



**Joint Testimony of:**

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**Before the:**

**Oregon Legislative Assembly, House Committee of Rules**

**RE: Oregon Elections Staffing and Administration Report**

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## **Introduction**

*Paul Manson, PhD*

My name is Paul Manson, and I am the Research Director for the Elections & Voting Information Center (EVIC) at Reed College where I am also a Visiting Scholar. I am also a Research Assistant Professor with the Center for Public Service, located at the Mark O. Hatfield School of Government, Portland State University. Since 2018, I have collaborated on an annual survey of local election officials across the United States, providing the only national assessment of election preparedness, resiliency, job satisfaction, and the other challenges facing local election administrators. Additionally, I have authored several book chapters and articles exploring the dynamics of workforce management and election administration.

*Paul Gronke, PhD*

My name is Paul Gronke, and I am the founding Director of the Elections & Voting Information Center (EVIC) and a Professor of Political Science at Reed College. I serve on advisory boards for the MIT Election Data and Science Lab and the National Vote at Home Institute. I was selected as a 2020-2022 Andrew Carnegie Fellow and have served as a scientific advisor to the Make Voting Work project of the Pew Center of the States and the Free and Fair Elections Program of the Democracy Fund. Along with Dr. Manson, I developed the annual Local Election Official Survey we have been undertaking at EVIC since 2018. I am a leading scholar on voting by mail, early voting, automatic voter registration, and election administration. I have published dozens of peer-reviewed articles, monographs, and reports on elections, election administration, and public opinion about election integrity and trust in government.

## *Elections & Voting Information Center*

The Elections & Voting Information Center (EVIC) at Reed College is a leading non-partisan research center examining election administration, including voter registration and voting, and the changing environment of local election administration in Oregon and nationwide. EVIC searches for common sense, non-partisan solutions to identified problems in election administration that are backed by solid empirical evidence and tailored to the conditions of the time and jurisdiction. EVIC has worked with many state and local governments, secretaries of state, state election directors, federal agencies, and non-profit organizations. Since 2018 EVIC has conducted an annual Survey of Local Election Officials providing the most comprehensive evaluation of the state of election administration.<sup>1</sup>

Election administrators across the United States have faced a rapidly changing legal, technological, and administrative terrain over the past two decades. These changes have accelerated in the past two presidential cycles, from concerns of foreign interference in elections and cybersecurity, to conducting an election during the COVID-19 Global Pandemic and continuing since 2020 as the political environment surrounding elections becomes increasingly challenging and combative.

Our team at EVIC, in a partnership with the Portland State University Center for Public Service,<sup>2</sup> interviewed thirty-four of thirty-six of Oregon's election directors and county clerks earlier in 2023 to understand the staffing and workforce issues faced in our state, and to make recommendations about improvements for the future. After over forty-five hours of interviews, we were able to learn about the needs, concerns, and many challenges county clerks and election directors face here in Oregon. Today we are sharing the findings from this research, and the implications for the future of election administration in Oregon.

### **Election administration in Oregon varies across our thirty-six counties, reflecting different needs and funding challenges.**

Before exploring our findings, we need to share three background features on election administration in Oregon.

The first background feature is who is assigned the role of overseeing and managing elections in each county. Oregon's thirty-six counties are charged with administering federal, state, and local elections. The Oregon Constitution assigns this duty to counties along with the financial responsibility to fund the cost of elections. Twenty-seven counties in Oregon have constitutional clerks who oversee elections. These clerks are

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<sup>1</sup> More on the annual survey can be found on the EVIC website here, and will be referenced in this testimony: <https://evic.reed.edu/leo-survey-summary/>

<sup>2</sup> The Center for Public Service, located in the Mark O. Hatfield School of Government at Portland State University provided research support in the conducting of interviews and the analyses of interview records.

elected to their office, and they share a suite of responsibilities that can vary somewhat by county.

In general, in addition to administering elections, these clerks record real property transactions, issue and record marriage licenses, maintain certain county documents and proceedings notes, and serve as the board of property tax appeals. Clerks in some counties also keep probate records, serve as passport agents for the U.S. Department of State, and in some cases manage accounting and payroll services for their counties.

In nine Oregon counties, counties have adopted Home Rule charters, allowing for more county control over the clerk's duties. In these counties the position of the chief local election official varies. Some counties have maintained an elected clerk while others have created a director of elections or similar appointed or civil service position. One Home Rule county has merged the clerk and assessor role into a single staff position. For Home Rule counties without an elected clerk, the elected oversight of elections is conducted by the county commission as opposed to an independently elected clerk.

### **Election funding for many counties fluctuates with interest rates and mortgage activity—creating instability for staffing.**

The second important background feature in election administration in Oregon is funding, and the way elections are funded is related to the differing responsibilities of clerks.

In general, the counties can only ask other governmental entities for reimbursement of election costs if they are off-cycle municipal elections or for special district elections. To pay for elections, counties are expected to rely on general funds. With the ongoing impacts of Measures 5 and 50, all local public finance choices have become more complicated, and elections are no different.

