

**TARRANT COUNTY CITIZENS ADVISORY COMMITTEE
MINUTES OF THE MEETING ON JUNE 13, 2019**

Heider Garcia, Tarrant County Elections Administrator, called the meeting to order at approximately 3:30 p.m. Other Citizens Advisory Committee members present were Libby Willis, Howard Shotwell, Wayne Merritt, Shirley Adams, Danna Trowbridge, Jennifer Hall, Eva Bonilla, Raul Gonzalez.

FIRST ITEM OF BUSINESS: APPROVAL OF THE MINUTES FROM THE MAY 17, 2019 MEETING

The document was approved by the CAC members present.

SECOND ITEM OF BUSINESS: APPROVAL OF THE METHODOLOGY FOR SELECTING LOCATIONS FOR THE COUNTYWIDE POLLING PLACE PROGRAM.

Heider Garcia made some initial remarks about the document to be voted on.

- He expressed satisfaction with the result being submitted for a vote. He highlighted that the documented presented incorporates all the suggestions and considerations brought up by every member of the CAC.
- Heider also said that the goal of the CAC is to generate this document so that if the Commissioners Court were to, (1) approve participating in the Countywide Polling Place Program, and in the event of such approval (2) the Commissioners Court decided to reduce the number of locations available in the county, then this would be the recommended methodology for identifying the reduced number of locations.
- Last, he reminded members of the CAC that neither the CAC nor the Elections Administrator have the authority to decide on closing locations for elections. This remains, per the Elections Code, a prerogative of the Commissioners Court. He explicitly said that **approving this document as a recommendation for the Commissioners Court does not constitute an endorsement for joining the Countywide Polling Place Program, or for reducing the number of locations in case the county does join the program.** By approving this methodology, the CAC is simply saying “we believe that this would be a wise way of selecting a reduced number of locations if the Commissioners Court were to get to that point”.

Shirley Adams expressed serious concerns for any kind of reduction of the number of locations in Tarrant County. She argued that

1. There should be no closings of polling places until there is data from at least one (1) election in Vote Centers modality. That way the methodology can be run with data that shows how people behave with the option to go anywhere and be more current. Instead of data that is based on a pre-assigned location for every voter that is historical.
2. That although the methodology attempted to factor in difficulties in transportation, she still has concerns that this is the best way to predict and measure such difficulties. She reiterated that waiting to have data from an election in which voters can freely choose their location would be better.
3. She also believes that the lower threshold defined in the *Turnout on Election Day* section of the methodology is too low and argued that it should be lowered to 25 or 50, because all households in this category experience many of the same issues with limited transportation or lack thereof.
4. She also expressed concerns about the impact of how eliminating neighborhood polling sites in minority and low-income neighborhoods could negatively impact the turnout in those communities.
5. She lastly expressed concerns regarding reductions in sites due to ADA violations. She further inquired if these had been addressed, in writing, with the site owner and if a timeframe had been

agreed upon by the owner and the Elections Office concerning remediation. Additionally, some of the ADA issues were cosmetic in nature and could be readily corrected, if an agreement is in place. Since ADA has been established law for years, she queried if the sites have been routinely used, even though ADA issues have remained outstanding.

Heider Garcia clarified that no sites are closed exclusively because of ADA compliance issues, but that the methodology says that sites with deficiencies that are artificially mitigated are less desirable to use. Heider gave the example of lack of handicap parking, having to send out cones and signs to create spots is less desirable than using a building that already has them available.

Wayne Merritt, responding to Shirley Adams' comment on the turnout threshold, said that he believed 100 was a reasonable value as a lower threshold for the *Turnout on Election Day* variable.

Danna Trowbridge mentioned that she had discussions with other stakeholders of her party, and that the recommendation she has is that the study be done with data from at least 2 Gubernatorial and 2 Presidential elections.

Jennifer Hall reminded the CAC that the Republican Party platform is against Vote Centers and said that she personally does not agree with Vote Centers as well.

Jennifer Hall asked about the conduct of recounts under the Vote Centers program since the ballots could be at any location.

