Transcript for The City Speak Podcast
Season 3, Episode 9, "Talking Elections with David Maeda"

[Podcast theme music begins]

Adriana Temali-Smith:

From the League of Minnesota Cities, this is City Speak. I'm your host, Adriana Temali-Smith. Here's a question for you. How many ballots have been cast so far in your city or jurisdiction? [podcast theme music fades out] At the time of recording this — and I should say, it's September 30th today — we're just over four weeks away from the general election, on November 3rd. The public are hearing the words, safety and security, a lot in the run-up to this election. And we know that city officials are right in the thick of things at local polling places.

Adriana Temali-Smith:

Conducting elections represents one of the most important tasks of local officials, particularly city clerks. It is a significant duty for cities. For most citizens, voting represents how they participate in government. This year during a global pandemic, the emphasis on safety and security weigh heavily on cities across the state. So today we wanted to spend some time with the director of elections for the state of Minnesota, David Maeda. David was appointed to the position of elections director in 2019. Prior to this, he was the city clerk for the city of Minnetonka, where he led the introduction of voting technology to improve the efficiency of elections. Fun fact: in 2009 Minnetonka was the first city in Minnesota to use electronic poll books. David is also a former chair of the League of Minnesota Cities Elections Task Force.

[Podcast theme music plays briefly and fades out]

Adriana Temali-Smith:

David, thank you so much for joining me today.

David Maeda:

Thank you for having me.

Adriana Temali-Smith:

So, I wanted to start off by saying that you were appointed the director of elections for the state of Minnesota in January of 2019. And I wanna know what gets you excited about elections?

David Maeda:

Well, Adriana, I'm a- I'm a graduate from Macalester College. And I'm thinking back to sitting into the classroom at Macalester, I never imagined I would become involved in elections for most of my career. It never crossed my mind. But, um, it's been a very interesting career for me. Um, I started my government career just at an entry-level position at the secretary of state's office, um, in the corporations part. So, nothing even having to do with elections. But of course, on election night, they always asked others in the office for help. And that's really where my interest began.

David Maeda:

In the very first election I participated in at my job — we basically had two office locations — my job that night was to drive that Secretary of State, Joan Growe, between the two locations. So, technically I think I was the first U- Uber driver in the state of Minnesota, but it really got in my blood how exciting election

night was. And that led to me being hired in Washington County as the election supervisor. And then later it became the Hennepin County election supervisor. And then for 11 years, my working career as the Minnetonka city clerk and the city clerk has election duties, of course. So, it's always been in my blood that, just the exciting process of, of making sure our democracy works, and it works well, and that we have fair and transparent elections. I've always been just fascinated by everything about the process.

Adriana Temali-Smith:

So, David, you mentioned that you were the Minnetonka city clerk, uh, and I know that while you were there, you led the introduction of voting technology, which improved the efficiency of ele- elections. Could you tell me a little bit more about the transformations around voting technology in the last decade?

David Maeda:

That was a very interesting thing we did in Minnetonka. Basically in 2009, we were the first jurisdiction in the state that started using electronic poll books. And what those are, are typically, when you go onto your, um, polling place, you sign a paper roster. What we did was we si- introduced, at the time, laptops to check people in. And the reason we were interested in doing so was it really helps the election judges walk through the process and eliminates on the errors that were se- being seen. And as a back end, it, it really saves Hennepin County at the time, time to process all the voter registrations and all the data that comes in from the polling places on election day, because now they had an electronic file, they can use rather than having to try and read, um, voters' handwriting. So, it really, um, I thought, helped bring the elections process further along.

David Maeda:

And the exciting thing about being the election director is that as I meet with county auditors and city clerks throughout the state, um, over 50% of the state now are using, um, electronic poll books. Most of them started using them in 2016 and 2018. But it's really fun for me to hear that, you know, uni- universally that the, it helped improve the process. I mean, when I meet with the county editors, I don't think they knew our role in Minnetonka in really introducing it to the state. So, it's really fun to hear that it is technology that has, um, improved some of our processes.

Adriana Temali-Smith:

That's exciting. And that's really cool as well, that you can relate to the role of the city clerk and the role of sort of the, the county elections administrator, having done those roles before. And it pro- I'm guessing that it probably opens some doors for you as you're going around the state and meeting with people.

David Maeda:

Absolutely. I've heard that directly from both city clerks and county auditors, that they're really glad that I have the infield experience of running an election at the local level.

