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Ontario Municipal Voters' List Reform Project

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Ontario Municipal Voters' List Reform Project

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MPA Research Report

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Ontario Municipal Voters' List Reform Project

Introduction

Voter turnout has been declining in Canadian elections at all three levels of government, raising questions about the quality of Canadian democracy. This trend is believed to be pronounced at the municipal level, but some academics, local governments, and professional organizations believe its true extent is unknown because municipal voters' lists in Ontario may not be as accurate as provincial and federal lists (Association of Municipal Managers, Clerks, Treasurers of Ontario, 2015). The purpose of this paper is to determine the potential sources of municipal voters' list inaccuracy in Ontario and to provide recommendations for reform. Improving municipal voters' lists will improve the quality of democracy by ensuring that all eligible voters can do so.

Municipalities prioritize the issue of voters' lists because they want to ensure the integrity of their 2018 elections. Furthermore, municipalities want to stop spending resources to revise the voters list; civic administrations are reporting to their Councils on issues with voters' lists and potential solutions. In 2015, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) released a position paper "Time to Fix the Voters' List" identifying municipal voters' lists as an issue requiring immediate attention. The Ministry of Municipal Affairs and Housing (MMAH) has launched a working group to identify issues with the current system and to make recommendations on how the process of formulating voters' lists may be improved. The working group includes representation from MMAH, the Ministry of Finance and Cabinet Office. AMCTO, Elections Ontario, municipal clerks, and the Municipal Property Assessment Corporation (MPAC) are also represented (What We Heard, 2015). The issues with

municipal voters' lists tie in a broad range of issues in public administration including multilevel governance, political accountability, electoral accessibility, and bureaucratic influence on policy.

Methodology

This is a qualitative study. Research is based on documentary sources and elite interviews. Documentary sources include positions papers, staff reports to Councils and news media. These documents are used to determine what policy actors view as the problems and potential solutions for Ontario's municipal voters' lists. In addition, representatives from public-sector organizations who play a formal role in the creation of voters' lists are interviewed including representatives from the Offices of the Clerk in three municipalities, MMAH and MPAC. AMCTO, which has articulated policy recommendations on this question, is also interviewed. Elections Ontario declined an invitation to participate in the study.

Literature Review

Legislative Framework

The Municipal Elections Act, 1996

The *Municipal Elections Act, 1996* (MEA), governs Ontario's municipal elections by setting out rules for voters and candidates, and establishing the roles of municipal councils, clerks and school boards. The Act is regularly reviewed after each municipal election. The MEA identifies elector eligibility requirements. To be qualified to vote in a municipal election, an individual must reside in the municipality or be "the owner or tenant of land there, or the spouse of such owner or tenant" (Province of Ontario, 2018). Additionally, an elector must be a Canadian citizen and be at least 18 years old. Within a municipality, an elector is only allowed to vote in the ward in which they reside, "even if the individual owns or is a tenant of land in a

different ward” (Province of Ontario, 2018). Students may have more than one residence if they live in another municipality to attend an educational institution. Individuals may vote in more than one municipality if they meet the voting requirements for that municipality (Province of Ontario, 2018). For example, an individual who lives in London, but owns a property in Bluewater may vote in both municipalities.

The Act also governs the process by which municipal voters’ lists are developed. MPAC is given responsibility for preparing the Preliminary List of Electors (PLE) before September 1st of the election year. The PLE may be developed based on data from any source including “the most recent enumeration under the *Assessment Act*’ and information provided by “the Registrar General regarding the registration of births, deaths and changes of name made under the *Vital Statistics Act* and the *Changes of Name Act*” (Province of Ontario, 2018) . Agreements may be made between MPAC and the Registrar General to share this information. The PLE is required to contain the name and address of each person entitled to vote in a municipal election and “any additional information the clerk needs to determine for which offices each elector is entitled to vote” (Province of Ontario, 2018). Once municipalities receive the PLE, it becomes the clerk’s responsibility to correct any “obvious errors” (Province of Ontario, 2018). The clerk can use any municipal data to correct the PLE; once the PLE is corrected, it becomes the voters’ list.

Individuals may apply to the clerk to have their name added or removed from the voters’ list or to have their information corrected. Before September 25th, an interim voters’ list must be provided to candidates that includes any approved applications for revision. Communication between municipalities and MPAC is required to make sure the work municipalities put into revising the list is considered during the creation of the PLE for future elections. Clerks are

responsible for making MPAC aware of any revisions to the PLE and interim voters' list within 30 days following the elections (Province of Ontario, 2018).

Ontario Bill 181

In May 2015, the Ontario government launched a review of the MEA. The government received input from the public, municipal councils and municipal staff. On June 7th, 2016, Ontario passed Bill 181: *The Municipal Elections Modernization Act, 2016*. The Act is perhaps best known by the public for reforming municipal campaign finance in part by banning corporate and union donations, allowing municipalities to use ranked ballots, and shortening the length of municipal campaigns (Ministry of Municipal Affairs and Housing, 2016).

The legislation is expected to make municipal voters' lists more accurate by removing barriers to updating information. The Act modernizes the ways that individuals can apply to have their information changed on the voter's list. Previously, applications to update voter information had to be done in person or in writing. Clerks now have the option of providing voters with more convenient options to update their information. Also, the Act now makes it easier to remove individuals who are deceased from the voter's list. Clerks can now remove an individual from the voting list who they have determined is deceased even if they do not receive an application or notification from survivors. (MMAH, 2016).

Enumeration

Ontario conducted an annual door-to-door enumeration until 1980, and then moved to enumeration increments that fit three, then four-year election cycles. Until 1985, enumeration was completed in-person, door-to-door. Enumeration efforts were completed by mail from 1988-1998. In 2000, MPAC began a targeted enumeration focusing on individuals in their database

who were not on Elections Canada's National Registry of Electors (NRE) (City of Toronto, 2007).

Concerns about cost, safety, access to buildings, the difficulty of recruiting enumerators, challenges communicating with individuals for whom English is a second language and low success rates motivated the move away from enumeration (City of Toronto, 2007). For federal elections, Elections Canada no longer conducts door-to-door enumeration; the only provinces and territories still conducting door-to-door enumeration are Manitoba, Saskatchewan, the Yukon and Nunavut. The City of Toronto (2007) observes that door-to-door enumeration may be more effective in small rural settings where citizens may be more likely to know and trust the enumerator. Elections Canada has estimated over \$150 million has been saved by implementing the NRE instead of conducting ongoing enumeration (Toronto, 2007). MPAC estimates a province-wide door-to-door enumeration in Ontario would cost \$24 million (2003 dollars) (Toronto, 2007).

Black (2003) studies the factors that led to the federal shift from enumeration to a permanent voters' list. Black concludes that Elections Canada and the Chief Electoral Officer were key catalysts in persuading political leaders to change to a permanent voters' list. These leaders' arguments in favour of the voters' list focused on economic efficiency. Governing and opposition parties in the 1990s that prioritized reducing deficits and making government fiscally responsible found these arguments compelling. Black concludes the switch from enumeration to a permanent voters' list in Canadian federal elections contributed to a decline in voter participation. What is more, the new system disproportionately decreased the participation of youth and the poor.

Current Process

The responsibilities of each party involved in the development of Ontario's municipal voters' lists are straight forward. The provincial government directs the municipal election process through legislation. MPAC is entrusted with enumeration activities which result in the PLE which is provided to municipalities. Municipalities are responsible for finalizing the voters list, creating ward and poll boundaries and for administering elections (Municipal Property Assessment Corporation, 2018). The rationale for having MPAC create the PLE is that to be eligible to vote in a municipal election, you must reside or own property in a municipality. MPAC is Ontario's custodian of property ownership and occupancy information and has therefore been delegated responsibility for enumeration (MPAC, 2018). Ontario is Canada's only jurisdiction in which the property assessment corporation is also responsible for developing a preliminary voters' list (City of Toronto, 2007).

