

"Federation Corner" column  
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### **County leaders eager to scapegoat election officials**

by Wayne Goldstein

Primary Day 2006 began in one of the most humiliating ways possible. Election officials forgot the little plastic cards that create the electronic ballots for people to use. Despite detailed lists and rigorous protocols designed to prevent the worst problems, the weakest link turned out to be the simplest one. Some might characterize it as carefully preparing for a long vacation and then arriving at the airport to find that the tickets were left at home. Thousands of voters were frustrated and enraged while it took up to 2 1/2 hours for election workers to frantically race from Rockville to deliver the cards to all 238 precincts. Some voters were disenfranchised, leaving and not returning later to vote. If the poll workers had been properly trained and supplied, everyone would have been able to fill out a paper provisional ballot, rather than some being told to come back later.

Two years ago, election observers told voters to come midday to avoid the long lines in the morning. As a result, there were few voters in the morning and incredibly long lines midday, lines so long that people left, either planning to come back later or not at all. These would-be voters were also disenfranchised by the actions of others. When it rains on election day, the weather disenfranchises voters. Computer malfunctions disenfranchise voters. Unexpected circumstances disenfranchise voters, and something as embarrassing as forgetting the ballot cards or the plane tickets will or would be a long-remembered memory for many of us for years to come, something periodically shared among one another or anew with others as we recount the story while laughing and shaking our heads at the wonderful stupidity of it all.

On Primary Day, many of us probably said that whoever did this should be fired. Now that the rest of the story has started to come out, those of us still interested in what happened now know that there are many to blame for the state of our elections that goes far beyond forgotten cards. Nevertheless, the day after the primary, County Council President George Leventhal said: "That's why I'm joining County Executive Doug Duncan today in calling for the resignation of Board of Elections president Nancy Dacek and Board of Elections director Margaret Jurgenson... We need new management now." This week, Mr. Leventhal, perhaps realizing that it would be impossible to get new leaders in place to run an election in just seven weeks, is now willing to let these officials do their job in November and then get rid of them. It doesn't matter to him if the November election is the best managed election in the history of the agency. The fact that cards were forgotten is so unforgivable to this political leader that he insists that they must go.

It's rather strange what is a firing offense to Mr. Leventhal. Making a big mistake under duress is. Apparently, learning that a county agency head has violated the County Code seven times is not. When the Montgomery County Civic Federation Housing Committee released a report in March 2006 detailing how Elizabeth Davison, director of the Department of Housing and Community Affairs, had violated or failed to enforce provisions of the Moderately Priced Dwelling Unit law, Mr. Leventhal did not call on her to resign nor did he ask County Executive Duncan to fire her. Not only did he apparently not consider these transgressions to be firing offenses, but he said nothing about the issue of her overall poor job performance.

Mr. Leventhal, the rest of the County Council, and the County Executive all bear substantial responsibility for the problems of the Board of Elections just as they did for the problems of MNCPPC. They recommended and approved inadequate funding for both agencies until there was a crisis. They did not have their budget analysts go beneath the surface to determine whether there was waste or want. The Board of Elections, like MNCPPC, is in an overcrowded, inadequate facility. The Board of Elections, unlike MNCPPC, will not be getting a new building in a few years. Most of its offices are in a 40-year old former

junior high school building with the rest in the windowless basement level of the County Office Building. While some of the spaces are only used for six months every two years, the places they are relegated to sends a message as to how they are valued by those who fund them. When Clarksburg engulfed MNCPPC, the County Council wanted to know why it had not asked for more funds. Now the hope is that the County Council will provide all of the needed funding to prevent future Clarksburgs. Let's hope the Council does the same with the Board of Elections, also taking its share of responsibility to modernize this agency.

The biggest culprit in this year's election problems is the State Board of Elections, whose director is as good at finger pointing as everyone else. It has taken shortcuts in buying the electronic equipment needed by Montgomery County, such that the printers to check in voters were built in Japan, were shipped by boat to NYC instead of Baltimore, barely arrived in time for the primary, and were not provided in sufficient numbers. It is unknown if the rest of the needed printers will be delivered in time for the general election. County problems with the complexity of or lack of equipment, the inadequate training, and the concerns with voting security all underscore our growing national anxiety about elections. The havoc caused by forgetting the cards has brought the anxiety to the forefront in Montgomery County. The demand of the County Executive and the County Council president to put the blame on several local election officials and then try to get rid of them will not put this genie back in its bottle. In fact, at this point, it would be more useful to consider alternatives instead of laboring to restore a confidence that probably cannot be won back because of what is being said around the country all the time.

For starters, Maryland and Montgomery County can greatly expanded absentee voting by allowing the permanent registration of anyone for that method. This voting by mail has been done in Oregon and Washington state for years. It is considered so successful in the Northwest that the people of Oregon changed the law in 1998 to require that all elections be held by mail. Many counties in Washington state also prefer to vote by mail. Since going to one's precinct to vote is as much a social activity for some as it is a civic responsibility, it is still desirable to continue this approach for those who prefer it. I have worked the polls since 1998 for almost every regular and special county election, even the polls in other jurisdictions, for a total of fifteen so far. I have worked polls where I've been either a neighbor or a stranger. About 75% of the voters in all of these elections do not want to talk to those of us who pass out literature. Many refuse to even acknowledge our existence as they give us a wide berth while heading for the door of the polling place. Since the social aspect does not interest most people who vote in person, they may want to have the opportunity to vote by mail. This could save money and add convenience while increasing the sense of security to those voters who don't trust electronic voting.

This election mess, according to a colleague, is further proof that the only thing that Montgomery County is the best at is bragging that it is the best at everything. We continue to learn that we aren't even the best at bragging as evidence of our mediocrity periodically manages to make us a national embarrassment. In fact, there needs to be a moratorium in this county to prevent our political leaders from bragging about anything at all until it can be objectively proven that we are among the best or are the best in one thing or another.

Meanwhile, the Board of Elections needs hundreds of election judges for November. Perhaps candidates who lost in the primary and those who face little opposition in November could ask their volunteers to help fill this gap. George Leventhal could be the first to do this, helping to solve rather than complain about a problem. Then he and his colleagues can ask the Board of Elections to tell them what they really need and can listen carefully and respond appropriately.