1 [Joining the California Association of Voting Officials in Support of Open Source Software for
2 Elections]

3 **Resolution committing the City and County of San Francisco to become a member of**

4 **the California Association of Voting Officials and pledging to join efforts with**

5 **participating jurisdictions to create new voting systems utilizing free open source**

6 **software for elections.**

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8   WHEREAS, The City and County of San Francisco holds it in the interest of its citizens

   to conduct efficient and accurate elections in a manner which promotes public trust in the
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   integrity of every aspect of the elections process; and
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       WHEREAS, Transparency in the recording, collection, transmission, aggregation and
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   tally of votes promotes public confidence in the integrity of elections; and
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       WHEREAS, A growing number of government leaders, good government groups,
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   citizens, and press accounts have questioned the value and integrity of the existing, limited
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   choices of voting systems certified for use in conducting elections; and
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       WHEREAS, A limited number of vendors dominate the voting systems marketplace,
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   and their refusal to make public their voting system software and hardware designs conflicts
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   with the goal of election transparency; and
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       WHEREAS, In order to address these issues, the San Francisco Board of Supervisors
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   on November 18, 2008, adopted Ordinance No. 268-08, File No. 081227, amending the
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   Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force
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   comprised of individuals with backgrounds in good government, computer science or the
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   computer industry, election administration, and accommodations of persons with disabilities,
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   to make recommendations to the Board of Supervisors about voting system standards, design
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   and development; and
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1   WHEREAS, Pursuant to Ordinance No. 268-08, the San Francisco Voting Systems

2   Task Force was created to provide the City with recommendations on: standards and

3   guidelines for development and acquisition of voting systems; methods for acquiring voting

4   systems in conformity with federal, state and municipal laws; models for the development of a

5   voting system; business models which promote transparency; and any other issues related to

6   voting systems which will engender public trust in the elections processes of the City and

7   County of San Francisco; and

8   WHEREAS, In June 2011, "Recommendations on Voting Systems for the City and

9   County of San Francisco – A Report by the San Francisco Voting Systems Task Force

10   (VSTF)" was completed, in which the VSTF recommended that San Francisco advocate with

11   the California Secretary of State and the State legislature for a new, comprehensive state

12   certification process to replace the existing requirement for federal certification; and

13   WHEREAS, California Governor Jerry Brown on October 5, 2013, approved California

14   Senate Bill No. 360 amending the California Elections Code to create a comprehensive state

15   certification process and adding a new Section 19006 to the Elections Code stating the intent

16   of the Legislature that:

17   (a) All voting systems be certified or conditionally approved by the Secretary of State,

18   independent of voluntary federal qualification or certification, before they are used in

19   future elections to ensure that the voting systems have the ability to meet accuracy,

20   accessibility, and security standards.

21   (b) The Secretary of State adopt and publish testing standards that meet or exceed

22   federal voluntary standards set by the United States Election Assistance Commission

23   or its successor agency.

24   (c) The Secretary of State study and encourage the development of voting systems

25   that use nonproprietary source code and that are easy to audit.

1 (d) A local jurisdiction may use available public funds to purchase and maintain any

2 certified or conditionally approved voting system or part of a voting system.

3 (e) California receives the benefits of the publicly funded development of a

4 nonproprietary voting system in the state.

5 (f) A local jurisdiction may use available public funds to research and develop a

6 nonproprietary voting system that uses disclosed source codes, including the

7 manufacture of a limited number of voting system units, for use in a pilot program or for

8 submission to the Secretary of State for certification; and

9 WHEREAS, The VSTF in its June 2011 report also recommended that:

10 (a) the San Francisco Department of Elections give strong preference to a voting

11 system licensing structure that gives San Francisco all of the rights provided by a

12 license approved by the Open Source Initiative, a global non-profit that supports and

13 promotes the open source movement ("OSI-approved license"), even if the system is

14 maintained by an external party.

15 (b) San Francisco work with other jurisdictions and organizations, if an open source

16 model is used, to develop and manage the code-base in order to leverage additional

17 resources and expertise, and participate during the requirements gathering stage of

18 development so that its unique requirements can be incorporated into the system

19 design and implementation.

20 (c) San Francisco be an active participant in the movement toward more open and

21 transparent voting systems, acknowledging the complexity of moving from the existing

22 marketplace toward more innovative voting systems; urging San Francisco to move

23 steadily toward the goal of transparency—even if it must do so in incremental steps;

24 encouraging the City to be a strong advocate in the private sector marketplace for more

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1   transparent systems and to be open as well to new collaborative development models;

2   and

3   WHEREAS, The California Association of Voting Officials (CAVO) is a California

4 nonprofit non-stock mutual benefit corporation designed to create new voting systems utilizing

5 free open source software and inexpensive commodity components, with a mission to develop

6 and make available open source voting systems for use in public elections, as well as to

7 provide training, education and management practices to election officials for the effective

8 employment of technologies; and

9   WHEREAS, The City and County of San Francisco supports the efforts of California

10 Association of Voting Officials to create certified and freely shareable voting technology, thus

11 enhancing quality, security, and availability of voting systems available to counties; and

12   WHEREAS, The City and County of San Francisco understands that this voting

13 technology will be based on free and open source software working with common off-the-shelf

14 modern hardware, including but not limited to tablets, battery-powered printers, computers,

15 and scanners; and

16   WHEREAS, The City and County of San Francisco recognizes that development and

17 certification of these systems will entail substantial investment, but by pooling resources from

18 many counties, the cost to implement this new technology will be reasonable; now, therefore

19 be it

20   RESOLVED, That the City and County of San Francisco, in order to further these

21 goals, will join the California Association of Voting Officials (CAVO) as a member; and, be it

22   FURTHER RESOLVED, That the City and County of San Francisco supports the

23 movement toward more open and transparent voting systems and the creation of a new voting

24 system utilizing free general public license open source software and inexpensive commodity

25 components.