



Department of Legislative Services
Office of Legislative Audits

**State Board of Elections
(SBE)**

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Presentation to
Senate Education, Health, and Environmental
Affairs Committee and
House Ways and Means Committee

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Report Overview

The audit report contained 8 findings, including 5 Information Systems related findings, which are the subject of this presentation.

Key Information Systems Related Findings

- SBE did not ensure the accuracy of data recorded in the Statewide voter registration system (MDVOTERS) or whether related user access was appropriate.
 - SBE did not ensure that the third party who received personally identifiable information (PII) from MDVOTERS was properly securing PII.
 - SBE unnecessarily retained PII within the MDVOTERS database.
 - Certain voters who requested absentee ballots were not adequately authenticated.
 - A critical voting system was not backed up offsite and was not properly addressed in the SBE Disaster Recovery Plan.
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Statewide Voter Registration (Finding 1)

SBE did not have a comprehensive oversight process in place to ensure the accuracy of the data recorded in the Statewide voter registration system (MDVOTERS) and the appropriateness of related user access to the system.

- SBE did not verify that local boards of election (LBE) properly investigated individuals appearing on periodic reports of possible ineligible voters and took appropriate corrective action. For example, the January 2016 report included 5,871 voters registered in Maryland who may be deceased.
 - SBE did not conduct any reviews of the propriety of user access granted to MDVOTERS by LBEs or verify that LBEs actually reviewed their personnel's user access. For example, OLA identified 619 usernames with access to MDVOTERS with no access activity for 6 months and 24 users with critical administrative rights, which had not been used for over a year.
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Statewide Voter Registration (Finding 2)

SBE did not ensure the personally identifiable information (PII) from MDVOTERS provided to and in the custody of a third party entity was safeguarded.

- Under a multi-state compact, SBE provides certain Maryland voter registration information, including name, date of birth, drivers license number and last four digits of the social security number (SSN), to the nonprofit Electronic Registration Information Center (ERIC) for the identification of potential ineligible voters.
 - State law defines name and a drivers license number as PII, which is commonly sought by criminals for use in identify theft.
 - ERIC uses a third-party contractor to store and process the SBE-submitted information.
 - SBE did not require independent reviews be performed of ERIC or its contractor to ensure the Maryland voter data provided to these parties was securely maintained.
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Statewide Voter Registration (Finding 3)

SBE unnecessarily retained certain PII within its MDVOTERS database.

- MDVOTERS contained names and the full SSNs for 592,236 out of 4,100,000 voters even though the full SSN was not necessary for voter registration purposes.
- There are several methods for Maryland citizens to register to vote, including the use of a hard copy voter registration form, which requires that voters provide a Maryland driver's license number or Maryland Motor Vehicle Administration issued ID number, or the last four digits of their SSN.
- SBE advised that some voters using the hard copy form provided their full SSN to SBE, which was recorded in MDVOTERS even though it was not required or necessary.



Absentee Ballots (Finding 4)

SBE did not adequately authenticate certain voters who requested absentee ballots during primary and general elections.

- Certain voters were only required to authenticate themselves by providing information (first and last name, date of birth, and address) that is publicly available.
- For those voters SBE lacked assurance that the person requesting the absentee ballot, and completing and submitting the absentee ballot, is the registered voter that they purported to be.
- Therefore, the risk exists that an individual or group could submit fraudulent absentee ballots in an attempt to influence election results.



File Backup and Disaster Recovery (Finding 5)

The Electronic Pollbook Interchange and Conversion (EPIC) system was not backed up offsite when in use during voting periods and was not properly addressed in the SBE Disaster Recovery Plan (DRP).

- Although the EPIC database was backed up to a server that resided at the same location as the server hosting the production EPIC database, it was not backed up offsite.
- We also noted that the SBE DRP did not specifically identify how the communication link between the facility hosting the EPIC production server and the early voting sites could be readily re-created in the event of a disaster at the hosting facility
- The EPIC system is used to identify citizens who have voted in a particular election (including early voting) and is also used for the same-day voter registration process during early voting.



Conclusion

SBE should

- ensure reports of potential ineligible voters are investigated and appropriate action is taken,
 - require periodic independent reviews (such as AICPA recommended SOC 2 Type 2 reviews) for ERIC and contractors that host PPI and perform timely reviews of the related reports to ensure any weaknesses noted are corrected,
 - amend MDVOTERS to only accept the last four SSN digits and remove all full SSNs currently in MDVOTERS (retaining the last four digits),
 - strengthen the authentication process for voters requesting absentee ballots by requiring non-public information and validating this information, and
 - backup the EPIC database on a daily basis to an offsite location and update its DRP to properly address the EPIC server and its communications with SBE early voting sites.
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