

SEVEN QUESTIONS FROM KOBACH COMMISSION

ISBE RESPONSE

1. What changes, if any, to federal election laws would you recommend to enhance the integrity of federal elections?
2. How can the Commission support state and local election administrators with regard to information technology security and vulnerabilities?
3. What laws, policies, or other issues hinder your ability to ensure the integrity of elections you administer?
4. What evidence of information do you have regarding instances of voter fraud or registration fraud in your state?
5. What convictions for election related crimes have occurred in your state since the November 2000 election?
6. What recommendations do you have for preventing voter intimidation or disenfranchisement?
7. What other issues do you believe the Commission should consider?

Illinois elections appear to have a very low incidence of misconduct. We do not see a need to change federal laws in that regard.

We do note that the voting systems used throughout the state are mostly those purchased more than a decade ago with considerable federal funding assistance through HAVA grants. Those old voting systems are at, or beyond, their usual lifespans, and will need replacement in the very near future. The latest (2015) standards for voting systems include a number of security upgrades. It would be a tremendous (and much needed) help to all of the state and local election administrators if another round of HAVA funding would be made available to replace the old voting systems with new, more secure technology.

While ADA requirements generally allow for the “grandfathering” of noncompliant buildings based on the date of construction, no such provisions apply when the same building is used as a polling place. The DOJ has recently tightened handicapped accessibility standards for polling places; while the requirements for accessibility compliance continue to tighten, no additional resources have been provided to state and/or locals for improvements since the initial HAVA funding. As currently promulgated, the standards leave many jurisdictions with few or no fully-compliant polling place options. A greater degree of flexibility for using the best options, even where less than perfectly compliant, would be helpful to the County Clerks and the Boards of Election Commissioners.

Insofar as voter list maintenance is concerned, Illinois is a participant in both the Interstate Crosscheck and ERIC programs. Our experience in both indicates that the more robust data-matching done by ERIC gives much more accurate results, with far fewer false positive results and very sound data security. We would recommend that ERIC membership be encouraged, or even incentivized, for all states.

We would also acknowledge the help that the DHS has provided to Illinois over the last year in securing our statewide voter database; we would like to see that sort of voluntary help continued in the future, and made available (again, on a voluntary basis) to the 109 County Clerks and the Boards of Election Commissioners in Illinois who perform the majority of the election related functions.

Vote fraud and voter registration fraud are criminal violations, and as such, are prosecuted by the State's Attorneys offices in the 102 counties of Illinois. There is no central database of either prosecutions or convictions, so we are not in a position to provide figures on the same. The state does conduct regular cross checking of the statewide voter database to identify duplicate registrations and look for possible instances of double voting. Upon identification, the state provides that information to the County Clerks and the Boards of Election Commissioners so that they may reconcile duplicate registrations and further review any apparent instances of double voting (to filter out the common occurrences of data entry and/or poll worker error, which explain the great majority of these instances) and referral to prosecuting authorities where warranted. As far as we are aware, incidents of both vote fraud and registration fraud are very low in Illinois (on the order of scant thousandths of a single percent); we have not experienced anything close to the sort of rampant problem that has been publicly alleged by some.