



ELECTIONS, NEWS, POLITICS, STATE GOVERNMENT

Secretary of State Corey Stapleton plans to implement new election software in 2020. Election officials worry that's too fast.

by Alex Sakariassen
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Montana Secretary of State Corey Stapleton addresses members of the 2019 Montana Legislature. Credit: Eliza Wiley / MTFP

County elections officials are expressing “grave concerns” over Secretary of State Corey Stapleton’s plan to implement a new statewide election system in time for the 2020 elections.

Stapleton’s plan calls for Montana counties to begin transitioning from the state’s decade-old Montana Votes election system to a new suite of election software as early as January.

Stapleton’s office inked an exclusive \$2 million contract with South Dakota-based information technology company [BPro](#) on April 30. Missoula County Chief Administrative Officer Vickie

Zeier said the secretary's staff in early June assured county officials that a final determination on the state's readiness for the transition will not be made until December.

However, emails acquired through a public-records request show Stapleton's office set its sights on implementing the new software in time for the 2020 elections months ago.

In a [June 20 letter to Stapleton](#), the Montana Association of Clerks and Recorders (MACR) called that timeline "very worrisome," adding, "our suggested implementation goal would be 2021."

June 20, 2019

The Honorable Corey Stapleton
Montana Capitol Building, Rm 260
P.O. Box 202801
Helena, MT 59620-2801

RE: Implementation of New BPro Election System

Dear Secretary Stapleton,

The Montana Clerk and Recorder's Association (Association) stands with the Secretary of State in his desire to have Montana lead the nation in election processes; however, the Association has grave concerns with the proposed timeline from the Secretary of State's Office regarding the replacement of the Montana Votes system. While we stand ready to work on the conversion and implementation as desired by the Secretary of State, for the benefit of the voters of Montana, the Association strongly suggests that the full implementation be delayed until such time as the system has been properly implemented, tested, and county election staff trained ensuring the integrity and security of our elections. A more conservative timeline and our suggested implementation goal would be 2021, after the primary and general elections of 2020.

We appreciate the inclusion of county election professionals to work through the details of such a conversion, and we have liked much of what we have seen in terms of functionality; however, the slated launch in January 2020 is very worrisome. We participated in the implementation of the current Montana Votes system, and it was an enormous and lengthy process (approximately three years—from RFP in 2004 until roll out during the 2007 municipal elections with a great deal of tweaking until the 2008 presidential election). Given our experience and the progress-to-date of the new system as well as the stated timeline for full implementation, we are not confident that the conversion along with adequate testing and training can occur in time for the 2020 election cycle.

While we are eager to continue supporting the conversion, we urge the development of a more attainable timeline, taking into consideration the limited staff and resources available at the local government level. The County Leads have dedicated tremendous amounts of time and energy to assist the Secretary of State's Office in understanding the intricacies of the election process in Montana. Unlike the Secretary of State, Election Administrators do not have additional resources to dedicate to this conversion in terms of grant dollars or personnel. All work on behalf of the Secretary of State's conversion comes from existing staff with existing duties to fulfill in county election offices in advance of the next election.

To ensure a quality finished product and a safe and secure election process for the voters of Montana, we ask that you re-evaluate the implementation timeline and develop realistic benchmarks to determine "go" or "no-go" **after** the 2020 election cycle. We need the ability to test a new system that is fully functional and to train election staff across the 56 counties in advance of having them train election judges across Montana. **ALL of this** must occur prior to the election itself and actually begins with the petition processes in January, well before the Montana Primary. It would seem more reasonable to begin this immense change-over outside of a presidential cycle, which could be one of the biggest in our lifetimes. In conclusion, we believe the current project development timeline is simply too aggressive and stands to put the election process in Montana at risk.

Sincerely,


Stephanie Verhasselt, President
Montana Clerk and Recorders and Election Administrators Association
Richland County Clerk & Recorder

CC: Christi Jacobsen, Dana Corson, Stuart Fuller, and Suzanne Davis

A June 20, 2019 letter from Montana Association of Clerks and Recorders President and Richland County Clerk and Recorder Stephanie Verhasselt to Secretary of State Corey Stapleton expressing "grave concerns" over Stapleton's plans to implement a new statewide elections system for the 2020 election.

MACR President and Richland County Clerk and Recorder Stephanie Verhasselt acknowledged in the letter that association members approve of much of what they've seen of BPro's software so far, but urged Stapleton to re-evaluate the slated January 2020 launch date and develop "realistic benchmarks" to determine the state's preparedness.

“It would seem more reasonable to begin this immense change-over outside of a presidential cycle, which could be one of the biggest in our lifetimes,” Verhasselt said in her letter to Stapleton. “We believe the current project development timeline is simply too aggressive and stands to put the election process in Montana at risk.”

The 2020 timeline has also left several lawmakers feeling unsettled.