MPAC's database updates voter information based on land title and mailing address changes and new roll and unit updates. Additionally, MPAC receives quarterly updates from Election Canada's NRE and the Ministry of Government and Consumer Services on deceased persons. In election years, Elections Ontario will also provide data to MPAC. Since 2014, the PLE has had 3,639,197 updates based on MPAC's access to property information. Citizens provided 39,568 updates through Voterlookup.ca and 1,231,959 updates were provided by Elections Canada from the NRE. The Ministry of Government and Consumer Services shared 182,542 deceased individual's names with MPAC (MPAC, 2018).

The MEA requires MPAC to provide a PLE to municipal clerks by September 1st of the elections year. MPAC and clerks are permitted to agree to a date for delivery before the deadline. If no agreement is reached a default delivery date is used. The current default delivery date is

July 31st. The exceptions file which is provided before September 25th, includes any new information MPAC has processed, mostly land registry changes, since providing the PLE (Municipality B, personal communication, July 16, 2018). Municipalities must use the PLE provided by MPAC to create their voters' list. Municipalities are not permitted to use another source (MMAH, personal communication, July 24, 2018).

In 2014, Voterlookup.ca launched providing the opportunity for Ontarians to ensure their information is accurate in MPAC's database. MPAC undertook an outreach campaign to make municipalities and stakeholders aware of Voterlookup.ca and to increase utilization of the system. MPAC uses name recognition and address accuracy software to ensure updates completed by voters do not inadvertently cause duplication (MPAC, 2018).

Fostering partnerships with provincial and federal counterparts has been one of MPAC's strategies for improving municipal voters' lists. MPAC has an agreement with Elections Ontario to receive revisions from the 2018 provincial election to update voter information. Another form of cooperation between MPAC, Elections Ontario and Elections Canada is through promoting each other's online services to ensure that voters are aware of the options to update their information for elections at all three levels of government. MPAC has also created a municipal elections working group (MPAC, 2018).

Accuracy of the PLE

Duplicates

The current system of developing municipal voters' lists is inefficient and costly for Ontario's municipalities. Municipalities must dedicate resources to correct the PLE. Ontario's municipalities have encountered many issues with the PLE. Duplicate entries of electors have been an issue. Duplicate entries raise concern that individuals may be able to vote more than

once, undermining confidence in the fairness of the election. In 2006, in Toronto, the municipal clerk deleted 1,639 duplicate entries from the PLE (Toronto, 2007). Since MPAC bases the PLE on property ownership information, duplicate entries for owners of multiple properties in the same municipality are common. Another issue causing duplication in municipalities that have amalgamated is that before amalgamation owners of multiple properties were eligible to vote in each pre-amalgamation municipality in which they owned property (Toronto, 2007). After amalgamation, each elector is only entitled to vote in one jurisdiction within the municipality. Duplication is also a result of mobility. Consider Toronto, where 13% of electors move each year (Toronto, 2007). It can be difficult for MPAC to track whether citizens have moved to another location outside a municipality or whether they have moved out of the municipality and should be excluded from the PLE. MPAC is aware of issues with duplication and is working with municipalities to improve the PLE (Municipality A, personal communication, July 12, 2018). It appears the issues with duplication have improved, in 2014 post-election letters to MPAC from the Town of Ajax (2014) and Township of Scugog (2014), duplicate entries were not included on a list of grievances with the PLE.

MPAC's Limited Access to Information

With limited access to birth and death information, as well as citizenship records, in the past it has been difficult for MPAC to identify errors on the voters' list. The Ontario Registrar General refused to share information with MPAC citing privacy concerns (Toronto, 2007). A 2009 amendment to the MEA now allows the Registrar General to share information on births, deaths, and changes of name with MPAC. Nevertheless, the problem persists. As an illustration, a citizen in Ottawa complained when she received a voting card for her ex-husband who had died two years earlier, and from whom she was divorced. She had not lived with him for twenty years

(Mills, 2014). In December 2014 post-election letters sent to MPAC, the Town of Ajax (2014) and Township of Scugog (2014) each complained of individuals who had been deceased for up to ten years remaining on the PLE. When MPAC and municipalities have cooperated to create an accurate list, sometimes this has made duplication worse, because different agencies may have different spellings of names (City of Toronto, 2007).

Responses to Clerks' Outreach

In 2006, MPAC notified the City of Toronto that 13.6% (276,682) of individuals on the PLE had unconfirmed citizenship. The clerk began an outreach campaign which attempted to connect with these individuals. Of those contacted, 13% responded to the clerk's campaign. Responses were received from 422 individuals who replied that they were not a citizen. Kin reported 148 of the individuals as deceased and 254 were reported as having moved out of the city. Responses were received from 32 individuals under the age of 18. Low responses to enumeration efforts are common at the federal, provincial and municipal level (Toronto, 2007). Therefore, municipal clerks must make difficult judgements about whether to include or exclude individuals from the voters' list. If an ineligible voter is included on the list, it undermines confidence in the election. If an eligible voter is taken off the list, they are less likely to vote. Electors left off the list will not receive their voting card and will need to register in advance of the election or at the polling station.

Impact on Candidates

Inaccurate voters' lists also cause issues for candidates in elections. Campaign expenditure limits are based on the number of voters in a constituency. Candidates often rely on voters' lists to identify voters for door-to-door canvassing and to target communication efforts.

Inaccurate lists may artificially increase or decrease the amount candidates are able to spend in campaigns and their ability to effectively connect with constituents (City of Toronto, 2007).

Voter Turnout

Why is Turnout Important?

Pammett and Leduc (2003) argue voting is linked to the health of democracy (as cited in Uppal and LaRochelle-Coté, 2012). The argument that connects voting and democratic health is that voting is the means through which citizens authorize representatives to make decision for them. The legitimacy of elected representatives is based on the mandate they receive from voters. A leader who is elected with 51% of the vote with a turnout of 75% of the electorate has been authorized by a greater proportion of citizens than if she had been elected with the same percentage of the vote and 35% turnout. When voter turnout is higher, the electorate is more representative of the population. This ensures more people feel included in decision-making and bestows greater legitimacy upon elected representatives. Higher turnout that is more representative of the general population also allows for greater accountability of elected leaders. When turnout is high, representatives are responsive to the whole population, not just certain groups that are likely to vote in the next election. Improving the voters' list may help remove potential barriers to participation in municipal elections and result in higher voter turnout.

The Impact of Turnout

Hajnal and Trounstone (2005) found that turnout has consequences in local elections. This finding disputes previous studies conducted at the national level in United States' (US) presidential and congressional elections which indicated that electors are largely representative of the general population and that the outcomes of elections would not change if everyone voted. (Ellcessor and Leighley, 2001; Highton and Wolfinger, 2001). Findings minimizing the

significance of turnout in national elections should not be applied to local elections for two reasons. First, the more electors who participate in an election, the less likely the result is to be skewed by lower turnout of certain groups. Local elections have lower turnout than national elections, so low participation rates by some groups may have a greater impact than in national races. Secondly, examining national races does not consider “variation in group size across geographic boundaries” (p.517). For example, African Americans’ influence in a municipality like Atlanta where they make up two-thirds of the population is greater than in an US national election where they make up a smaller percentage of the population. Mayoral elections in Houston, New York City and San Diego would have had different results if all racial and ethnic groups had voted at the same rate. Where results are not affected, the mandate of politicians can be significantly altered. In a San Antonio mayoral election, the winning candidate would have increased his margin of victory by 30% if the turnout had been equal between whites, African Americans and Latinos. Moreover, groups with lower turnout are underrepresented on municipal councils.

