

# **Advisory Committee on Standards for Voting Technologies**

## *Committee Meeting*

### **Meeting Minutes**

May 29, 2023, 9:00am – 11:40am

Toronto Don Valley Hotel & Suites – Valley Meeting Room

175 Wynford Drive, Toronto, ON M3C 1J3

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#### **Committee Attendees:**

- Jean-Pierre Kingsley, Committee Chair
- Dr. Mkabi Walcott, CEO Appointee
- Dr. Nicole Goodman, CEO Appointee
- Michael Crase, Political Party Appointee – Progressive Conservative Party of Ontario
- Dan Duncan, Political Party Appointee – Progressive Conservative Party of Ontario
- Donald Eady, Political Party Appointee – New Democratic Party of Ontario
- Karla Webber-Gallagher, Political Party Appointee – New Democratic Party of Ontario
- Milton Chan, Political Party Appointee – Ontario Liberal Party
- Christine McMillan, Political Party Appointee – Ontario Liberal Party
- Craig Cantin, Political Party Appointee – Green Party of Ontario
- Fiona Mackintosh, Executive Director of the Advisory Committee
- Mike Stockfish, Assistant Executive Director of the Advisory Committee
- Shikha Devgun, Project Manager for the Advisory Committee
- Jennifer MacLean, Administrative Assistant for the Advisory Committee

#### **Guests:**

- Julia Hancock, Senior Project Manager, Digital Standards Governance Institute

#### **Opening Remarks and CEO Appointee Comments**

- The Chair, Jean-Pierre Kingsley, outlined the agenda and meeting objectives for the meeting.
- The April 27<sup>th</sup> meeting minutes were adopted. Dr. Nicole Goodman abstained as she was absent for the April 27<sup>th</sup> meeting.

#### **Briefing on the Management Standard**

- The Assistant Executive Director provided an overview of the Management Standards.
- The Executive Director noted there remains a gap with respect to the engineering life cycle, relating to corporate governance and ownership. A meeting will take place next week with the Canadian Cyber Security Centre to go over a recommendation regarding a possible solution for our June meeting.

**[The Committee recessed at 9:45 a.m. and reconvened at 10:05 a.m.]**

#### **Member Roundtable**

- The Chair noted that the purpose of this roundtable is to provide an opportunity for members to give feedback on the draft Management Standards. Each member will have the opportunity to share comments with the broader committee as they relate to the current draft.
- An Advisory Committee member requested clarification on the access and usability section, as the language is vague when referring to a person with disabilities in terms of who the access is associated with. Would this be specifically referring to visual disabilities or accessibility of polling locations?