Rep. Geraldine Custer, R-Forsyth, first heard of the plan during the 2019 legislative session while working on a bill to streamline the process of registering voters through the Department of Justice’s Motor Vehicle Division. Custer, a former Rosebud County clerk and recorder, said she was immediately concerned that the implementation timeline seemed rushed.



Rep. Geraldine Custer, R-Forsyth.

Additionally, Stapleton’s office did not put its software needs out for open bids from multiple vendors, choosing instead to pursue a no-bid sole source contract with BPro. Custer said she doesn’t understand why the office opted against an open bid, a concern echoed by Sen. Bryce Bennett, D-Missoula.

“I think that’s poor government at its worst,” said Bennett, who announced his 2020 run for Secretary of State on May 29. “I think that we want to have transparency in this process to make sure that we get the best possible product and that people feel confident in the process. Unfortunately, in this situation, I think we got neither.”

Stapleton said the sense of urgency to replace Montana’s election software sprang from his concern over Russian meddling in the 2016

presidential election.

Last year Congress awarded Montana \$3 million in funding from the Help America Vote Act.

Clerks have been vocal in their opposition to spending the money on the voter registration system instead of voting machines, which they said are much-needed, especially after the long lines elections offices saw in the 2018 elections.

However, Stapleton said 2019 provided a narrow window of opportunity to address the evolving threat to the security of elections by implementing new software.

According to Stapleton, there's no reason to believe Montana won't be targeted by foreign entities in 2020.

"I share the concerns [of MACR], and we're not disregarding those at all," Stapleton added. "But I have a bias towards action. We made a decision that we wanted to fix some things that were wrong. We had some really bad IT situations in the office, and we are at risk. Montana is at risk."

Stapleton claimed an agreement with the National Guard and the Department of Homeland Security prevented him from disclosing specific vulnerabilities in Montana's current election system. He said his office will test BPro's software in the coming weeks to "verify that we've got a vendor that can deliver on their promises."

Verhasselt, in a statement on behalf of MACR, said staff from the secretary of state's office first notified county elections officials of the plan to adopt new election software at a state convention in August 2018. She said elections officials were invited to view demonstrations of election management systems from several prospective vendors last fall, and Stapleton's office distributed a survey to collect county feedback.

In November, Jake Burton, project director for the secretary's office, filed a request through the state procurement bureau seeking a sole source contract with BPro for the company's TotalVote election software. According to Director of Elections and Voter Services Dana Corson, the state has been using BPro's election-night reporting and canvassing modules for nine years.

Over the course of two meetings and numerous email exchanges in the ensuing months, state procurement officers repeatedly asked for clarification on several questions, including whether BPro was indeed the only vendor capable of meeting the state's needs. Procurement officials approved the sole source request on Feb. 27, with the software purchase set to utilize grant money from the federal Help America Vote Act.

In an email to Montana Free Press, Corson said the state is currently working with BPro and county election administrators to "identify Montana requirements and complete any system configuration." Regional training sessions with county-level election staff are scheduled for late 2019.

"This is a large project with a lot of moving parts, which means the timeline for implementation can also change," Verhasselt stated in an email to Montana Free Press. "The Association of Clerks and Records and Election Administrators will have a place at the table to help determine if the new system will be a 'go' or 'no go' for the 2020 elections."

Bennett and Custer aren't alone in questioning the way Stapleton's office went about acquiring new software. When the state in January issued a notice of its intent to award a sole source contract to BPro, Oregon-based Chaves Consulting sent a three-page letter urging Montana to

reconsider. President and founder Richard T. Chaves claimed the company could save Montana significant money and staff time by upgrading and enhancing the existing Montana Votes system.

In response, Stapleton's office informed the state procurement bureau that Chaves Consulting "failed to present a COTS [commercial over-the-counter] product" that met the specifications offered by BPro.

Corson further explained to Montana Free Press via email that, in making its determination, the secretary's office was looking for a product to "replace the present day system."

"Our office wanted to purchase modules that have already been developed by a vendor," he added. "We did not want to purchase software that was on a vendor's product road map or spend additional time developing and testing newly developed software."



Rep. Bryce Bennett, D-Missoula.

The apparent rush to purchase and implement new election software makes little sense to Bennett and Custer, particularly given how meticulous the secretary's office was the last time around. When Montana first began moving toward Montana Votes in 2003, then-Secretary of State Bob Brown, a Republican, opted to postpone full implementation until after the 2004 presidential election. Three counties were chosen as pilots in 2005, Missoula County among them.

Zeier was the election administrator in Missoula at that time and said the gradual approach was critical in ensuring staff had enough time to learn the system and work out any kinks without negatively affecting voters at the polls. Zeier said the rest of Montana's counties did not fully transition to Montana Votes until the 2006 general election, roughly three and a half years after the state first went in search of a new system. She strongly recommends that Stapleton's office test any new software in a similar pilot capacity first.

"This is a huge election," Zeier said. "It doesn't happen often where you have a presidential, a senator, and all your state races all on the same ballot ... I just hope everything goes well for [county election administrators] because they're the ones that have to face the press and people angry when something's not working right."

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