This may be significant for groups like tenants who are less likely to receive voting cards because of Ontario’s municipal enumeration practices. In jurisdictions with a high concentration of rental units, the impact could be significant. Put simply, because tenants are less likely to vote, their views may be underrepresented in Council decision-making. Because local Councils are in part responsible for determining how resources are allocated, groups that vote less may lose out. Making matters worse for those who do not vote is that local government can be a launching pad for future provincial and federal leaders. This potentially exacerbates the issue of underrepresentation at other levels of government. Some say local government is the level of government that has the greatest impact in citizens’ daily lives. Ensuring high voter turnout and

similar turnout among different groups can help ensure these impactful decisions truly reflect the desires of their communities (Hajnal & Troustine, 2005). A more accurate voters' list may facilitate more equal access to the voting process.

Why the Apparent Decline in Voter Turnout?

Participation is apparently declining in elections; this apparent decline is marked at the local level. According to AMCTO (2015), in 2014, the turnout rate for Ontario's municipal elections was 43%. The turnout rate was 52% for the provincial election and 61% for the federal election. Elections Canada (2003) predicts that voting rates will continue to decline. According to Rosenstone and Hansen (1993), one of the most studied topics in political science is why voter turnout has been declining in advanced democracies and what interventions may reverse or slow this trend (as cited in McDonald and Popkin, 2001). Blais, Gidengil and Nevitte (2004) explain the decline in voter turnout as an expression of less civically minded generations following that of the baby boomers. Putnam (2000) reaches the same conclusion, "the slow, steady, and ineluctable replacement of the long civic generation by their less involved children and grandchildren has been a very powerful factor [in declining civic engagement]" (p. 283). Younger voters are less likely to vote than older voters.

The Importance of the Denominator in Calculating Turnout Trends

If Ontario's municipal voters' lists are plagued with inaccuracies, they provide a poor basis for accurately tracking voter turnout. Voter turnout should be calculated based on the voting eligible population (VEP). The total number of electors on a municipality's voters' list should provide the denominator for calculating turnout. Without an accurate denominator, turnout rates are skewed and this will make it difficult to compare turnout over time and between municipalities (McDonald & Popkin, 2001).

McDonald and Popkin (2001) argue that the idea that voter turnout has been consistently declining in US national elections is wrong. The illusion of declining voter turnout is created by how the Bureau of Census calculates voter turnout. The denominator used by the Bureau of Census is the total voting age population (VAP), but this denominator includes individuals who are ineligible to vote, such as non-citizens and felons. McDonald and Popkin find that the issue is not that turnout has been declining, rather that the percentage of adults who are ineligible to vote (non-citizens and felons) has been increasing. Since 1972, increased participation in southern congressional elections is the only pattern in turnout. The authors clarify that the turnout rate should equal “the total number of votes casts divided by the total eligible electorate” (p. 963). Holbrook and Heidbreder (2010) demonstrated the applicability of McDonald and Popkin’s (2001) findings at the state level in US elections. In states with comparatively large populations of non-citizens and felons, turnout rates are significantly decreased by using VAP instead of VEP as the denominator. In addition, Holbrook and Heidbreder argue that findings on the determinants of voter turnout based on VAP may not be valid when VEP is substituted as the denominator in turnout calculation. To accurately track turnout in Ontario’s municipal elections an accurate accounting of the number of eligible electors is essential.

Who Votes?

Factors associated with voting in Canada are studied by Uppal and LaRochelle-Coté (2012). Age and education are both significant predictors of electoral participation. As each increase, individuals are more likely to vote. Also, homeowners are more likely to vote than renters. Enumeration based on data by a property assessment corporation is likely to be more accurate for owners than renters which may intensify the under participation of renters in

municipal elections. Immigrant citizens are also less likely to vote than citizens born in Canada. Those who are employed are more likely to vote than those less employed. For those who have recently arrived in Canada or are in a tumultuous economic situation and as a result are more transient, Ontario's municipal enumerations system may worsen low turnout.

McGregor and Spicer (2016) found the homevoter hypothesis applies in a Canadian municipal context. Homeowners are more likely to vote in municipal elections than non-homeowners. Moreover, homeowners have different attitudes than renters about issues that may affect their property values. Since home ownership is an indicator of household wealth, this study is consistent with others that have found wealthier individuals are more likely to vote than those with less wealth (Uppal and LaRochelle-Coté, 2012). Perhaps the most significant impact of inaccurate voters' lists is they may reinforce institutional biases which cause certain groups to have lower voter turnout.

Unsupervised Voting

Single parents with young children are the family type least likely to vote in elections. With efforts like online and telephone voting, municipalities are trying to make electoral participation more convenient for busy individuals like these for whom family responsibilities and the cost of child care present barriers to voting. Making voting more convenient may help seniors too. For non-voters over the age of 75, 44% report their reason for non-voting as illness or disability. Unsupervised voting is more accessible for those with mobility challenges (Uppal & LaRochelle-Coté, 2012).

Online voting has been considered as a measure to increase voter participation. Elections Canada (2003) indicates there would be "a small increase" in voter turnout where online voting and registration are introduced. Non-voters replied that time constraints were a factor in their

non-participation. Online voting can help make voting more convenient and less time consuming. Goodman and Stokes's (2017) research on online voting in Ontario's municipalities supports Election's Canada's prediction. Their research indicates online voting may increase participation by approximately three and a half percent. The absence of a registration requirement increases online voting by 35% compared to online voting systems that require advanced registration. Hence, online voting is most likely to result in an increase in voter turnout when the voting process is made easy.

Local administrators are becoming increasingly supportive of online voting. AMCTO (2015) reports that 20% of Ontario's municipalities used online voting in the 2014 elections. Online voting would be recommended for the 2018 municipal election by 60% of the respondents to AMCTO's survey. The public seems comfortable with recommendations to expand online voting. Beaulieu (2016) found that participants in a study found voter fraud due to online voting is less of a concern than voter fraud from other sources.

While participation rates in elections are believed to have been declining for the past 25 years, participation in advanced polling has been increasing. This trend is consistent with voting trends in Australia and the United States (Goodman & Stokes, 2017). This suggests the "contemporary voter wants options or rather choice and convenience for voting" (Goodman, 2016). Just as advanced polling initiatives and extended voting periods can help make elections more accessible, so too can unsupervised voting.

Young Voters

Elections Canada (2003) states young people who do not vote, explain their disengagement in the process because of a lack of interest in politics, or for personal or administrative reasons. Anderson and Goodyear-Grant (2008) warn we must be aware of how

youth's attitudes are socialized towards voting. To address youth turnout, we must set conditions to facilitate their participation. A negative first experience voting, for instance, caused by exclusion from a voters' list, may set negative attitudes toward voting that carry on throughout a lifetime. Elections Canada (2003) agrees "more needs to be done to ensure the registration of the maximum number of citizens, particularly young people becoming eligible for the first time" (p. 1). The findings of Cancela and Geys (2016) support the argument for removing barriers to voting; more stringent registration requirements lower voter turnout. Easing participation in the voting process is essential to setting positive attitudes towards future participation in elections.

Social Desirability Bias

Simone, Kitchen, Williams and Deluca (2013) studied the effect of social desirability bias on voting behaviours in Hamilton, Ontario. The study concludes a significant difference exists between self-reported voting through a household survey versus the voting rates recorded in polling station data. Furthermore, the study identifies, those who have earned a university degree, own a home, or are over the age of 65 are more likely to vote and over-report their voting. The authors conclude this over-reporting of voting in the household survey is consistent with the theory of social desirability bias. Thus, survey results about voter participation should be refined to take social desirability bias into account or researchers should use information directly from turnout results.