We found in our interviews that many counties functionally rely on property tax recording fees to support election administration. This occurs due to Clerks sharing the recording and election duties in many counties. Recording revenue fluctuates with interest rates as mortgages or home sales drive transactions at the Clerk's office. In other words, our election system is dependent on the fluctuations of the housing market, interest rates, and economic forces beyond our borders.

### **The work of elections has become more complex and more demanding over the past two decades.**

The final distinguishing feature of elections administration is the rapid pace and rate of changes. New rules and new technologies have made the work of elections far more complex. For larger counties, we heard the need for dedicated technology specialists, staff trained specifically in IT or other technological tools that support the election process. For smaller counties, this presents a challenge when staff may consist of only two people, so dedicating a position to technology is not an option (or the expertise may not be there).

Another source of change is the election cycle itself. We asked offices to share when the peak of election activity occurs, and most responded that the peak of election work is increasingly long. In fact, many shared that there is rarely a down period in the year at this point. Generally, the peak of election activity starts with candidate filings, about one hundred days prior to the election, and then tapers off two to three weeks after the election. This means that the active election season is approximately four months long for each election.

**Staffing in election offices is at or below levels in these offices a decade ago. Trends in funding suggest these levels will continue to fall.**

Election offices in Oregon vary in staffing levels, even when comparing similarly sized counties. Among the largest counties in Oregon, some elections offices are staffed at twelve full time positions or more. Others of similar size may have as few as two and a half positions. For smaller and medium-sized offices, and some large offices, we consistently heard that staffing levels today are at or below levels from five to ten years ago.

These staffing levels have not changed despite great increases in total registered voters following the implementation of automatic voter registration in Oregon as well as new tasks and expectations placed on clerks. Adding voters to the rolls results in increased calls for assistance during elections. This is further exacerbated as newly registered voters are often non-affiliated voters and are unsure why they are receiving primary ballots that may not include the party they had thought they were registered with. Changing the ballot deadline to postmarked by Election Day rather than received also stretched out the period required for processing ballots.

**Election officials face many challenges when hiring because pay is not competitive and job descriptions are out of sync with the current needs of offices. Funding of these positions continues to be an issue in many counties.**

Our study started out with a goal of understanding how recruitment, retention, and retirements are impacting election offices. An immediate challenge shared across all counties was the difficulty in finding qualified candidates to fill positions. Many shared that election positions were unable to pay competitively to the local market.

This has been in part attributed to how the positions are defined. Election workers are increasingly asked to add public relations, information technology, and security to their portfolios and skill sets. Job classifications for election positions may no longer fully capture the complexity of the work. Without updates to position descriptions, pay will not keep up either. As one election official noted, the local fast-food restaurant can pay more per hour than their office can for an entry level elections and recording clerk.

Another recruitment challenge is the nature of the work itself and changing public perceptions about elections. Many offices shared that the work of elections requires being comfortable with a dynamic and changing environment. Some staff who attended interviews noted they personally enjoyed the variety and excitement of elections work

but noted that the pace of work can be a barrier for hiring. Offices noted that many applicants sought more predictable work environments or were not able to manage ambiguity. In some cases, this meant offices had gone through several staff members as they were hired, trained, and then the new hire realized the fit was not appropriate for them.

Offices also shared challenges in finding qualified applicants. Positions might be listed for a month or more and only receive five or six applicants. From these only one or two would appear qualified, and even then, require extensive training as election experience is rare. Larger jurisdictions, located in urban and suburban areas, were somewhat less likely to face this problem because of broader applicant pools and some patterns of lateral and upward movement between medium-sized and larger offices. However, even one larger jurisdiction in the Willamette Valley shared that less than half of applicants to positions are qualified.

Many offices, across rural, suburban, and urban counties, shared with us that the costs of and shortage in appropriate housing created a barrier to recruitment and retention.

The funding model for staff positions across many counties creates instability and challenges in hiring. As interest rates rise, and recording revenues fall, counties are being asked to make difficult choices. One county we spoke with in the beginning of 2023 shared an anticipated \$600,000 budget shortfall due to revenues. We have recently heard that layoffs are beginning in this office as we head into the 2024 Presidential election cycle. A reminder—the first peak in workload for the November 2024 election will arrive in February 2024.

These pay barriers are not just for the election staff; many clerks shared that their counties had conducted compensation studies resulting in pay for clerks being less than other countywide elected officials. A few offices shared with us success stories of job compensation studies that resulted in reclassification of entry level positions, and which may provide a model for other counties.

**Managing misinformation, disinformation and malinformation campaigns, along with public records requests and lawsuits, are taking up precious resources and creating stress.**

Not surprisingly, all offices shared a spike in challenges related to misinformation, disinformation and malinformation (MDM), mirroring experiences reported by election administrators throughout the country.

The most measurable impact from MDM and the shifting political landscape is the increase in public records requests. All offices have experienced a sharp increase in these requests and have struggled with interpreting what they can, should, or must do in the face of these requests. Offices shared that public records requests are not a new part of the work, but while in the past requests were common, they were also straightforward. Political campaigns, parties or the media might request basic reports or documents to help with their work.

