

Oversight Proposal for SF Open Source Voting System Project Using San Francisco Civil Grand Jury Recommendations as Basis

Showing great foresight, and responding to the thousands of San Franciscans who signed petitions, emailed, or called urging funding, the San Francisco Board of Supervisors allocated \$1.255 million over two years to start development of an open-source paper ballot voting system for more secure elections with greater transparency of vote counting to earn voters' trust. Combined with the \$300,000 already allocated from COIT, that provides sufficient funds to get the project off the ground.

Unfortunately, as the recently released Civil Grand Jury report found, *"There is not a clear project owner that is responsible for building an Open Source Voting System in San Francisco, which prevents the project from making any progress."*

Current Lack of Appropriate Oversight, Collaboration and Public Input to Project

The distinguishing principles of open-source software are transparency, participation, and collaboration. To develop a successful and fully functional open-source voting system that the public can trust, key stakeholders and experts in the city, as well as outside experts and advocates, must be appropriately involved in oversight of the project and determination of its direction and priorities.

Currently, that is not happening, with the public and even key stakeholders like the Elections Commission not having significant input or even clarity on what exactly is happening. As an example, though funding was allocated to the Department of Elections, the Department of Technology is the department advertising for a Project Manager, without the Elections Commission, much less the public, having had a say. This is unacceptable for such an important open-source project.

Civil Grand Jury Recommendation for Working Group to Approve Structural Decisions

The Civil Grand Jury's first, and most important, recommendations, were to (1) include funding in the current budgeting cycle for a Project Manager dedicated to shepherding the project forward and own the project and (2) *"that the Mayor's Office set up a working group responsible to centralize the expertise relevant for the OSV project and approve structural decisions made by the Project Manager... After planning completes, funding requests for the OSVS would be recommended to the working group by the Project Manager, and would then be recommended to the Mayor for inclusion in the city budget..."*

California Clean Money Campaign Recommendation Based on Civil Grand Jury Report

We believe that the Civil Grand Jury's recommendation of a working group centralizing OSV project expertise whose task is to work with the Project Manager is exactly what the open-source voting project needs to go forward while providing necessary confidence to the public. The working group should be empowered, in consultation with the Project Manager, to set binding project direction, policies, and priorities, advocate for appropriate resourcing, and provide oversight to the project.

After discussions with Elections Commissioners and key outside stakeholders, we recommend the working group be formed ASAP, hold open public meetings, and that the working group be made up the following five members:

- A representative of the Mayor's office (as in the CGJ proposal)
- A representative of the Department of Technology (as in the CGJ proposal)
- A representative of COIT (as in the CGJ proposal).
- A representative of the Elections Commission who also serves on the OSVTAC for their expertise both in the needs of the Department of Elections and in open-source voting systems.
- A representative appointed by the Board of Supervisors from a non-profit that advocates for open-source voting systems.

The key differences between this recommended working group makeup and the CGJ recommended makeup is:

- Combining the proposed representatives of the Dept. of Elections and OSVTAC to be a representative of the Elections Commission that has expertise in both while relieving unnecessary burden on the Department of Elections staff.
- Adding a representative of a non-profit organization that advocates for open-source voting to help give the voting public the confidence that its need for a fully transparent and collaborative open-source development process is being followed.

A key part of this recommendation is that it is balanced with two staff representatives of City departments and two non-staff representatives that have the greatest possible perspective on the public interest in the OSV project (i.e. the representative of the Elections Commission and the non-profit). The representative of the Mayor's office will have both perspectives.

If it was determined that a representative of the Department of Elections should be part of the working group, then we would recommend increasing the working group's size to seven, retaining the City staff/public balance by adding a second outside representative, appointed by the BoS in consultation with public advocates, who has expertise in open-source development.

If the Board of Supervisors were to quickly act on this recommendation, or something close to it, we believe it would give the OSV project the direction and oversight it needs to be a success while giving the public, including the broad coalition that has advocated for the project, appropriate input into the public voting system that will be created.