Removing the Citizenship Requirement

Another question is whether citizenship should even be a requirement to vote in municipal elections. When officials removed potential electors with unconfirmed citizenship from the voters' list in Toronto in 2006, it prompted a debate over voting rights. For proponents of allowing non-citizens to vote, citizenship is an arbitrary barrier preventing individuals who

call a place home, pay taxes and rely on services from having a vote. In 40 countries non-citizens are allowed to vote in municipal elections; Proponents argue Ontario should demonstrate it values immigrants by following suit. Perhaps the most compelling argument for allowing non-citizens to vote is the idea of voteless neighbourhoods. Due to immigrant settlement patterns, in these neighbourhoods up to 30% of residents do not have a vote. This means in some of these neighbourhoods, some of the residents in greatest need cannot exercise oversight over their local representative through voting (Siemiatycki, 2010). On the contrary, Canada has comparatively liberal citizenship laws. The short time it takes to earn citizenship (a minimum of three years), allows immigrants time to learn an official language and familiarize themselves with Canada's political process. In other countries where voting rights have been extended to non-citizen electors, the turnout rate of non-citizens has been low compared to citizens. This suggests it may take time to learn a language and to learn a new political system before immigrants feel comfortable voting. Citizenship is an important recognition of growing familiarity and attachment to Canada (Triadafilopoulos, 2010).

Toronto's Council endorsed the position that the franchise should be extended to non-citizen residents of Toronto. The Town of Ajax has also passed a resolution requesting the province allow permanent residents to vote. Changing the municipal franchise in Ontario requires provincial approval. The Ministry did not directly answer a question regarding whether removing the citizenship requirement for voting in municipal elections has been considered. The Ministry would only comment that changes to eligibility requirements have not been included in the last two set of amendments to the MEA (personal communication, July 24, 2018).

Potential Alternatives

No method of voter identification is perfect. Different methods vary in effectiveness at accurately identifying eligible voters; different systems vary widely in terms of costs to municipalities. Different jurisdictions have different values for their electoral systems (City of Toronto, 2007). In Canada, government is responsible to ensure eligible voters are added to the list. In the United States, the onus is on voters to ensure they are added to the voting list (City of Toronto, 2007).

The City of Toronto's clerk recommends allowing the City of Toronto to use Ontario's Permanent Register of Electors (PRE) "supplemented by any information the clerk finds relevant" to form the municipal voters' list (Toronto, 2007, p. 25). Other options for improving the voters' list in Toronto include improving the existing partnership with MPAC, having Toronto complete its own enumeration, or eliminating the voters' list and moving to a declaration of eligibility as is the process in Alberta and Saskatchewan. Another option is moving to an American style voter registration system, albeit this system would be expensive. In Chicago, a city similar in size to Toronto voter registration requires 100 staff to administer. Using the voters' list from Elections Canada or Elections Ontario may also be viable options. This is already the practice in Winnipeg where the city uses the NRE as a basis for its voting list. Winnipeg compares the information on the NRE against the information it has for municipal tax and water bills. Elections Canada has already agreed to share its NRE with municipalities (City of Toronto, 2007). MMAH questioned whether direct access to Elections Canada's NRE would help municipalities because MPAC has access to NRE data when preparing the PLE (personal communication, July 25, 2018).

Observations

Quality of the PLE

The issues with the PLE are accuracy and currency. MPAC's data for property owners is relatively accurate; this should be expected given that MPAC's expertise is property assessment. The issue with MPAC's data is with a population MPAC is not designed to serve: boarders. MPAC refers to individuals who are not property owners as boarders. Boarders could include adult children living at home, renters, individuals living in assisted living facilities, or students living in a property they do not own. Regarding currency, between the times MPAC provides the PLE to clerks and the election, recent property sales data may not have time to be included on the voters' list. However, it appears the issues may go beyond just recent home sales: "It seems to me it takes an awful lot of time for data changes to be reflected in the voters' list" (Municipality B, personal communication, July 16, 2018). There can be a lag time between when a property is assessed by MPAC and that property information being enumerated.

Revising the PLE

Once municipalities receive the PLE from MPAC, they work to improve it and make it the voters' list. Municipalities use software to identify duplicate entries and find obvious errors in information. Voter list cleansing software identifies discrepancies between the PLE and existing data in a municipality's system. Obvious errors include typos or missing information. Sometimes names are transposed with a field type; someone's first name may be identified as child or parent (Municipality A, personal communication, July 12, 2018). Although having only one name, like "Bono" or "Sting" is legal, this is highly unusual and a tipoff that incomplete data may be entered. Occasionally, unit numbers and street addresses are transposed. This is a barrier

to getting accurate voting information to electors in multi-unit buildings (Municipality C, personal communication, July 20, 2018). A municipal official provided a frustrated response to a question about the possibility of checking the PLE against property tax information: “Our tax system [...] is largely populated by MPAC data.” (Municipality A, personal communication, July 12, 2018). What voter cleansing software cannot identify is less obvious errors like the inclusion of electors who have since moved out of the municipality. A benefit of having municipalities revise the PLE, is that municipalities are usually more familiar with new subdivisions and revised street names on which MPAC may not be up to date (Municipality B, personal communication, July 16, 2018). The MEA allows municipalities to use any information under their custody and control to revise the voters’ list (Province of Ontario, 2018).

Amalgamations

A cause for errors in the voters’ list is municipal amalgamations. Consider a municipality which amalgamated with several smaller municipalities. These municipalities often had duplicate street names; the City conducted a comprehensive street renaming project to eliminate duplication. Occasionally, the City will receive out-of-date street names on the PLE that need to be updated. Without detection, outdated street names could mean an individual being directed to a polling station in a jurisdiction in which they are not qualified to vote. This would be frustrating for voters who have become familiar with their ward’s candidates and are intent on exercising their vote (Municipality C, personal communication, July 20, 2018).

Boards

Municipal officials agree that MPAC’s data on property owners is more accurate than their information on non-property owners (AMCTO, personal communication, July 4, 2018; Municipality A, personal communication, July 12, 2018; Municipality B, personal

communication July 16, 2018; Municipality C, personal communication, July 20, 2018). For municipalities, it can be difficult to correct boarder information because most municipal data, like property tax and utility information, captures property owners who would be included in MPAC data anyway. Municipalities have considered options to more accurately capture boarders in the voters' list including comparing the PLE against recreation program registrations, and by-law infractions: "What do we do to resolve it? Frankly, not a whole lot unless someone brings an error to our attention and then we fix it. But, we don't go out looking for those problems. We can't" (Municipality A, personal communication, July 12, 2018). It must be annoying for parents to receive voting cards for their adult children years after they have moved away. But how can an enumeration agency possibly be expected to know each child that has moved out of their parents' home unless someone reports this information (Municipality C, personal communication, July 20, 2018)? Assisted care facilities can be difficult locations for municipalities to track current resident information from because of high turnover rates. Municipalities make efforts to obtain tenancy lists from these facilities, but the inherently private nature of health care facilities prevents sharing resident information (Municipality A, personal communication, July 12, 2018).

Keeping accurate elector information on students is challenging because of the short time students are prone to stay in locations. A student who adds his or her name to the voters' list in a new city in first-year may move three or four times during their four-year degree. Similarly, if a student is put on the voters' list in first-year, by the time of the next election, they could have finished their four-year degree and moved away. Recognizing these challenges, MPAC has ceased efforts to enumerate post-secondary students (Municipality C, personal communication, July 20, 2018).

