

Letter of March 30, 2017

Dear Mayor Guthrie and Members of Council:

Internet voting in Guelph needs to be suspended, not expanded. There are multiple reasons for this, but a fundamental concern is the abysmal state of the Municipal Voter's List generated by MPAC.

The document at the link below is a position paper issued by the Association of Municipal Managers, Clerks and Treasurers of Ontario:

TIME TO FIX THE VOTER'S LIST

http://www.amcto.com/imis15/content/GOVT_RELATIONS_ISSUES/AMCTO_Voters_List_Position_Paper.aspx

The conclusion of this document on p. 10 is as follows:

...this is a problem that can no longer go unaddressed. It is an issue that affects every citizen, and the very sanctity of the democratic process.

I urge you to review this document as you deliberate on the next steps for internet voting in Guelph.

Sincerely,
Susan Watson

Note to Clerks: Can you please include a copy of this email and the 10-page document found at the link in the agenda for the Committee of the Whole meeting?

With thanks.

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Sincerely,
Susan Watson

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With thanks.

Letter of March 31, 2017

Dear Clerks:

Please include this email in the addendum for Monday's Committee of the Whole.

Dear Mayor Guthrie and Members of Council:

My previous emails detailing concerns with internet voting have focussed on issues such as Voter ID, the Voters' list and election fraud.

A key issue for internet voting is on-line security.

Below, I have pasted an excerpt from a timeline of computer security hacker history:

https://en.wikipedia.org/wiki/Timeline_of_computer_security_hacker_history

Prominent hacks in 2016 included the FBI and the Democratic National Committee. The list I have provided includes breaches of both governments and prominent corporations.

Closer to home, last year the EQAO Grade 10 literacy test was cancelled due to a cyberattack:

<http://www.ctvnews.ca/canada/online-literacy-test-for-ontario-students-cancelled-due-to-cyberattack-eqao-1.3128746>

There have been recent reports of thefts of Petro Points and AirMiles from user accounts.

Breaches of the Conservative database (CIMS) in Guelph and other ridings in 2011 have never been explained or solved. Justice Mosley made the following findings in a case involving the ridings of Yukon, Winnipeg-South-Centre, Saskatoon-Rosetown-Biggar, Elmwood-Transcona, Vancouver Island North and Nipissing-Temiskaming:

<https://www.canlii.org/en/ca/fct/doc/2013/2013fc525/2013fc525.html?resultIndex=3>

[244] I am satisfied that it has been established that misleading calls about the locations of polling stations were made to electors in ridings across the country, including the subject ridings, and that the purpose of those calls was to suppress the votes of electors who had indicated their voting preference in response to earlier voter identification calls.

[245] In reaching this conclusion, I make no finding that the CPC, any CPC candidates, or RMG and RackNine Inc., were directly involved in the campaign to mislead voters. To require the applicants to identify the perpetrators of the misleading calls would impose an impossibly high standard of proof. I am satisfied, however, that the most likely source of the information used to make the misleading calls was the CIMS database maintained and controlled by the CPC, accessed for that purpose by a person or persons currently unknown to this Court. There is no evidence to indicate that the use of the CIMS database in this manner was approved or condoned by the CPC. Rather the evidence points to elaborate efforts to conceal the identity of those accessing the database and arranging for the calls to be made.

[246] I find that the threshold to establish that fraud occurred has been met by the applicants. The questions remaining are whether the fraud affected the results of the election, and if so, whether the Court should exercise its discretion to annul the results in the subject ridings.

Given the current vulnerability of all government agencies and corporations to criminal and malicious breaches of their databases and systems, there appears to be

currently no fail-safe guarantees to protect the integrity of our electoral system, other than the paper ballot.

I urge you to make an evidence-based decision and suspend internet voting.

Sincerely,

Susan Watson

Letter of April 4, 2017

Dear Mayor Guthrie and Members of Guelph City Council:

At yesterday's Committee of the Whole, I greatly appreciated the concerns expressed by many Councillors to meet the needs of senior voters and citizens with disabilities.

I wish to provide the following reassurances, as outlined in the Municipal Election Act, that the suspension of internet voting does not change the requirement of the City to meet the needs of these electors through other avenues.

<https://www.ontario.ca/laws/statute/96m32#BK20>

I have cut and pasted the relevant sections at the end of this email.

As the clerk mentioned at the meeting, he has a statutory obligation under the MEA to provide voting options for electors with disabilities.