Adriana Temali-Smith:

So, safety and security are top priorities for the elections, which are taking place right now through November 3rd. What does safety and security mean for a 2020 election during a pandemic? And what are some steps that different jurisdictions are taking?

David Maeda:

So, when we're talking safety and security, I kind of viewed it as in two different lanes; obviously with COVID-19, this is an entirely different election from a public health standpoint. And so, um, that's one lane that we are definitely working with our local partners on making sure that voters can vote safely. The other safety lane that we have really laser-focused in is cybersecurity, because as, uh, you might know that in 2018 Minnesota was one of those States that was targeted by the Russians to try to get into our

voter registration system. So, we've actually hired a s- staff person that, um, his title is cyber navigator, but his duty really is to make sure that we are paying attention to any cybersecurity concerns. But to the, the COVID-19 safety piece, um, we've really worked hard this year, encouraging voters to vote from home because obviously that is the most safe way to vote in a pandemic. Um, so our absentee numbers are really incredibly high already. It's just astronomically higher at this point than any other time in the state's history.

David Maeda:

Um, the other thing we have done is we've secured hand sanitizer, face masks, um, and disinfectant for every polling place in Minnesota. And that got distributed out for the August state primary, and it'll be available for the November general election as well. And so, um, if you go to your polling place and vote, you're going to see an entirely different situation than you're normally used to seeing, but that's deliberate because we really want people to feel safe when they're voting.

Adriana Temali-Smith:

So, David, what are the most frequent questions and concerns that you're hearing from cities as they administer the November general election?

David Maeda:

I think the most frequent question I'm getting is kind of all over the map. Because for the 2020 election, we have really seen a lot of different changes being put into place primarily of, because of COVID-19 and how, um, we want to make sure people feel safe voting. So things like, we have a consent decree court order that extends a period when an absentee ballot can get accepted. Um, previously absentee ballots had to be received by election day in order to get counted. For 2020 though, the consent decree extends that. So, absentee ballots that are postmarked on or before election day and received within the next seven days can be accepted.

David Maeda:

And so, all the changes like that, are really, I think causing some angst amongst all election officials, not only just city clerks but with the county folks as well. And we are really trying to make sure that we have regular communication with everybody. So, everybody understands all the changes that are in place for 2020.

Adriana Temali-Smith:

What are some of those regular communication methods? I, I hear that you do a newsletter. Tell me more about that.

David Maeda:

So, for the past 16 weeks, I've been doing a weekly update. I email it out to the county auditors, but it's also available — there's a link on your website that people can sign up. Basically, I'm just, again, clarifying all of the different changes that are in place for 2020. I'd provide information and guidance on some things that our office has developed. Just trying to really make sure that we're regularly communicating with all the election officials across the state.

Adriana Temali-Smith:

So one of the things, as I was chatting to some of my LMC colleagues who are subject matter experts in this area, um, one of the things they mentioned were drop boxes, I wonder if you can explain how drop boxes are used and do cities have the authority to use them?

David Maeda:

That's a question we're getting a lot from not only city clerks, but also the counties. It's an issue that obviously is been generated by COVID-19 and more and more people voting absentee, and also just the national attention given to absentee ballots and mail ballots throughout the country. In Minnesota, our laws are pretty silent about the use of drop boxes. We looked and statutorily, um, there's very little that talks about drop boxes other than the, um, law specifically provides that a voter can drop off their ballot to the official that issued them the ballot. So, the city is doing absentee voting, the voter can drop off the ballot with the city clerk.

David Maeda:

So, the other part of our law is that if I'm returning another voter's ballot, I have to sign a log and provide ID to the election official. That log — it's actually a rule from our office — really kind of limits or makes using a drop box a little bit more difficult, 'cause I'm not allowed to drop off someone else's ballot in a drop box without signing a log. And so the guidance that we worked on from our office and we had, we actually consulted with the attorney general as well, is that drop boxes are allowed if a city or a county chooses to have one, they, they either have to have information by the drop box stating that if you're dropping off someone else's ballot, you must see this city clerk, um, but you can drop off your own.

David Maeda:

And we also know that many government buildings already have drop boxes for the cities, like utility bills and other city documents can get, get dropped off after hours. And so we, our guidance basically is, if people are dropping off their ballots in an already-used drop box that cities have something in place to make sure that their elections people are seeing those ballots, and are the ones, um, that have access to those ballots to make sure you have things in place that not just anybody in the city can have access to a drop box ballot.

Adriana Temali-Smith:

So, I'm curious to know your response to this. Um, there's been some discussion this year that some people are claiming that mail-in ballots promote fraudulent activity and it can undermine election legitimacy. What do you say to that?