A large city involved in this study recognizes that students are usually boarders and as such the accuracy rate of their information provided by MPAC is less than for property-owners. To try to make sure students can vote despite potential exclusion from the voters' list, the City has made special efforts to make voting more convenient. Polls have been established on each of its post-secondary campuses to ensure students can conveniently register, update their information and vote. Despite these efforts, student turnout in the City's municipal elections is low. In fact, at one of the institutions, only one student voted during a day long poll. Since only one person voted, the municipality had to take special steps to maintain secrecy of the participant's vote when fulfilling reporting requirements. The City is not deterred by past disappointment and continues to work to increase student turnout (Municipality C, personal communication, July 20, 2018). Low voter turnout by students is disappointing and an argument could be made that inaccurate voters' list contributes to this problem. Nevertheless, perhaps it should be expected that students living in a new municipality for school, who plan to leave when they complete their degree, do not feel enough ownership to participate in local elections.

Unsupervised Voting

“As unsupervised voting like mail-in, internet, and telephone voting becomes more popular, the quality problem with MPAC data becomes more and more important” (Municipality A, personal communication, July 12, 2018). Inaccuracy of municipal voters' lists is an issue for unsupervised voting because voters cannot be credentialed in-person. If an elector has duplicate entries on the system, they will receive two voting cards and may vote twice (Municipality A, personal communication, July 12, 2018).

In municipalities with unsupervised voting, duplicate entries may lead elections officials to err on the side of caution and remove electors with duplicate entries entirely from the voters'

list. One voter cleanse software can identify duplicate entries on the PLE but cannot identify which entry is more recent. “So we’re basically flipping a coin trying to delete one and pick which one we think is accurate” (Municipality A, personal communication, July 12, 2018). When in doubt, municipal officials will take one entry off the list reasoning it is better to take the 50% chance to get it right than to send two sets of access information for the voting system and allow the potential of an elector voting twice. Of course, voter fraud because of duplicate entries is possible with in-person voting, but individuals may be bolder behind the screen of a computer, where they may believe they are less detectable than in-person (Municipality A, personal communication, July 12, 2018).

Even, if all duplicate entries are deleted, the prevalence of children who have moved away from their parents’ homes who remain on the voters’ list is a substantial issue for unsupervised voting. If a child over the age of 18 has moved away from the municipality and his or her parents receive voting access information for that child, the parents may vote for an unqualified elector (Municipality A, personal communication, July 12, 2018). Voter fraud can also happen when tenancy information is inaccurate. An apartment unit which now houses fewer electors than previous owners could exercise more than one vote per person with access information received in error.

Municipalities are frustrated that their innovative efforts to make elections more convenient for voters are stymied by inaccurate voters’ lists. What worries municipalities is that accurate voters lists are essential to preventing fraud in unsupervised elections. One municipal official predicted a future high-profile case of unsupervised voting fraud because of inaccurate voters’ lists. The official elaborated that unsupervised voting fraud caused by inaccurate voters’

lists may prevent wider adoption of unsupervised voting (Municipality A, personal communication, July 12, 2018).

Inaccurate voters' lists pose challenges to unsupervised voting beyond potential voter fraud. Citizens who are not on the voters' list will not receive their registration information to access online and telephone voting platforms. Being left off the voters' list is not as simple for online voting as for in-person voting. If an individual is left off the voters' list, they can show up to a polling station and be added to the list with proper identification. However, if an online voter is left off the list, they must identify the issue early, so they can retrieve their access information for the online voting platform before voting closes.

Keeping Track of Changes

The MEA requires municipalities to provide MPAC with a list of revisions they make to the PLE up until the closing of the polls. This list must be provided within 30 days of the election (Province of Ontario, 2018). This requirement provides a potentially important source of information for MPAC. Ontario's 444 municipalities provide their revisions to the PLE for future use by MPAC. MPAC states that they process all voters' list revisions provided by municipalities and this has resulted in over 1.2 million updates in their system (Municipal Property Assessment Corporation, personal communication, July 25, 2018). One municipal official disagreed: "Most clerks would probably tell you none of [the changes sent to MPAC] are incorporated into their data and four years later you get another PLE that hasn't incorporated any of those changes" (Municipality A, personal communication, July 12, 2018). A medium sized municipality is satisfied that the data provided by municipalities after the election is incorporated. A representative from the City hypothesized that some information municipalities provide after one election may not be on the PLE four years later because MPAC has determined

the information is no longer accurate (Municipality B, personal communication, July 16, 2018). MPAC explains some revisions may not be incorporated into their system if insufficient information is provided or the change has already been processed through regular business (MPAC, personal communication, July 25, 2018).

MPAC's Reporting of Accuracy

MPAC reports PLE accuracy rates as 87% in 2014 and 90% in 2010 (MPAC, personal communication, July 25, 2018). The methodology MPAC uses for calculating accuracy rates is dividing “the number of updates required by processing revisions from municipalities after a regular election” by the “number of elector names included in the original PLEs distributed to all municipalities” (MPAC, personal communication, July 25, 2018). A municipal elections official took issue with the way MPAC reports its accuracy rates: “It actually [...] is the inverse” (Municipality A, personal communication, July 12, 2018). The official pointed out the statistics reported by MPAC mean municipalities found errors in approximately 10% of entries on the PLE. That does not mean the list has a 90% accuracy rate. Municipalities rely on tools in their custody to identify obvious errors and rely significantly on voters to identify less obvious corrections. If voter turnout in a municipality is 30%, the other 70% are not engaged enough in the process to identify less obvious errors with their information:

One in ten electors has obvious mistakes in their record. It probably implies a further three in ten electors have not so obvious errors that will never be identified to us because they never come out to vote (Municipality A, personal communication, July 12, 2018).

Low turnout may conceal the true extent of voters' list inaccuracy.

Voterlookup.ca

Municipalities invest time and money into promoting MPAC's Voterlookup.ca through social media, websites, free promotional giveaways and community billboards (Municipality A,

personal communication, July 12, 2018; Municipality B, personal communication, July 16, 2018). Indeed, a medium sized municipality educates candidates about Voterlookup.ca so that candidates can tell citizens how to ensure they are on the voters' list (Municipality B, personal communication, July 16, 2018). One municipality expressed frustration with Voterlookup.ca indicating it had not been successful. The municipality indicated that MPAC pitches Voterlookup.ca "as a substitute for other forms of enumeration" (Municipality A, personal communication, July 12, 2018). Between March 2018 and July 2018, out of the municipality's 85,000 potential electors, there had been less than 1000 searches using Voterlookup.ca. Information was confirmed by 500 individuals. The system processed additions of 100 electors and 97 individuals updated their information. "This thing is just not effective, it's not an effective form of enumeration" (Municipality A, personal communication, July 12, 2018). The municipal official characterized the overall usage rates of Voterlookup.ca as "abysmal" (Municipality A, personal communication, July 12, 2018). Another municipal official indicated that to be an effective enumeration tool properly reflective of the electorate there would need to be a 30-50% participation rate (Municipality A, personal communication, July 12, 2018). One official indicated that municipalities are expected to take on responsibility for MPAC's unsatisfactory enumeration (Municipality A, personal communication, July 12, 2018). When MPAC was asked if they had any information they would like to add at the end of their written interview, they encouraged all electors to check their information on Voterlookup.ca (personal communication, July 25, 2018).

Political Leadership

A participant in the study noted how political leadership affects the prioritization of an issue and how changes in leadership have affected progress on the municipal voters' list. The

individual indicated that turnover of MMHA Ministers and key staff have affected movement on the file. Minister Ted McMeekin viewed the issue as a priority. When a cabinet shuffle occurred, the staff of the new Minister Bill Mauro indicated he did not have a lot of interest in the issue and progress began to wane. The interviewee suggested that the recent change in government would put the provincial working group “back at square one” and a new government would now need to be sold on the issue (AMCTO, personal communication, July 4, 2018).

