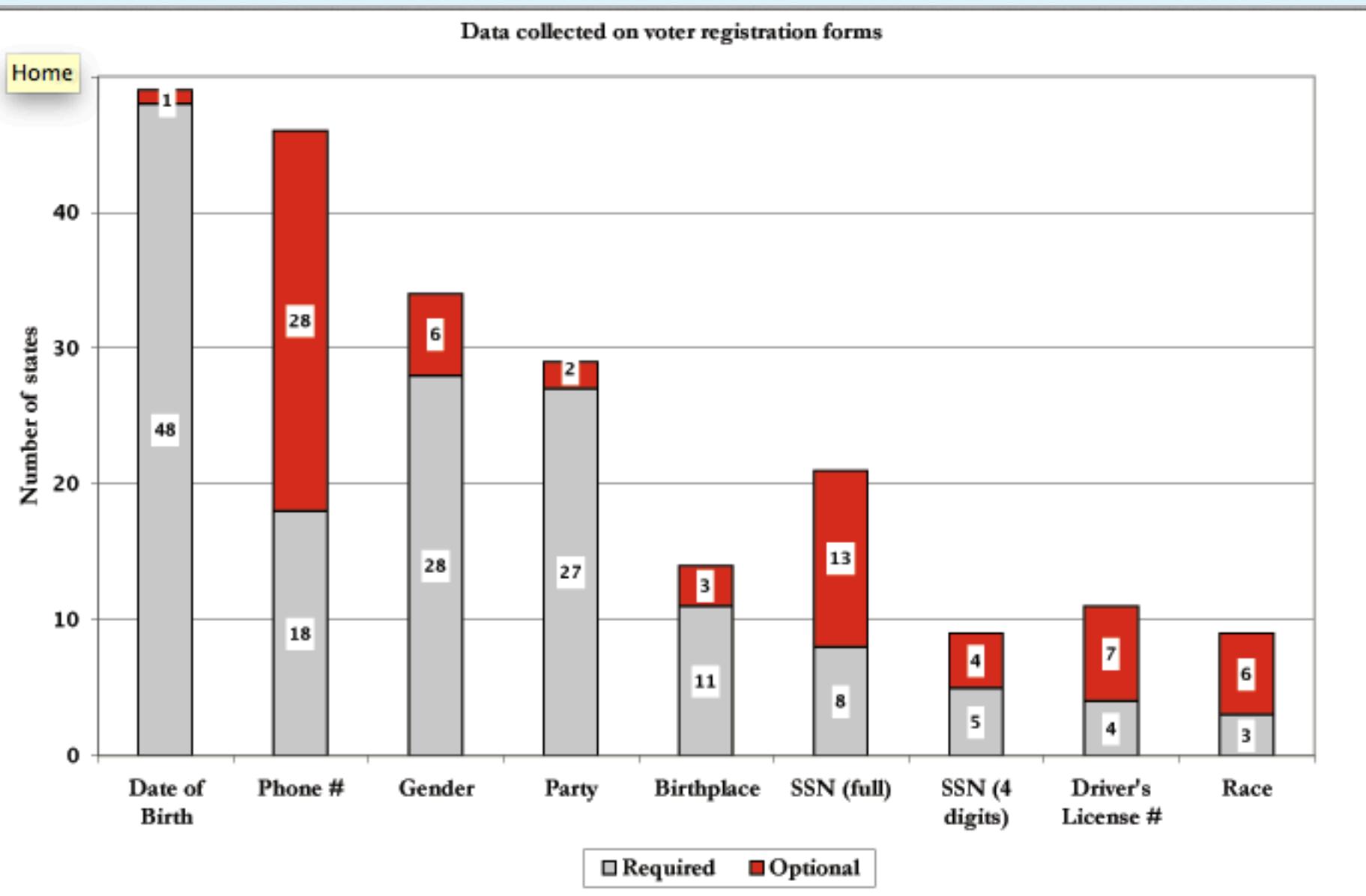
## **OTHER TOOLS:**

- **Registering to vote online:**  
**8 states / 16 percent**  
(Arizona, Colorado, Indiana, Kansas, Louisiana, Oregon,  
Utah and Washington )
- **District lookup tools:**  
**31 states / 62 percent**