David Maeda:

Our office obviously is hearing those concerns from voters as well. The thing I point out with absentee voting in Minnesota has been around since the Civil War. It actually started in 1862 because of our, our involvement in the Civil War, and soldiers needing the ability to cast a ballot, but it's been around for a long time. Uh, we do absolutely have provisions in our law that prevents fraudulent activity. If you've ever absentee voted, you know, you had to submit an application that includes either your driver's license number or the last four digits of your social security number. And then when you cast your ballot, you have to place it in an envelope, um, that contains the same information. So, our absentee ballot boards, what they do is they make sure that the person that applied for the ballot is the same person that actually voted the ballot.

David Maeda:

So, things like that are already in place and have been in place for many, many years. Absentee voting in Minnesota has been on the increase ever since 2014, when our law changed. To qualify for an absentee ballot, a person used to have to provide some type of an excuse on why they were not able to vote at the polling place on election day; that got changed in 2014. And so, we are now a no-excuse absentee state, where you can get- anybody in the state can cast an absentee ballot. And ever since that law changed, we've seen a huge number of people take advantage of that, to the point where in Minnetonka, over 40% of the city in 2018 voted before election day. So, um, again, it's not something new, it's just something

that more and more people are taking advantage of. And of course, this year due to COVID, even more people are taking advantage of, of, of absentee voting.

Adriana Temali-Smith:

I find the history that you shared there really fascinating. I had no idea that absentee voting went back to 1862 in the Civil War. Um, and I also wasn't aware of the law change in 2014. I'm one of those people that absentee ballot- uh, voted prior to 2014. I lived outside of the United States for a short period of time, and so I absentee voted through the state of Minnesota while I was living abroad. And that was prior to 2014, but I've also taken advantage of it since 2014. And, um, and I'm really glad to hear that there was an actual law that makes it easier for people to vote, because regardless of a pandemic, for some people it is hard to get to a polling place. It's absentee voting is one of those things that ensures that all citizens have access to their vote.

David Maeda:

Absolutely. I think it's really important to have different options for different people because not all of us have the ability to get to our polling place. It's funny, when I was in Minnetonka — Minnetonka has odd-year elections, meaning they happen in the odd-numbered year — and so, I always had an election every year to run and I live in St. Paul. So, I was never able during my time in Minnetonka to vote at the polling place 'cause I was always going to be absent on election day. And so, it was one of the exciting things about now working in St. Paul is I was looking forward to voting in my polling place, which I got to do in St. Paul here in 2019.

Adriana Temali-Smith:

[laughs]

David Maeda:

Now, given COVID I voted absentee again.

Adriana Temali-Smith:

[laughs] Yep. Well, so you've already kind of alluded to this. You mentioned the fact that, um, as long as an absentee ballot is postmarked by November 3rd, it sounds like there's a seven-day period where those ballots will still be counted. And I'm wondering, given the volume of mail-in ballots and, uh, with that process, when do you think we might know the final election results in our state?

David Maeda:

So, the official results we won't know until the counties certify them to us. And then our state canvassing happens on the third Tuesday in November, and that's when they actually become official results. And so, but your point that with the extension of period of when the absentee ballots can be accepted — uh seven days after the election — we're not gonna get, what, um, most people have become used to on election night looking at our website or following it on the news and seeing who who's the projected winner in a race. We're not going to necessarily have that this year. What we are going to do and we're encouraging the counties to report everything that they have from their polling places on election night and their absentee numbers as well. And we will get that posted on our website. We are, we are also going to post the number of outstanding absentee ballots that are in by, um, legislative districts. So, if you're interested in a legislative race, you can see candidate A is ahead on election night and there might be 500 absentee ballots still out that could be returned, not necessarily, necessarily will be returned.

David Maeda:

And so, you can get kind of an feel for if somebody is actually ahead far enough that they're, they're gonna probably likely win that race. Um, so we will have all that on our website on election night, and then our

plan really is to report everything that the counties get in on a daily basis. And so, we will continually update the results we get during the extra seven-day period.

Adriana Temali-Smith:

Okay. And that website for those listeners who don't know is the secretary of state website, correct?

David Maeda:

Correct. It's mnvotes.org.

Adriana Temali-Smith:

Perfect. So, there's been a good deal of recent news coverage describing the problem of naked ballots in the state of Pennsylvania. What are naked ballots, and is this something that we should be concerned about here in Minnesota?