Resources

Correcting the PLE is cumbersome for small and medium sized municipalities. Larger municipalities are better equipped with more staff and expertise to update the PLE. For larger municipalities, plenty of opportunity exists for errors in the voters’ list but limited time and resources can constrain the ability to make revisions. Consequently, a level of sophistication is needed to efficiently identify errors. In one large municipality, three full-time staff are dedicated to municipal elections. In election years, the number of staff is increased to 25, the majority of whom are temporarily seconded from other positions at the municipality. The City views elections just as much a “technology project as an administrative project” (Municipality C, personal communication, July 20, 2018). Even for a large city “it is a big undertaking”. (Municipality C, personal communication, July 20, 2018). The large city views collaboration with the IT department as essential to making the voters’ list as accurate as possible (Municipality C, personal communication, July 20, 2018).

An IT project manager is dedicated to the City’s elections. In addition to the 25 employees assigned to elections, the elections department interacts with every unit of the city’s IT department which has more than 100 employees. A project team is put together which has representatives from the Clerk’s office and each IT unit. IT expertise is used to write scripts to

identify errors in the PLE by comparing the PLE to a master list the City has with every address in the city. These scripts can identify unusual information in voter information like names with a letter repeated three consecutive times. For example, it may be difficult for an election official's eye to notice William spelled "Willliam" while sifting through the PLE. When a new type of error is found, a script is written to identify similar errors in all the other entries. Scripts identify potential errors quickly, so that an elections official can review and potentially correct. An advantage that large municipalities have in revising the list, is that they may have the resources to develop their own tools to address their individual needs. Some municipalities are reliant on standard commercial voter cleanse software, whereas this large city has been able to develop its own internally developed election management system (Municipality C, personal communication, July 20, 2018).

Some small municipalities with only a few employees do not have the resources to dedicate time to adequately correcting the list. Moreover, in smaller municipalities where employees have a breadth of responsibilities in many areas rather than a depth of responsibilities in a concentrated few, there may not be the expertise to use sophisticated techniques to update the list. Conversely, whereas large municipalities require highly sophisticated techniques to update voters' lists, in Ontario's smallest municipalities the Clerk may know everyone and be able to accurately update the list based on first-hand knowledge of the community (Municipality C, personal communication, July 20, 2018). The needs and resources required to fix the PLE vary in Ontario's diverse municipalities.

Another constraint is time. A tension exists between the need to provide the PLE to municipalities at a date that ensures the PLE is still current for use in the election and allowing time for municipal officials to correct the list. According to a municipal official:

We have so many other logistics at this time of the year. By the time we get the list, we are so bogged down in election logistics and candidate management and stuff that we just don't have the time to do that level of [...] technical scrubbing" (Municipality A, personal communication, July 12, 2018).

More accurate lists are the only solution to the time constraint.

One municipality's approach to revising the voters' list is to assign one staff member to go through every obvious error that voting cleanse software identifies when the PLE and municipal records are merged. Most municipalities do not have the resources to be able to dedicate more than a few individuals to identifying errors for a few weeks in August or September. Staff also work during the voting period to assist with revisions to the voters' list brought forward by electors. Municipalities are limited in the amount of resources they can dedicate to making revisions and this is reflected in the accuracy of the voters' list. One municipality indicated that to have a completely accurate list "would require a gargantuan amount of resources [...]. We would need a full set of people constantly reviewing the list, going through each individual elector making sure their information is correct" (Municipality A, personal communication, July 12, 2018). Limited resources mean tough decisions need to be made: "What is required to create a fully validated and proper voters' list far exceeds what MPAC is able to provide and what any individual municipality can provide. The question is what is your standard? [Is it] good enough or actually accurate?" (Municipality A, personal communication, July 12, 2018). It seems most municipalities realize they can only make the list good enough with their constrained resources.

One municipality tracked all the hours their staff spent correcting obvious errors in the PLE and calculated an amount based on hourly payrates for which they sent MPAC a request for reimbursement (Township of Scugog, 2014). A municipality reported that at a recent meeting of municipalities, a clerk from another municipality indicated their office does not bother cleansing

the voting list because the corrections they make would represent such a small percentage of the total errors on the list that it would not be worth their effort (Municipality A, personal communication, July 12, 2018). Municipalities have an obligation to fix the list to the best of their ability but that, once as many obvious errors as possible can be fixed with the time and staff available, no time remains to go through every individual elector to confirm accuracy. In short, the municipalities interviewed for this study indicated they take the issue of correcting the PLE seriously. These municipalities dedicate as much time as they can, during a busy period and given the resources available to make the list as accurate as possible.

Data Sharing

MPAC is expecting to receive updated voter information from the June 7, 2018 provincial election. This information is expected to be received in time for the exceptions file but not the PLE. Municipal officials question why it will take MPAC so long to receive those changes and include them in their voter information:

That's problematic. You had an election event, whereby a lot of these individuals will have cast a ballot or changed and updated their information. We may be having to do the same thing with them in October because the MPAC database is not reflective of the Elections Ontario data. That to me is fundamentally flawed (Municipality B, personal communication, July 16, 2018).

An assumption is made that the timing of the receipt and incorporation of this data would not be an issue if the same institution had authority for provincial and municipal elections.

Sharing information from other areas of government to improve the voters' list may be fraught with complications. Municipal elections require some unique information other government departments, even those in the business of provincial and federal elections do not have. For example, the school preference of electors and whether an individual has constitutional French education rights needs to be known for school board elections (Municipality C, personal

communication, July 20, 2018). MPAC has this information; Elections Ontario does not (MMAH, personal communication, July 24, 2018). Additionally, property ownership information is important because electors are eligible to vote in each municipality in which they own property. Property ownership is not considered in provincial and federal elections where individuals are only eligible to vote in the one riding in which they reside (Municipality A, personal communication, July 12, 2018).

Privacy seems to be the main barrier preventing better sharing of data (Municipality A, personal communication, July 12, 2018). The challenge may be that governments and citizens are aware of the importance of data protection and fear sharing information that could result in a breach of privacy (Municipality B, personal communication, July 16, 2018). A municipality also suggested there may not be “enough awareness amongst the decision makers in government that this is incredibly important”, so that the necessary energy has not been dedicated to resolving privacy issues to allow better data sharing of electoral information (Municipality B, personal communication, July 16, 2018).

An additional data sharing issue involves lower and upper-tier municipalities. Single-tier and upper-tier municipalities may be able to check the PLE against their utilities billing information, an accurate source of data because it needs to be accurate at each billing date. This is not an option for lower-tier municipalities. It appears utility data is not shared between lower and upper-tier municipalities (Municipality A, personal communication, July 12, 2018).

Whatever the barriers to negotiating data sharing agreements and implementing information sharing to improve the list, clearly the government is trying to facilitate improved accuracy. A 2009 amendment to the MEA allowed the registrar general to share additional demographic information with MPAC. In 2016, an amendment to the MEA allowed information

to be shared electronically. A 2017 amendment to the *Elections Act*, 1990, now allows Elections Ontario to share data with MPAC. Negotiation of the data sharing agreement has been left to Elections Ontario and MPAC (MMAH, personal communication, July 24, 2018).

Does the List Impact Turnout?