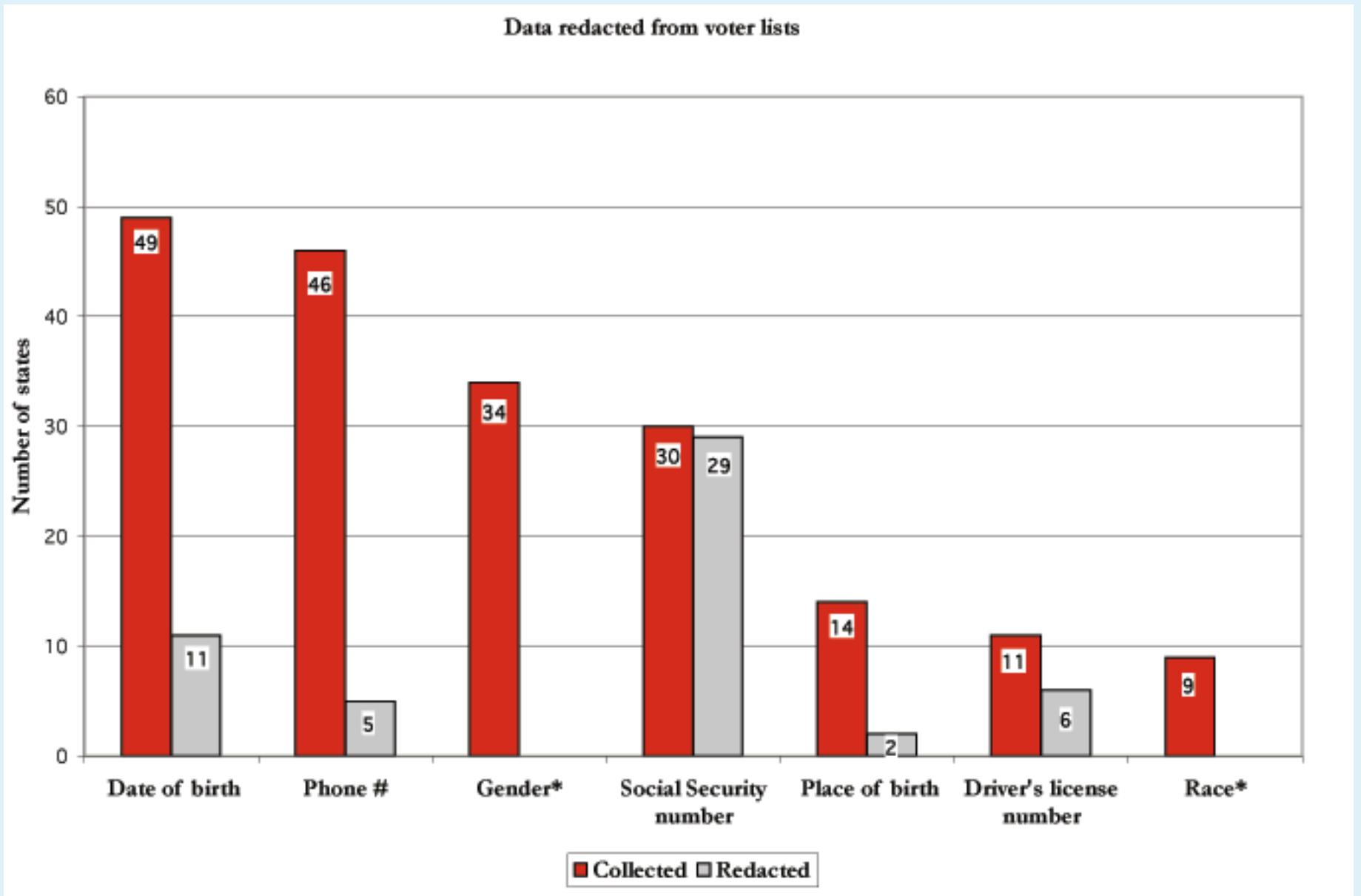
# RISKS

- Personal information being compromised/Identity theft
- Registration record being altered/potentially impacting voting rights
- Not registering and voting due to voter data privacy concerns

# Findings from “Voter Privacy in the Digital Age”



# Findings from “Voter Privacy in the Digital Age”



## **CVF “Voter Privacy” study findings:**

- Only 13 of the 38 states that collect optional information from voters provide clear notice on their forms as to which fields are optional and which are required
- Only four states indicate on voter registration forms that voter data is public record
- Only one state, Iowa, makes a specific reference to secondary uses of voter registration data on its state registration form

# **CVF “Voter Privacy” study findings:**

## **Permitted Secondary Users:**

- **All states grant candidates and political parties access to voter lists;**
- **43 states use voter lists as a juror source list;**
- **22 states allow unrestricted access to voter lists, which permits the lists to be used for commercial purposes;**
- **Four states grant scholars and academics access;**
- **Four states grant journalists access.**

# **“Being Online” Voter Privacy & Security Findings**

- *59 percent of state election web sites provide information about whether a person’s voter registration record is considered public information.*
- *Only 43 percent say whether voters in certain circumstances, such as victims of domestic violence or people working in law enforcement or the court system, have the right to keep their voter registration record private.*
- *82 percent have a site privacy policy.*