David Maeda:

All 50 states have their own election laws. We don't have uniform laws across the country on a federal basis. We all do it on a state basis. And so, every state does things a little bit differently. What I understand is, um, the issue of naked ballots in Pennsylvania is, when you vote absentee to keep your ballot secret, you put your voted ballot in an envelope that gets sealed. That's a secrecy envelope. And then the secrecy envelop goes inside the signature envelope, which is an envelope used to compare against the application to make sure the person that applied is the person that voted the ballot. But a naked ballot is, is some voters don't follow our instructions and they would not stick their voted ballot inside that secrecy envelope, would skip that envelope and just stick it in the signature envelope. And in Pennsylvania, their law is apparently that those ballots get rejected.

David Maeda:

That's not the case in Minnesota. If a voter doesn't follow the instructions on inserting the ballot inside the secrecy envelope, um, that's not a reason that the ballot board would reject the ballot. We don't reject, ballots in Minnesota on those technical-type mistakes. The only reason a ballot would get rejected in Minnesota is if the ballot board members — and there two people examining the ballots — that they think that the person who applied is not the same person who voted the ballot, or if there's missing information, if the voter didn't sign the envelope is a common reason for a ballot to get rejected. But the technical reasons, like naked ballots, in Minnesota are not a concern.

Adriana Temali-Smith:

Where should city election officials turn if they encounter unusual problems during the November 3rd in-person balloting?

David Maeda:

So, typically a city would first reach out to their county election folks to, for any issue that is unusual. Um, and I would encourage cities to continue to do that. Um, but I have learned in my, uh, position as state election director leader, I meet on a regular basis with the intelligence community — so the department of homeland security and the local FBI folks — and we really do want to make sure that we're tracking statewide any unusual problems. If there's a pattern going on in different parts of the state, we really want to be able to track that. But again, most of our communication at the state level comes from the counties. But if a city is concerned that something really unusual that they've never seen has come up, they can certainly contact our office as well as their county.

Adriana Temali-Smith:

I think that that's a really good point about looking for patterns with things. I think when we sometimes hear the media talk about security with elections, there's sometimes is a gap in the public's knowledge, that they really need to think about elections as administered locally, and it's their local city clerk or their local county auditor, who is the person that is running these. I think the security element and having elections run locally is something that I wish more people took into account. And that, you're kind of talking about working with the FBI and with homeland security, is looking for those patterns on a much larger scale. So, I feel really safe going to my local polling place and knowing that the security there is going to be top-notch. But what maybe is a concern for some might be those patterns that you see across the whole state.

David Maeda:

Absolutely. I mean, if something's happening in Osakis, Minnesota and the same exact thing is happening in Rochester, and then we see it pop up in some other part of the state. It really is important for us to be able to tie all that together. To your point about the local security, I think that's really important too, that, um, voters should feel confident that their city is the one really running their election in their city, because it really is important that the local elected official knows their community and can address any concerns that might come up. I'll point back again, we hired our cyber navigator — the person that's looking at cybersecurity-related issues — and that person has really reached out to all 87 counties and is now starting to reach out to some of the larger cities in our state to make sure that all cities and counties know what resources are available to help with their cybersecurity concerns.

Adriana Temali-Smith:

That's great. And if we have cities who are interested in reaching out to learn more about that, I assume that there's information that you maybe provide in some of those weekly updates that you send out?

David Maeda:

Absolutely. Uh, our cyber navigator's name is Bill Ekblad, and he comes from a long career in the Navy, and he's just been absolutely phenomenal. But yes, I do include information in my updates about everything we are talking about cybersecurity-related.

Adriana Temali-Smith:

Well, I imagine that this build-up to the general election has been a fairly busy time period for you, and given all the unique circumstances surrounding this election, I'm wondering two things: firstly, what keeps you awake at nights; and then conversely, what are your reasons for remaining confident and hopeful?

David Maeda:

So, the primary thing that's been keeping me up at night and there are a lot of things keeping me up about this election, but the primary thing really is — and secretary Simon and I share this concern — is because of COVID-19, we don't know what the situation will be on November 3rd, where we will be at, in this pandemic. And the concern is that the city might lose all their election judges. Not because they all come down with COVID-19 necessarily, but because they are concerned about the uptick in, in COVID in their area. So, we really have been working with counties, cities, and townships to make sure that people are making sure that, not only do they have enough election judges on November 3rd, but they have a backup plan, should several judges cancel out at the last moment. And that's really the thing that keeps me up, because that's not an easy thing, particularly for the smaller cities in Greater Minnesota.