Moreover the MEA includes a requirement for polling stations to be situated in any institution with more than 20 beds and any retirement home with more than 50 beds. In addition, election officials are empowered both to attend a disabled elector within their room at a retirement home or institution, or to visit their private residence in order to allow them to vote.

There is no question that internet voting is convenient, however, the experience of the 2014 election has demonstrated that there are unacceptable security cracks in the processes of the current internet voting system. Electoral fraud is not an abstract issue in our community. Operatives in the Guelph Conservative campaign office in the 2011 Federal Election used false names, fake emails, proxy servers, cash-loaded credit cards and burner cell phones to attempt to cover their tracks. That crime has never been solved.

Most recently, unidentified individuals attempted to rig the Conservative leadership campaign by fraudulently registering ineligible voters. The Conservative Party was unable to establish who was behind this.

<https://www.thestar.com/news/canada/2017/03/17/tory-leadership-candidate-maxime-bernier-hits-back-after-kevin-oleary-camp-raises-fraud-allegations.html>

There is no question that internet voting is convenient, however, there is currently a conflict between the integrity and sanctity of our elections and the convenience and efficiency of voting and counting ballots via internet voting. In this clash of values, it is the integrity of our electoral system which needs to take priority.

Sincerely,

Susan Watson

Electors and candidates with disabilities

12.1 (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities. 2009, c. 33, Sched. 21, s. 8 (8).

Plan re barriers

(2) The clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election. 2016, c. 15, s. 11.

Report

(3) Within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public. 2016, c. 15, s. 11.

Number and location of voting places

45. (1) The clerk shall establish the number and location of voting places for an election as he or she considers most convenient for the electors. 1996, c. 32, Sched., s. 45 (1).

Voting places in institutions, retirement homes

(7) On voting day, a voting place shall be provided on the premises of the following:

1. An institution for the reception, treatment or vocational training of members or former members of the Canadian Forces.
2. An institution in which, on September 1, 20 or more beds are occupied by persons who are disabled, chronically ill or infirm.
3. A retirement home in which, on September 1, 50 or more beds are occupied. 1996, c. 32, Sched., s. 45 (7); 2016, c. 15, s. 34 (2, 3).

Attendance on resident

(8) The deputy returning officer for a voting place described in subsection (7) may attend on an elector who is a resident of the institution or retirement home, to allow him or her to vote. 1996, c. 32, Sched., s. 45 (8).

Attendance on electors with disabilities

(9) To allow an elector with a disability to vote, a deputy returning officer shall attend on the elector anywhere within the area designated as the voting place. 2001, c. 32, s. 30 (3).

Other persons

(10) The other persons described in subsection 47 (1) are entitled to accompany a deputy returning officer when he or she attends on an elector under subsection (8) or (9). 1996, c. 32, Sched., s. 45 (10).

Letter of April 20, 2017

Dear Mayor Guthrie and Members of Council:

I would like to provide you with access to two key documents which will help inform your decision-making process on Monday.

The first is a 2014 review of City of Toronto internet voting vendor proposals which was prepared by cybersecurity experts.

It was released under a freedom of information access request. It contains very detailed technical analysis of proposals by *Dominion Voting* (the company retained by Guelph in 2014), *Scytl* and *Everyone Counts*.

<https://www.verifiedvoting.org/wp-content/uploads/2014/09/Canada-2014-01543-security-report.pdf>

This is the key recommendation of the report:

Recommendation regarding the use of internet voting: *Of the proposals evaluated in the context of the RFP process, it is our opinion that no proposal provides adequate protection against the risks inherent in internet voting. It is our recommendation, therefore, that the City not proceed with internet voting in the upcoming municipal election.*

A 2016 City of Waterloo staff report on internet voting highlighted a number of key issues which were not covered in the City of Guelph report:

1) *The results of an extensive study conducted by Elections British Columbia, and presented to the Legislative Assembly of British Columbia in February 2014, dispel the myth that internet voting increases voter participation in general and participation by young people in particular*

2) *Internet voting has been successful in a number of jurisdictions but several European countries have decommissioned electronic voting methods due to transparency and security concerns.*

And most importantly:

3) *Internet voting systems are not 100% hacker-proof despite what vendors may claim when there is proof that so many vastly larger companies and agencies with enormous security expertise and budgets have been successfully penetrated.*

You can access the original report via this link:

<http://www.waterloo.ca/en/calendar/council/Default.aspx?StartDate=11/21/2016&EndDate=11/21/2016&Limit=25>

Click on "original packet" and go to page 99.

Sincerely,
Susan Watson