# “Being Online” Voter Privacy & Security Findings

- *Among the 46 sites requiring personal information from users to access lookup tools, 87 percent explain the privacy protections available to site users (though some more clearly than others).*
- *Among the 45 sites featuring lookup tools that require sensitive personal information, such as birth date, three-fourths are using a secure server.*

## **Examples of risky practices:**

***Allowing the public to access sensitive personal information about voters online:***

- Georgia's lookup tool requires a user to enter the initial of their first name, last name, county, and birth date. The return screen displays that voter's registration status, along with his or her full name, full street address, gender, race, registration date and absentee ballot status.

A

+ http://www.sos.georgia.gov/MVP/Login.aspx

**MVP**

# Georgia Secretary of State Brian P. Kemp My Voter Page

ARCHIVES

CORPORATIONS

ELECTIONS

NEWS ROOM

PROFESSIONAL LICENSING BOARDS

SECURITIES

## Welcome To MVP *My Voter Page*

Use the MVP Log In to check your:

- Voter registration status
- Mail-In application and ballot status
- Poll Location
- Early Voting Locations
- Elected Officials
- Registration information on file with the county office
- Sample ballot for the upcoming election

Not registered to vote?

[Click here](#) for forms and information on how to register.

### MVP Log In

Your Name and County:

First Initial:  Last Name:  County:

Your Birthday:

Month:  Day:  Year:  (please enter 4 digits)

# Welcome To MVP

## *My Voter Page*

Voter Information	Your Polling Place for State & County Elections
<p>C SAXBY CHAMBLISS 27 CHEROKEE RD MOULTRIE, GA 31768 Race: W Gender: M Status: ACTIVE Registration Date: 03/14/1997</p> <p><a href="#">Click here to change your address</a></p>	<p>Precinct 0002 TOMMY MEREDITH GYM 1100 11TH AVE SW MOULTRIE, GA 31768 <a href="#">Click here for map &amp; directions to polling place</a> NOTE: Non-specific rural addresses may not be available. (Maps courtesy of MapQuest. The Secretary of State's Office is not responsible for inaccurate mapping and directions. Please contact <a href="#">MapQuest</a> regarding erroneous information.) <b>Election Day precinct hours are 7:00 am - 7:00 pm</b></p> <p><a href="#">Click here for municipal polling place</a></p>
<b>Absentee Ballot Request Information</b>	
<a href="#">Click here for early voting locations and times</a>	
<p>Election Date: 11/02/2010 Election Type: GENERAL ELECTION</p>	<p>Absentee Request Received: 10/07/2010 Absentee Ballot Issued: 10/07/2010 Absentee Ballot Received: 10/07/2010</p>
Ballot information is currently unavailable	
<b>Your Elected Representatives</b>	
<p><a href="#">Officials Elected Statewide</a></p>	<p>U.S. Congress: District 008 <a href="#">Congressional District Maps</a></p> <p>Georgia Senate: <a href="#">District 11</a> Georgia House: <a href="#">District 171</a></p>
<p><b>Please Note:</b> Polling places are subject to change. Always check your designated polling place location via this website prior to going to vote.</p>	

## **Examples of risky practices:**

***Allowing the public to access sensitive personal information about voters online:***

- On New Jersey's site all that is needed to access a record is the first and last name, and birth month and year. The return screens display that voter's full name, address and birth date, along with county, party affiliation and the "registration effective" date.



STATE OF NEW JERSEY  
DEPARTMENT OF STATE

DIVISION OF ELECTIONS

## Am I Registered?

### Also Available:

- ▶ [Polling Place Search](#)
- ▶ [NJ Voter Information Page](#)

**First Name :**

Frank

**Middle Initial (optional) :**

**Last Name :**

Lautenberg

**Month of Birth :**

January

**Year of Birth :**

1924

**Search**

**Reset**

## NJ Voter Information Home Page

<https://voter.njsvrs.com/PublicAccess/servlet/com.saber.publicaccess.control.PublicAccessNavigationServlet>



Q Google



STATE OF NEW JERSEY  
DEPARTMENT OF STATE

DIVISION OF ELECTIONS

NJ Voter Information Home Page

### Search Results

First Name	Mid Name	Last Name	Month/Year of Birth	Address	County
FRANK	R	LAUTENBERG	January /1924	100 WINSTON DR 17JK NOR CLIFFSIDE PARK 07010	BERGEN

\* January/1800 is the default date used if you did not provide your date of birth when you registered.