Quantifying how much inaccurate voters' lists impede voter turnout is difficult, but the accuracy of the lists likely has a small diminishing effect. The issue of low voter turnout in Ontario's municipal elections is complex. Part of the comparably low turnout numbers can be attributed to the political structure of municipal council, media coverage and the public's awareness of the services municipalities provide (Municipality A, personal communication, July 12, 2018). To facilitate turnout, municipalities need to remove as many barriers to voting as possible. Barriers that prevent electors from voting could be an elector not receiving their voting card or being uncertain about how to get added to the list. Voting should be quick. The need to update voting information at polling station creates lines that not everyone may have the patience to wait through (Municipality B, personal communication, July 16, 2018). One participant alluded to uncommitted voters, those who might not bother voting, if they anticipate some type of inconvenience in the voting process (AMCTO, personal communication, July 4, 2018). Additionally, when citizens are aware of flaws with the voters' list, this may affect their perceptions of the validity and integrity of the election. These individuals may be repelled by the process and consequently not vote (Municipality A, personal communication, July 12, 2018).

The accuracy of the voters' list has an impact on the ability to accurately track voter turnout. The issue of voters who remain on the list despite no longer being qualified to vote skews the denominator of total eligible electors in a municipality. "My guess is there's such an enormous amount of people on there who aren't qualified to be on there anymore because

they've left the municipality (Municipality A, personal communication, July 12, 2018). In 2014, Scugog reported unqualified electors on the PLE including residents who no longer lived in the township, secondary owners, and deceased individuals (Scugog, 2014).

Special care must be given to calculating turnout in municipal elections. Non-resident electors must be considered. Two municipalities in this study both calculate voter turnout the same way. Their denominator is the number of electors on the voters' list when the polls close (Municipality A, personal communication, July 12, 2018; Municipality B, personal communication, July 16, 2018). Their numerator is the number of participants (people who were struck off the list during the voting period). But, if one acknowledges that voters' lists are far from accurate, then one acknowledges the denominator in this equation is apt to be flawed. Not only is the denominator flawed, but the rate of accuracy of each municipality's denominator is different and dependent upon the resources they are willing to dedicate to revising the PLE. After each municipal election, the MMHA sends a survey to municipalities which includes a question asking the voter turnout rate. No standard process is provided for calculating turnout (Municipality C, personal communication, July 20, 2018). The issue of inaccurate denominators and potentially different methods of calculating turnout is a staggering problem for measuring trends in municipal voter turnout and the effect of interventions intended to increase turnout.

Political Culture

Ontario's municipal political culture of enfranchisement contrasts with attitudes towards voter registration in the US. In some US elections, conflict develops between those who want to make voting more accessible and those who want to restrict access, each for political advantage (Hajnal & Troustine, 2005). However, the political culture in Ontario's municipal elections involves making sure everyone who identifies himself or herself as qualified to vote is included

on the voters' list. "Unless you aren't a citizen or [under] the age of 18, there's probably a way to get credentialed to vote and run for office municipally in most municipalities" (Municipality A, personal communication, July 12, 2018). The MEA provides a variety of options for people to register to vote, whether through identification by MPAC, a municipality or by individual application to a Clerk (Municipality A, personal communication, July 12, 2018).

Municipalities are cautious about voter fraud but are realistic about the extent of the problem in Canada as it pertains to voter registration. Few unqualified individuals likely try to add themselves to municipal voters' lists. When a question arises whether an individual should be included on the list, municipalities would rather include an ineligible voter than exclude an eligible voter (Municipality A, personal communication, July 12, 2018).

Municipalities' Perceptions of the List

AMCTO characterized the historical interactions between MPAC and municipal clerks as adversarial: "The view of a lot of clerks is that MPAC doesn't do a very good job with the voters' list" (personal communication, July 4, 2018). One municipality indicated its satisfaction with the lists received from MPAC as "deeply unsatisfied" (Municipality A, personal communication, July 12, 2018). Yet, it was noted that over the past five years, the relationship has improved as MPAC has done a better job of communicating its limitations in creating the PLE (Municipality A, personal communication, July 12, 2018).

Municipalities acknowledge that, over the past several elections, MPAC has made improvements to the quality of the list. The ability to identify citizenship before electors are included on the PLE has significantly improved. MPAC clarified that this improvement results from the data extracts received from Elections Canada's NRE. Although, concern persists about the accuracy of the voters' list and the resources required to revise data received from MPAC:

It has gotten better but there are still sort of bellwether [...] examples that led me to have reservations about it and have really stressed for me as an elections administrator [...] to be really diligent in our [...] initial work we do when we receive the PLE” (Municipality B, personal communication, July 16, 2018).

It may be impossible to make the voters list completely accurate (Municipality A, personal communication, July 12, 2018; Municipality B, personal communication, July 16, 2018).

One city in this study acknowledges issues with the PLE but has a constructive approach. The City tries to cooperate with MPAC and recognizes that both municipalities and MPAC are trying to improve accuracy of the voters’ list. The city cooperates with MPAC by sharing its innovative practises to identify errors in the PLE. The city encourages MPAC to adopt these practises and apply them to the PLE before sending it to municipalities. If these practices for identifying errors are implemented by MPAC early, it will prevent each municipality from having to catch those errors later in the process. (Municipality C, personal communication, July 20, 2018).

Door-to-door Enumeration

Door-to-door enumeration is probably the most accurate form of enumeration, but its dynamics make implementation impractical. On the one hand, significant time needs to be taken to ensure all potential electors are contacted. On the other hand, enumeration cannot take too long without affecting the data’s currency. The cost of hiring a team of individuals to canvass an entire municipality is unpalatable for some municipalities (AMCTO, personal communication, July 4, 2018; Municipality A, personal communication, July 12, 2018; Municipality B, personal communication, July 16, 2018).

Efficacy of Working Groups

A municipal official who has participated on three different voters' list working groups (AMCTO, MMAH and MPAC), indicated the value of these groups is that they allow the parties involved to get past simply grumbling about the voters' list and instead to focus on solutions. With 444 municipalities in Ontario, the issues with the voters' list vary in complexity. A solution that works in one municipality may not work in another (Municipality C, personal communication, July 20, 2018).

When asked about tangible progress made because of the working groups, additional information received from MPAC was cited. An official advocated for additional information to be provided to municipalities on when and why voter information has been updated in MPAC's database. MPAC will implement this change in its 2018 PLE. Municipalities will now be able to see a last change date. When municipalities are cleansing data, this will allow them to identify which of MPAC or municipal data is more recent (Municipality C, personal communication, July 20, 2018).

The official hopes that continued efforts by these working groups will result in MPAC informing municipalities of the source of information that led to changes to voter information. For instance, was the source of a change a property sale, Voterlookup.ca or from the death registry? In the official's view, "They seem to be listening to us" (Municipality C, personal communication, July 20, 2018). In sum, then, the working groups are resulting in progress on some fronts and mutual understanding of the issues among the parties involved.

MPAC commented that the Ministry working group has "identified systemic issues" which require "further analysis". The Ministry will evaluate potential solutions to the issues "including questions regarding the responsibility/creation of the voters' list" (MPAC, personal

communication, July 25, 2018). MPAC indicated it will continue to collaborate with partners to improve the voters' list.

Recommendations

Acknowledging the Problem

Before issues with the voters' list can be addressed, all participants involved in creating the voters' list must acknowledge a problem exists:

That's something clerks have been trying to squeeze out of MPAC [...], after every election. We write a strongly worded letter demanding an apology, and demanding change. MPAC seems unwilling to admit the full extent of the problem or take serious measures to correct it. They think everything is accurate. Their data is 90% accurate so what are we complaining about? (Municipality A, personal communication, July 12, 2018).

Progress on the voters' list is not happening quickly enough for some municipalities who are spending significant resources to make revisions. The public reporting of MPAC's accuracy statistics is misleading. Before significant progress can be made, everyone must acknowledge the extent of the inaccuracy problem.