Heider Garcia explained that it would be conducted the same way as recounts are currently conducted with absentee ballots. That with absentee ballots, there are ballots in every box and the staff at the Elections Office must enter every box to find the ballots that are involved in the recount. This is at no overtime cost to the entities, since it involves the permanent staff of the County Elections Office.

Libby Willis inquired about the form of the recommendation for the Commissioners Court, *"how exactly will the CAC deliver the result of its work to the Commissioners?"*

Heider Garcia explained that there would be an item in Commissioners Court agenda in the near future, so that the CAC can report back to the Court. The type of Court Agenda item, the time and date are yet to be established, but will most likely be communicated in the next meeting.

Eva Bonilla expressed her concerns about reducing the number of locations. Her concern, she said, is that locations that may have a low turnout in the current form, could actually have a higher one if people are allowed to choose. As it was said in the meeting, *"what today is a 50 could become 150 with Vote Centers"*.

Heider Garcia reminded the CAC members that Lisa Turner (absent at the meeting) authorized Libby Willis to vote on her behalf. The email authorizing the vote is attached to these minutes. .

With no further discussion presented by any other members, Eva Bonilla then made a motion to *"recommend to the Commissioners Court that if the County decided to join the Countywide Polling Place Program, then no locations should be closed until at least, 2021, when data would be available that would allow analyzing voting trends under the Vote Centers model"*. Wayne Merritt seconded the motion.

Heider Garcia, voted against the motion, stating he believes that the data available does allow for, at least, some obvious scenarios of low turnout to be addressed during 2020. With that, the final vote was as follows:

Passed 9-1 (None); Abstain: (None); Absent: (Florence Bruner, Daniel Sanchez)

Heider Garcia then made a motion to *“recommend to the Commissioners Court that, if the County joins the Countywide Polling Place Program, and if under that scenario the county decides to reduce the number of locations, then that the selection of the locations be based upon the methodology developed by the CAC”*. The motion was seconded by Eva Bonilla. With that, the final vote was as follows:

Passed 6-4 (None); Abstain: (None); Absent: (Florence Bruner, Daniel Sanchez)

Shirley Adams stated that since requirements for preclearance for eliminating or changing polling sites does not require review under the Voting Rights Acts, how will and who will review any additional changes under this proposed Methodology?

Heider responded that that is not a scenario related to Vote Centers. With or without vote centers the County still decides, through Commissioners Court, changes to the locations to use in a November Election.

THIRD ITEM OF BUSINESS: DISCUSSION ON THE SECURITY OF THE ELECTRONIC POLL BOOKS USED BY TARRANT COUNTY.

Heider Garcia mentioned that the item was added to the agenda after Libby Willis shared a news article that expressed concerns on the matter (“Federal investigators to examine equipment from 2016 N.C. election amid renewed fears of Russian hacking” Washington Post, June 5, 2019). Heider mentioned that, although the matter is slightly out of scope for the CAC, it could not hurt to spend a few minutes answering some questions regarding the platform. Heider said that the Voter Registration system and data are out of reach of external actors. The data used for running the electronic poll books, is a copy of the relevant data (not all of it) from the Voter Registration database (the “voter rolls”) needed to run the election. He mentioned that the safeguards in place are the same that have been used for all the years Tarrant County has been doing Early Voting, when the same process was used, only with older devices. He also mentioned that the Tarrant County IT department was heavily involved in the purchasing process, having four (4) members in the evaluation panel, one of them being the IT Security Officer himself.

Heider Mentioned that his biggest concern is not the hacking of the platform itself, but that most of the times breaches on systems occur because of user error, such as user disclosing access credentials. Heider said that is why the Security Officer himself visits the Elections Department regularly, and has talks and trainings with the employees, to reinforce the polices and procedures they need to follow.

Heider asked members if they see a reason to continue to meet. Libby Willis suggested that depends on the decision of Commissioners Court on Vote Centers. If they decide to pursue Vote Centers, Willis suggested the group could meet to address ways they could be helpful in a countywide public awareness campaign on vote centers. Heider Garcia recommended asking Commissioners Court, since they created the CAC, and the CAC has fulfilled its mission.

The CAC members agreed to hold the next meeting on June 20, 2019, at 3:30 pm, at the Elections Administration offices.

The meeting was adjourned at approximately 5:15 p.m.