David Maeda:

I mean, there's not a whole lot of options to have backup, um, pools of people available; for the metro cities it's a little easier. What one of our recommendations is to train city staff, to be election judges, not necessarily that they'll be used on election day, but again, if there's a shortage then that city person could

serve as an election judge where there is a shortage. But that's the thing that is a huge concern of mine in 2020 and Secretary of State Simon as well.

David Maeda:

I think the second part of your question is what are the reasons for remaining confident and hopeful? I, absolutely, one of the things I did in my first year on the job was to go meet face-to-face with county auditors and election staff. And then last fall, I did a tour of all six regions — MCFOA regions — of the state and met with city clerks just to get feedback on what their concerns were. And all through those meetings, and throughout my entire career, I am just amazed at the quality of people that are running the elections and Minnesota. I just, the talent that's out there, the ideas, the enthusiasm, the integrity, it's all very impressive. And I participate in weekly meetings with, um, the election directors from the other states, and that's not always the case in their states. I mean, there's not the, the relationship I think that we have between our office, counties, and cities, and just the quality of people that are running the elections. I'm really, really impressed by that.

Adriana Temali-Smith:

Well, David, I think that was absolutely a perfect ending. So, I want to say thank you so much for being on the City Speak and also just thank you for all the work that you're doing across the state to ensure that our elections run smoothly this year.

David Maeda:

And thank you for having me. It's been fun chatting.

[Podcast theme music plays briefly and fades out]

Adriana Temali-Smith:

Here at City Speak, we like to wrap up by reflecting on the important lessons that our guests bring us. There are a bunch of things that I learned today about elections, either here in the state of Minnesota, or just generally how we're running it for 2020, that I thought were important takeaways. The first is that I did not know all 50 states have individual election laws, and that the state of Minnesota has been using absentee voting since 1862 during the Civil War. I thought that was really fascinating, and it tells me this system has been around for a long time and there must be security with that system for its long-standing nature.

Adriana Temali-Smith:

It was also interesting to hear that in 2014, the law changed so that anybody could access an absentee ballot. Uh, I think it's called the no-excuse absentee balloting. And that, to me, seems like a really good way to ensure that all people have access to the polls. We know that there are people because of their jobs, because of disabilities, because of childcare restraints, because of all sorts of things, that can't make it to a polling station on voting day. And so,I believe that that absentee balloting system, that our cities are so great at administering, really helps ensure that everybody has a voice and a vote.

Adriana Temali-Smith:

The second thing that I heard was, as we're thinking about safety and security for the run-up to this general election, it sounded to me like the office of the secretary of state and the director of elections office is really thinking of those two things as two separate lanes. The first is safety. There's the public health lane, where we really need to be concerned about the- the public safety in terms of how do we vote during a pandemic. And the resources around PPE, and the masks, and the hand sanitizer that have been, um, sent out to voting places and polling stations all around the state have been a huge step that they've taken in order to try to ensure the safety of both election judges, city clerks, and the public.

Adriana Temali-Smith:

That second piece around security, I heard David talk a lot about cybersecurity, and I was really encouraged to hear that they have a new position specifically to help with cybersecurity and ensure that the- the votes that are cast in Minnesota are not subject to tampering by other agents. Um, and it sounds like there's a good partnership happening with homeland security and with FBI. And that made me feel a little bit reassured on that security front.

Adriana Temali-Smith:

The third thing that I heard was around the changes with the absentee ballot process in terms of how and when we're going to count all those ballots. So, David mentioned that there's a consent decree court order that extends the period of the absentee ballotings being received and counted. As long as the ballot is postmarked by November 3rd, and as long as it is received within seven days, that vote will count.

Adriana Temali-Smith:

What that means, obviously, is that when we're actually able to count all votes will extend. And you heard him say that third Tuesday in November is the date we should be looking for, for when counties certify the vote and the, the outcome of the elections. I also heard David state as a reminder, that counties certify the election results on the third Tuesday in November. So while we've grown accustomed to waking up the next morning, after a general election and finding out both at our local, state, and federal level, whose won races, we may have to wait just a little bit longer this year in order to hear some of those, uh, those final results from counties.

[Podcast theme music begins]

Adriana Temali-Smith:

So that's it for our show today. I wanna thank you for listening to City Speak. Episodes are released regularly and are posted on the League's website and via Twitter. You can find us all the places where fine podcasts are found. If you have an idea for an episode, feedback, or just want to get in touch, you can connect with us at mailto:podcast@lmc.org. Until next time, go vote.

[Podcast theme music ends]