



NSGIC GEO-ENABLED ELECTIONS

Passing Geo-Enabled Elections Legislation

Special thanks to New Jersey Assemblyman, Andrew Zwicker

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SUMMARY KEYWORDS

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TRANSCRIPT

Thank you. My name is Andrew Zwicker. I am a member of the New Jersey General Assembly representing the 16th Legislative District, which has pieces of four counties in the central part of the state. It's always a big debate in New Jersey, whether Central New Jersey exists as opposed to north and south, I can tell you absolutely that it does.

I'm a physicist by training. I'm the chair of the Assembly Science, Innovation and Technology Committee. When I first got into the New Jersey Legislature in January 2016, the very first bill that I wrote was around election reform. And since then, I am proud to be the author of a variety of bills, including one we're going to talk about, around election reform in New Jersey from early voting to the ability to fix errors on vote by mail ballots, and trying to get rid of dark money in New Jersey elections and a bunch of other bills.

And so the *Voting Precinct Transparency Act*, which was passed and signed into law in 2020, is one of the bills that is part of a series of packages that I've been working on really from day one.

So, what does the bill do? It has two primary pieces to it. New Jersey's broken into 21 counties. One is, it requires that all 21 county election officials provide two things to the Secretary of State within New Jersey. It requires the geodata or shapefiles, down to the precinct level, so that they are all in one location and available and publicly accessible. The other piece of it is 90 days after the election has been certified, each of the counties must provide the precinct-level election results in a delimited machine-readable form.

The motivation behind this comes from Professor Sam Wong and his team at Princeton University. Sam is not just a molecular biology professor, he's also the head of the [Princeton Gerrymandering Project](#) and the [Princeton Election Consortium](#). He has a team working on a variety of different election issues, including how to draw election boundaries without gerrymandering. He and I had a conversation several years ago, pointing out that in New Jersey, there was nothing that was standardized. And so not only were things either not readable by a

machine, or not available, or the format was different. It made getting access to the data, not just for him, but for anybody interested in it, very difficult.

And so based upon that conversation, I drafted up the legislation and took it through our committee process and into both the Assembly - the lower house - and on to the Senate. It passed unanimously in both houses and was shortly thereafter signed by New Jersey Governor Phil Murphy.

It was relatively straightforward in terms of how it progressed. It took a couple of different meetings, first of all with advocates like Professor Wong and his team, but also meeting with a variety of election officials from around the state. From the Secretary of State and her office to some of the county election officials, county clerks, and their teams. One of the things that came out was that for some counties in New Jersey, to do this, to meet the requirements of the bill, were relatively easy, but for others, it was not. It had to do with software that they may or may not have been using, because we don't standardize that across New Jersey. So we had those conversations, worked on the bill, put it through the committee process. We made some minor amendments, but the bill came out pretty much as we had written it.

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For us, one of the issues outside of the geodata was the fact that in New Jersey we are becoming more of a vote-by-mail state. And when you do that, and you're voting by mail, it depends on the counties it may not be marked in the election results by precinct, and so we had to have some ways to handle the vote by mail applications. So that was a bit of the amendment process.

So, this is a bill about transparency and data. This is a bill of transparency in results. This is a bill about making data publicly accessible. And this was a bill about ease of use so that we can see not just our election results, but that people had access to our geodata.

So from start to finish, for us, the process was a little under two years. It wasn't a high-priority bill, so it took a while to build up the meetings and get support. But we really had no major hiccups. It was getting people who were going to be impacted by the legislation on board, helping them understand what we were doing and why we're doing it. I think that's the key as it would be for any piece of legislation.

You know, try not to surprise people. Try to address any of the concerns and issues before you get to the committee process, if possible, or are able to address them soon after. Talk to the front office of the Governor and his team in your state and the Secretary of State as well.

It worked. It's there; the data is now available. And it's being used. In New Jersey, our redistricting was postponed by a year because of the pandemic, and difficulties in getting the census data completed. Now, we have all of our census data. We are right now, in the middle of putting forth our redistricting committees and getting that process done. All the data is public. It's available. It's being used by advocates like Professor Wong; it's being used by the public. So we will see as we move

towards redistricting, the impact of this. But you know, the geodata is there, the election results are there. So it's a success story from start to finish, I think.

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There were some misconceptions at first. We thought about this and we wanted to ensure that the data was machine-readable, delimited, and available in a single public website. I was not behind the scenes; I am not an election official.

Without ever seeing what is involved in getting this data out, I'll tell you, I made some assumptions on the ease. You know, it seemed to me like this was as simple as being in Microsoft Excel and doing a save as a comma-delimited file. But it wasn't. For some counties in New Jersey, it was very trivial, and for others, it wasn't.

So understanding the landscape, I think, is something important. We did this in real-time. But there were certainly some assumptions on my part on the ease of how these counties would be able to respond to this. So I think, once we understood that we made sure to bring the county officials into the conversation. And at that point, things went through relatively smoothly and easily. But that was a little hiccup, that was one that maybe we could have done a little groundwork before we got started, but in the end, it was certainly not a deal-breaker, it was just part of the learning process.

We will most certainly see benefits from this work in other areas. We're going to see them because, with the census data, we now have it here in New Jersey, as we look down at voting precincts in particular, and as we continue to make changes in our election laws, this is where this work will really be key. I'm the author of New Jersey's early voting legislation, and we're going to do it for the first time this November. In 2021, New Jersey and Virginia are the only two states that have statewide elections. Our Governor and our entire legislature are up. And so in our early voting, what's going to happen is not every polling place is going to be open. And so by precinct people are going to have to go, if they choose to vote early by machine, they're going to have to go to just a smaller number of polling locations, which means accuracy in our precinct data is going to be key. So I hope and expect as we go into the fall, that this geodata will again be incredibly advantageous to ensuring a smooth early voting process because this will be the first time we're doing it in New Jersey.

You know, I think the key thing I took away was that we all know, across the state, the data, and the format should be standardized. I can only speak for New Jersey, here, it was anything but and so I think the key is to understand your own state situation. And then what are some of the practical impediments that may exist, regardless of legislation, that's going to be written and advocated for and how are you going to overcome that. I think any understanding of the background just makes the process so much smoother and lets you tailor a piece of legislation to the specific needs of your state. I did something very specific for New Jersey. But there's no reason you can't modify that or any other piece of model legislation to your specific state. I think that's the key.

Thank you for listening. Thank you for your interest in this. What we've done in New Jersey can, I think, relatively easily be replicated in other states, but if you ever want to reach out to me directly, I'd be happy to share more of my experiences. Don't hesitate to email me. It's really been a great experience so far. And if I can be helpful in any way, I'd be glad to.

RESOURCES

Voting Precinct Transparency Act

- <https://www.nj.gov/governor/news/news/562020/approved/20200121j.shtml>
- <https://www.billtrack50.com/BillDetail/992630>

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