Resources

Developing the voters' list is not part of MPAC's primary mandate, because of this, MPAC does not receive the resources needed to accurately track elector information. Municipalities express empathy for MPAC. Municipalities repeated statements to the effect that MPAC is doing the best it can with the resources it has as a predominantly assessment focused organization. One municipal official explained:

The assessment of real property is not necessarily contingent upon the accuracy of the ownership information and tenancy information in their database being of a high quality. And because of that I don't think that the information they collect and the data sources

they use to populate their database will be of a quality high enough to be properly used to populate voters' lists (Municipality A, personal communication, July 12, 2018).

According to a large city, enumeration is “not an easy task. It’s challenging work” (Municipality C, personal communication, July 20, 2018). This is true regardless of who is responsible for enumeration and what their resources are.

If the solution does not lie with adapting MPAC’s current practices, then the alternative must be properly resourced to provide quality data for municipal elections. The alternative must have access to not only property information but also needs to capture tenancy information. If a data set that captures tenancy information does not exist in Ontario but developing accurate voters' lists is a priority, this capacity should be developed (Municipality A, personal communication, July 12, 2018). However, this may not be feasible. Is it worth establishing an organization solely for the purposes of developing municipal voters' list?

Access to Data

To improve accuracy, more points of data the province has should be shared to help develop the voters' list. A representative from a medium sized city emphasises that the voters' list can, “be improved incredibly if we have more robust, regular agreements between more agencies in government and organizations within government” (Municipality B, personal communication, July 16, 2018). AMCTO suggested that driver’s license and health care data are more current and more accurately encompass a wider population than MPAC’s property assessment data. Ontario residents have a health card regardless of whether they own a property or rent. An added benefit of access to this data would be that these are “points that get updated a little bit more frequently than other things,” like property sales (AMCTO, personal communication, July 4, 2018). Each interview participant mentioned the importance of better data sharing agreements.

A municipal official who is well connected on the voters' list issue was asked about the predominant barrier to better data sharing agreements. Is it legal hurdles or cautiousness because of fear of a data breach? The response was, "That's the type of question I regularly ask. If you can get an answer on it, I'd be curious to know" (Municipality C, personal communication, 2018). No one interviewed seemed to have a specific answer for why data sharing agreements have not yet provided a satisfactory level of accuracy to the list. Participants generally commented that privacy is a sensitive issue and such agreements are difficult to negotiate.

Two More Elections

MPAC should be responsible for enumeration of municipal elections in 2018 and 2022. It seems time constraints in implementing an information sharing agreement between MPAC and Elections Ontario will prevent information from being shared optimally for the 2018 election. Two more elections will allow time for MPAC to learn from their 2018 experience and allow four years to operationalize a data sharing agreement with Elections Ontario to improve accuracy for the 2022 municipal elections. After the 2022 election, the regularly scheduled review of the MEA should include an assessment of the accuracy of voters' lists and whether a different institution should be granted authority for enumeration.

Elections Ontario

If the accuracy rate of the voters' list does not improve for the 2022 election and if a new agency is not developed to track municipal voters' information, authority for enumeration should be transferred to Elections Ontario. Elections Ontario would have better capacity than MPAC to develop municipal voters' lists because their primary mandate is elections. Elections Ontario would have expertise, experience and resources for handling elections that MPAC does not have. Yet, is it true that Elections Ontario has a better accuracy rate than MPAC? Before advocating

for transferring authority for municipal voters' enumeration to Elections Ontario, municipalities should examine evidence to inform whether Elections Ontario would do a more accurate job than MPAC (Municipality C, personal communication, July 20, 2018). Another complication with transferring authority for municipal enumeration to Elections Ontario is that Elections Ontario would need to enter into agreements to obtain voters' school board preferences or begin collecting this information. Elections Ontario does not currently need this information.

Reporting Turnout

Ontario's municipalities may not be tracking voter turnout consistently. If turnout is to be tracked, Ontario's 444 municipalities need to calculate turnout using the same equation. The MMAH should have a standard reporting requirement for reporting turnout after each municipal election. Until accuracy of the voters' lists improves significantly, the validity of statistics on turnout in Ontario's municipalities should be questioned.

Non-Resident Electors

Perhaps how enumeration is conducted is a symptom of the problem rather than the cause. The issue may be Ontario's municipal franchise. An area of interest of this study was to determine the affect non-resident electors have in elections. Each party interviewed for this study indicated they did not collect data on non-resident elector participation and did not have an interest in doing so. MMAH should require reporting on the participation of non-resident electors. This information would provide a basis to understand how valued the vote is to non-resident electors and whether the MEA should continue to make this allowance.

Revoking the voting eligibility of non-resident electors would make the enumeration of municipal voters an easier task for an alternate agency like Elections Ontario. Rather than identifying multiple properties in multiple municipalities an elector may own, Elections Ontario

would only need to identify the primary residence of each eligible elector. This process is more consistent with Elections Ontario's current operations where it does not have to consider additional property ownership information while enumerating electors for provincial elections. If the data demonstrate that non-resident electors are exercising their franchise at a low rate, then it should be an easy decision to sacrifice these voting rights to facilitate more accurate enumeration.

Citizenship Requirement

Non-citizens should be given the right to vote in Ontario's municipal elections. This recommendation is solely intended to address the egregious issue of voteless neighbourhoods that the combination of Ontario's municipal franchise and immigrant settlement patterns create. This recommendation is not based on the principle of no taxation without representation. Making the recommendation on this basis would contradict the previous recommendation to potentially revoke the franchise from non-resident electors who may also pay taxes in the multiple jurisdictions in which they are currently eligible to vote.

Conclusion

Municipal voters' list reform could be appealing to a newly elected fiscally conservative government looking to improve efficiency in government. By finding a way to keep accurate elector data, the government could reduce the resources each municipality must expend to update the PLE. Although, uploading of services to the provincial level would be antithetical to the governing party's history of downloading responsibilities to municipalities, the government may see it as justified to reduce redundancy of effort.

Why has action been limited in addressing the issue of voters' list inaccuracy in Ontario? Stakeholders except for municipalities have a lack of incentives to change the system. For municipalities this is a serious issue because they are frustrated with spending resources doing the tedious work of revising the PLE:

The issues are well known [...] I can't help but feel that [...] we're sounding like a bit of a broken record. We've expressed time and time again and it's always the same problems. It feels to me at least that this is an issue that the provincial government and MPAC are not willing to contribute the necessary resources to resolve (Municipality A, personal communication, July 12 2018).

For MPAC, their primary focus is property assessment and their role is only to provide initial data, not to perfect the list. Elections Ontario's response to an invitation to participate in this study implies, correctly, that this is not their problem, even if they have tools that may help provide solutions. For the provincial government, with so many problems and limited resources, why focus on the accuracy of municipal voters' lists? Incentive for the province to act will need to come from voters. This presents a paradox. While more accurate voters' lists may result in slightly higher turnout, because so few people participate in municipal elections, electors do not learn their voting information is inaccurate, and, as a result, governments have little incentive to act.

There's probably never going to be a completely accurate voters list in any jurisdiction. It is a question of what accuracy level is acceptable. What resources are government willing to dedicate to make the list accurate? How do you best manage the resources available and operations to achieve the best outcome in terms of accuracy? Given the frustration of municipalities and the inefficient use of resources the system currently creates clearly the status quo is not working. Given that improved voters' list accuracy could result in a small increase in turnout, the need to ensure more equal turnout among disenfranchised groups and the potential to

better understand voting trends, the time for meaningful action to reform Ontario's voters' lists is now.

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