The critical change in the current environment is the emergence of a national network that develops records requests to utilize in various states. These new requests often involve information that cannot exist in a universal vote-by-mail state like Oregon, or request highly detailed information such as computer logs that take time and expertise to produce and have no clear bearing on election outcomes.

Public record requests are governed by state law that require prompt responses, and clerks understand this. Clerks uniformly told us they want to be transparent and responsive, but there is a limit on their capacity, especially in smaller rural offices. These requests compete for resources in already strapped election offices, requiring other election duties to be deprioritized, or for clerks to personally sacrifice time to meet request deadlines.

### **Election staff face unprecedented levels of abuse, threat and harassment both in the office and outside of work.**

Our interviews included heart wrenching stories from staff. As we spoke with clerks we all too often heard of how public interactions have become personal and based in political attacks. For hiring, clerks also shared that the political environment around elections has become a barrier. Some applicants have experienced harassment or targeted scrutiny of these offices and are unwilling to put themselves in that work environment. Some of the clerks we spoke with shared that these same pressures were making them re-evaluate their own long-term ability to continue serving.

### **The expectations placed on elections teams have outpaced resources and support, creating massive personal tolls for those serving in election administration.**

National and local scrutiny has moved local election officials from behind their desks to in front of television cameras at a rapid pace. Public perceptions, information requests, and changing rules have all added to stress. One in five of our interviews required us to stop to allow participants to collect themselves after the emotional toll of this work bubbled to the surface of our interviews. In these emotional moments, the personal impact of our political environment on election staff was best captured by one office that shared the swirling increase in pressure.

They must now prepare for active shooter events, they are armoring their front desks, they feel unsafe sharing their occupation in public, and they field endless calls questioning their work or intentions.

A disheartening number of clerks and staff shared they were just holding on and debating whether they could continue, given this personal stress. Other clerks shared with us that the increased demands and long hours may drive them from the profession. Another shared that during elections they must dedicate their whole self to elections and cannot be a caregiver and partner in their home.

Oregon's clerks are not alone in facing the impact of a corrosive and polarized political environment – election officials nationwide have reported a spike in threats and harassment. Oregon's clerks also uniformly told us that they recognized that public scrutiny was part of the job. However, no public official should have to endure verbal harassment or threats.

This year we have learned that five to six clerks will leave their position, and in some cases without a clear replacement. These departures have the potential to impact institutional knowledge in these counties.

The danger in Oregon is that the wider community of clerks and their staff throughout the state will experience increased levels of retirements and departures and be unable to hire and retain staff, and the state will lose valuable experience and expertise needed to conduct safe, secure, and accessible elections in a changing environment.

### **Looking ahead, training and professional development are key areas for improvement to address these challenges.**

Considering these pressures, one way to build expertise and potentially ameliorate stress and reduce the impact of departures and retirements is to improve training and professional development.

Elections work has changed quite quickly, and support for existing and new staff has not kept pace. One office shared a concern that inconsistent training across the state presents a threat to all offices if interpretations or practice start to differ. Many offices noted that they have limited opportunities to formally train staff. Larger counties that have the resources are able to send staff to training sessions, but this is not common.

We learned that the Secretary of State's office previously provided more training opportunities for new and existing staff. In the early 2000's the state led more coordinated training efforts, but that those options are no longer available. It was also noted this might be part of a broader trend in the state cutting back on training for roles it oversees. The Department of Revenue was noted as an example where training for counties has been reduced or eliminated, impacting the recording side of work for many clerks.

Here we see a key opportunity for improvement. Increasing funding at the state level for training and professional development can make an immediate impact in supporting election offices. This is important as we anticipate ongoing pressures to change how elections are conducted in Oregon, with proposals such as ranked choice voting massively altering how elections are administered. Training and professional development are also a way to build and sustain a vibrant elections community which can help with recruitment, retention, and create avenues to share expertise.

**The real costs and funding model of elections in Oregon will continue to be a source of challenges as election changes are proposed.**

As we shared earlier, many Oregon counties in part fund election administration with recording fees, and others face ongoing Measure 50 permanent rate challenges. As the pace and nature of election work changes, these funding sources are not keeping up with changes. The full cost of elections, and the full cost of proposed changes, are not well understood.

It is time to review the actual costs of elections and explore reforms on funding models to guarantee the staff and resources are available and are tied to the needs of elections, not outside market forces such as the real estate market.

**Despite these challenges, Oregon is served by a cadre of election officials dedicated to voters, election integrity, and a health democracy.**

In our interviews we consistently heard personal stories of dedication to Oregon elections. One clerk shared a moving reflection on the work of administering elections. They shared their passion for helping all Oregonians realize their rights and abilities as voters. Clerks frequently used words and phrases like “proud,” “rewarding,” “exciting” and “never a dull day.” While election officials are increasingly experiencing greater stresses, these officials remain deeply committed to being what we call the stewards of democracy.

We thank the Committee for the opportunity to share these findings. Oregon is fortunate to have a strong cadre of public servants willing to take on this critical and evolving task. We hope we were able to share their voices and concerns adequately.