- The Assistant Executive Director confirmed this is geared towards the use of the voting technology interface for the tabulators or the e-poll books.
- A CEO Appointee reiterated that accessibility for persons with disabilities refers to the *Accessibility for Ontarians with Disabilities Act*. Therefore, this is referring to persons with a disability in the Act, not only to persons with visual disabilities. It is important to identify that the Elections Ontario accessibility program is guided by the requirements in the Act.
- A few Advisory Committee members requested a new definition or alternate wording for non-conformities so that the parameters of the non-conformities are clear and understandable to readers/users of the standard.
- An Advisory Committee member requested clarity about whom the documentation and equipment are being made available to for the post-election L&A testing.
- An Advisory Committee member recommended that changes to the *Election Act* be proposed so that Elections Ontario can open sealed ballots for the purposes of auditing processes and procedures such as risk limiting audit and ballot spot checks.
- The Advisory Committee member recommended adding the removal of data in addition to removing the software in the disposal of equipment section.
- An Advisory Committee member requested that the reporting clause be amended to provide the specific data.
- The Executive Director requested members send the specific data points they want to include in the reporting clause which could then be added to the next version of the management standard prior to the June 29<sup>th</sup> meeting.
- An Advisory Committee member suggested under terms and definitions, that the cast vote records is not in plain language and should be modified for comprehension by a broad audience.
- The Advisory Committee member noted in section 5.2.3, 'formally facilitate consultation with representatives of disability stakeholder groups to ensure that the services provided to persons with disabilities are addressed' is in the wrong order in the section. This needs to be placed first in the development of the process to ensure that the advice is captured prior to and not after processes are designed.
- The Advisory Committee member noted an error in a reference to the *Election Act* Section 84 (2), 85, this should be Section 86, which is the reference to the ballot boxes being checked only if there is an order by a judge.
- A few Advisory Committee members requested more details on the vote anywhere model section. After additional discussion between members, it was agreed that this section would be deleted.
- An Advisory Committee member noted in Section 4.3.2, it is limiting to request only written feedback on the voting experience as this may create barriers for some voters. The language should be more general.
- The Advisory Committee member noted that the documentation of risk tolerance decisions in relation to the security of the voting system should be publicly available as part of transparency in any risk assessment to identify the likelihood that a cyber security event will occur and the potential resulting impacts section.
- The Advisory Committee member also noted documenting for the public the regular updates to cyber security requirements based on the application of risk management processes to changes in business requirements and/or a changing threat and technology landscape section.
- The Advisory Committee member requested that an audit trail be required every time someone updates and not just for the last person in reference to the name of the last user to edit the electronic document section requiring e-signatures.

- The Advisory Committee member requested a wording modification from ‘reduces’ to ‘minimizes’ for the number of devices holding elector data regarding the design of an electronic poll book solution configuration.
- The Advisory Committee member also noted documenting for the public what has been taken into consideration in the development of the electronic poll book system in terms of the trade-offs between network connectivity and security.
- The Advisory Committee member noted documenting for the public the regular software review for systems supporting critical business processes section.
- The Executive Director noted for awareness from the last meeting when an Advisory Committee member raised a question around what happens from a tabulation perspective if a voter over votes or under votes. Currently, they are accepted by the tabulator and read as an over vote or under vote and counted as rejected ballots.
- A CEO Appointee requested to integrate some of the feedback, comments, and some other terms to consider from April 3<sup>rd</sup> relating to definitions around logic and accuracy testing, vote counting, tests deck, tabulator programming, test on third parties, and subcontractors.
- The Executive Director confirmed those comments and feedback will be integrated for the June meeting.
- A CEO Appointee requested further clarification for the definition in terms of an election and election administrator.
- The CEO Appointee requested adding that Elections Ontario will also be conducting broader tests on usability. Elections Ontario requires the manufacturers to conduct usability tests of the e-poll book and vote tabulator system set up.
- The CEO Appointee requested to add programming, preparing a test deck, performing proper maintenance to the equipment, proper performance of the cards, and checking the machines for cards under the security and integrity section.
- A CEO Appointee noted the format of the standard for e-poll books and vote tabulators is not user friendly. Consideration should be given to grouping the Management Standards in 4-5 Broad Areas most commonly used by standards organizations: 1) Planning, 2) Support, 3) Operations, 4) performance evaluation, and 5) continuous improvement.
- The CEO Appointee also noted that the word use of “shall”, indicating that should is generally only used in clauses where the failure to meet that requirement would fundamentally impact the integrity of the process.

### **Final Report and Other Recommendations**

- The Executive Director provided an overview and status update on the Final Report and Other Recommendations.
- An Advisory Committee member requested background information on each of the other recommendations be provided to the members to support decision-making.

### **Next Steps**

- The Executive Director outlined the next steps over the summer of 2023.
- An Advisory Committee member requested that tracked changes be provided of the feedback, comments, or suggestions made during the roundtable as a reference moving forward.
- The Executive Director confirmed a tracked change version will be provided along with a clean version of the updated management standard.

### **Closing Remarks**

- The Advisory Committee approved a review of the first draft of report tracking in July.

**[The meeting of the Advisory Committee adjourned at 11:40 a.m.]**