

## Ethics and Elections Committee

### January 2013 Report

The main topic of note for the Ethics and Elections Committee in 2012 was holding ARRL's first-ever electronic elections, with elections of Director for Hudson Division and Director and Vice Director for Northwest Division. As in so many other activities, using computer technology to automate a process tends to expose the areas about which there is the greatest uncertainty and often disagreement. As if this were not enough, Hurricane Sandy occurred right in the middle of the Hudson Division and the middle time period of the election, putting additional stress on the process and individuals involved.

The initial plan on how to run the election was essentially "hands-off" by the E&E Committee. In this, the committee ended up functioning as if its role were as a "monitor" of the impartiality and legitimacy of the process followed. As the election proceeded, it became increasingly clear that the percentage of eligible votes being exercised was going to be low. The committee was divided on whether it should take non-partisan measures to encourage voting, and in the end it could not agree on any such measure. To be sure, there is no reason to think that one candidate was helped more than the other by this participation level.

Once the election was complete and results announced, the Committee received two complaints that the election was invalid because of these low levels of participation. The Committee had already determined, as mentioned above, that the participation level was inherently a non-partisan factor, and the timing of the protests was suspect, since low participation was noted as a problem only after the results were known. The Committee considered the requests carefully, but declined to take action based on them.

So, what did we learn? Elections require publicity; changes in election procedures doubly demand promoting the new practices to the electorate.

The E&E Committee limited itself in the amount of intervention it could exercise in this election. E&E could have taken steps which did not favor either candidate to "get the vote out." Though the contingency could have been recognized and a response to it arrived at ahead of time, E&E is certainly authorized to act, or could even have asked for guidance from the Executive Committee if it felt it necessary, to promote voting, in an impartial manner.

In the end, though E&E too would like to have seen a higher level of voter participation, the Committee felt that the elections were conducted with complete integrity, and that no candidate received more or less favorable treatment than the other(s). We also note that E&E Chairman Greg Widin, KOGW, was present at the final compilation of votes at SBS, Inc., our electronic voting vendor. Greg was impressed with the professionalism of those responsible for the process, as well as the design and implementation of systems to ensure the integrity of the data. Cross-checks and other procedural steps were built in, to ensure that data were correctly and completely counted, and that ballots remained confidential at the same time that their legitimacy was verified. Also, procedures were in place to permit replacement of lost ballot materials, at the same time that duplicate voting was prevented.

We also learned from SBS that several of its other clients routinely use an optional service (at additional cost) to remind voters to respond, sending only to those whose votes had not been returned. We subsequently discovered that those clients include AAAS (American Association for the Advancement of Science) and the IEEE (Institute of Electrical and Electronic Engineers), two of the largest and most prestigious technical societies in the world. Considering our experience, therefore, the Committee recommends to the Board that it consider allocating funds for this purpose in future electronic elections. We also recommend that future E&E Committees track the totals of incoming ballots on a weekly basis to determine whether action should be taken.

If we continue to hold electronic/paper hybrid elections, support materials such as descriptions of the process, frequently asked questions (FAQ), and so forth should be made available through QST and ARRL.org. Repetition of this process will enable members to be confident in the outcome and understand how they can participate with very low effort.

Finally with regard to electronic elections, we note that at this time, we are only conducting an electronic process for Division elections. The Board will need to decide what balance it would like to strike between cost and the improved logistics of a professionally administered electronic/paper hybrid process, such as we obtained from SBS, for Section elections.

The Committee received several other requests for decisions during the rest of the year:

- E&E was asked to provide a full copy of a nominating petition. The committee declined to provide this, and formulated the response and reasoning attached to this report.
- E&E was asked to invalidate an individual's candidacy for ARRL office, and declined based on the evidence provided. This decision was appealed to the full Board of Directors, who did not overturn E&E's decision.
- E&E was notified that candidates had made statements that were viewed as misleading or unethical. The examples provided were either hearsay, or subject to multiple interpretations, and the committee declined to take action based on them.

The Ethics and Elections Committee would remind anyone seeking E&E's intervention that clear and significant examples of the situation requiring redress need to be provided. When people oppose each other as candidates in an election, they can be expected to say unflattering things about each other. This, by itself, is not cause for E&E involvement.

Respectfully submitted,

Gregory P. Widin, K0GW, Dakota Division Director (Chair)  
William Edgar, N3LLR, Atlantic Division Director  
Robert Vallio, W6RGG, Pacific Division Director

29 December 2012

**Considerations about nominating petitions for ARRL office.**

Nominating petitions have long been a part of ARRL's election process. As in all elections, there is a delicate balance between those wishing to assure a fair and open process, and those participating in elections, whose choice of or support for a candidate is a matter of personal privacy.

In all ARRL elections, staff and the Ethics and Elections Committee are responsible for verifying eligibility of candidates and nominators alike. When an individual is found ineligible, the basis for that finding need not be published.

For these reasons, requests to see submitted nominating petitions will not be granted summarily. Making these petitions available in toto could easily support a "fishing expedition," for supposed difficulties with a particular nomination.

No access to nominating petitions will be permitted after 5 days after the relevant election.

Once a petition has been submitted, no signatures will be permitted to be "recalled," even by the signer him- or herself. If this were permitted, a candidate in good faith could be disqualified without recourse to any remedy. This causes no hardship, since a signer is not limited in the number of petitions that can be signed.

In all other questions regarding nominating petitions, the Ethics and Elections Committee must be guided by seeking appropriate balance among electoral transparency, individual privacy, and the interests of the ARRL membership in creating a smooth-running process and organization of the League's activities. The League's Bylaws provide the process to be used to appeal any decision of the Ethics and Elections Committee.