1

Go

## Details Page – Voter Information

https://voter.njsvrs.com/PublicAccess/servlet/com.saber.publicaccess.control.PublicAccessNavigationServlet#

Google

### Am I Registered?

### Voter Details

#### Voter Information

Name: **FRANK R LAUTENBERG**  
Date of Birth: **01/23/1924**  
Residence Address: **100 WINSTON DR, CLIFFSIDE PARK, NJ 07010 \*\***  
Registration Effective Date: **10/30/1993**  
Party: **Democratic\***  
Election History: [Please click here to sign up to access your detailed information](#)

\*\* If the address listed is your previous address, then you need to submit a voter registration form in the County you currently reside. Refer to the "How & Where to Register" in the **Voter Information** section".

#### Polling Place Information

04/27/2011--STATE SCHOOL  
ELECTION

CLIFFSIDE PARK EARLY  
LEARNING CENTER(GYM),  
263 LAFAYETTE AVE  
CLIFFSIDE PARK, NJ 07010

► [Get Directions](#)

Polling Place Hours :

Hours for the School Election vary town by town; please contact your County Board of Election for Polling Place Hours for the School Election.

ADA Compliant : No

► [Voting Instructions](#)

06/07/2011--STATE PRIMARY

CLIFFSIDE PARK EARLY  
LEARNING CENTER(GYM),  
263 LAFAYETTE AVE

Polling Place Hours :

Primary Election hours: 6 AM to 8 PM ---NJSA 19:23-40

ADA Compliant : No

# **CVF 2004 study of California voter participation barriers and incentives:**

***Nearly one in four eligible nonvoters said one reason they were not registered to vote is because they want to keep their personal information private.***

***This was about the same percent who said they weren't registered because they did not want to get called for jury duty.***

## **Best Practices/Tips:**

- 1. Provide clear, direct and consistent information and directions.**
  
- 2. Minimize confusion by consolidating content relating to military voters into one section of the site.**
  
- 3. If something is required by law, use language that makes it clear, such as “you must” or “it is required”. Registration fields that are “optional” should also be clearly marked as such.**

## **Best Practices/Tips:**

- 4. Let those who want to register to vote know to what degree the information they provide on a registration form is considered public and under what circumstances, if any, it can remain private.**

### **Examples:**

Iowa: “*Voter registration records are public records as defined by Chapter 22 of the Code of Iowa. The records must be available for public inspection at reasonable times. Iowa law does not allow for a voter's registration record to be made private.*”

Kentucky: “*Any citizen may inspect or make copies of any registration record, pursuant to KRS 116.095. However, Social Security Numbers will not be disclosed.*”

## **Best Practices/Tips:**

- 5. Make sure site practices are consistent with published privacy and security policies.**
- 6. Move lookup tools that require sensitive voter information to secure servers.**
- 7. Provide clear, direct information about all the circumstances that would require voters to update their registration records.**

## **Best Practices/Tips:**

- 8. Make sure special sections for military and overseas voters integrate all relevant content and tools on the state election website, such as ballot information and voter registration status lookup tools.**
  
- 9. When providing voter look-up tools, avoid returning more personal information than was entered by the user (assume third parties other than the user will access these tools).**
  
- 10. Make sure voter registration status search return screens include instructions for updating or correcting the data displayed.**

## **Best Practices/Tips:**

- 11. Allow users to access polling place and ballot information by street address, and provide a sample address that can be used to try out these tools.**
- 12. Increase visibility of the Federal Write-in Absentee Ballot (FWAB) and include state-specific instructions for how to complete it.**

**Ex: Montana says:**

- “Registering to vote and requesting absentee ballots in Montana is easy for United States electors. The best form to use to do so is the Federal Post Card Application form. This form is used both for voter registration and to request absentee ballots for all the state and local elections in the calendar year in which it is requested and the following two federal elections.”*

# Voter Data Privacy Studies:

Voter Privacy  
in the  
Digital Age

*The California Voter Foundation's 2004 landmark study assessing all 50 states' voter registration data gathering and dissemination practices.*

# **Voter Data Privacy Studies:**



**“Statewide Databases of Registered Voters:  
Study of Accuracy, Privacy, Usability, Security,  
and Reliability Issues”**

*Commissioned by the U.S. Public Policy Committee of the  
Association for Computing Machinery, February 2006.*

# **Voter Data Privacy Studies:**



THE NATIONAL ACADEMIES PRESS

## **“Improving State Voter Registration Databases”**

*final report issued by the National Research Council's  
Committee on State Voter Registration Databases, 2009*

# **For more information:**

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***on Twitter @ kimalex3***



***<http://www.calvoter.org/issues/votprivacy>***