ELECTION SECURITY

REVIEW

2025

CONDUCTED BY:

ARKANSAS SECRETARY OF STATE,

OFFICE OF CHIEF LEGAL COUNSEL

ELECTION SECURITY ASSESSMENT REPORT

Produced by: Arkansas Secretary of State's Office

Introduction

The right of the people to guide the actions of our country by use of their vote is paramount to a safe and healthy democracy. In order to ensure that all Arkansans are able to make their voice heard, it is critical that elections be safe, fair, and secure. After taking office in January 2025, Secretary of State Cole Jester made it his mission to ensure that Arkansas's elections were protected from outside influences that wish to silence the voices of Arkansas's voters. In pursuit of this mission, Secretary Jester commissioned the following report outlining the current state of elections in Arkansas.

Procedure

This report was compiled after interviewing Arkansas's top election officials, who relayed their testimonials and insight into Arkansas's elections. In interviewing these officials and reviewing key historical data regarding Arkansas's past elections, seven key facets of Arkansas elections were singled out as requiring individualized assessment, which contribute to the overall picture of Arkansas' election health. These seven areas are: voter registration; county outreach; petitions; in-person voting; absentee voting; cyber security; and, physical security. Each topic will be addressed in turn below.

Voter Registration

Grade: B+

Because technology and the needs of Arkansans are ever evolving, there is always room for growth in Arkansas's voter registration systems, however, steps are being taken every day to ensure that Arkansas's voter rolls are secure and accurate.

The first step in this process is ensuring that the voter rolls only list the names of eligible Arkansas voters. State election officials are in the process of gaining access to the Social Security Administration's Master Death File, which would allow local election officials to ensure that registered voters who have passed away but were not issued a death certificate in Arkansas can nevertheless be removed from the voter rolls.

State election officials also utilize the National Change of Address ("NCOA") Database, maintained by the United States Postal Service, to conduct a monthly comparison of current voter registration data to address data provided by the Postal Service, thus ensuring that the addresses listed in the voter rolls reflect the current address of the registered voter. If a discrepancy is found, a letter is mailed to the new address of a registered voter which the voter can fill out to update his or her address on the voter registration rolls.

Regarding cybersecurity of voter rolls, two-factor authentication is required for any authorized individual to access the voter rolls, thus protected the rolls from outside bad actors.

Arkansas currently has Memorandums of Understanding with four other states which allow the states to exchange voter registration information to ensure that voters are not registered in more than one state and that Arkansas voters are Arkansas residents. Voter registration security can be improved by entering into similar agreements with other states.

One area of concern is mitigating the potential for non-United States citizens have their names added to the voter registration roll. Though a voter registration application is an affidavit which must be signed under the penalty of perjury, no mechanism exists for removing any non-citizens from the voter rolls because Arkansas does not have a list of non-citizens or undocumented peoples living in Arkansas to be compared to the voter registration rolls. Assistance is needed from federal agencies to provide the needed information to those responsible for maintaining the rolls.

Though online voter registration would be more convenient for many Arkansans, grave concerns exist regarding the accuracy of online registrations. To begin, a wet signature is needed to compare to signatures accompanying absentee ballots should a registered voter ever have a need to vote absentee. Accurate wet signatures are not currently possible in an online system. Additionally, such a system would require the cooperation of several government agencies with very different levels of security and software, and thus such a system is not currently feasible.

County Outreach

Grade: A

Though the Elections Division of the Secretary of State's Office works diligently to guarantee the security of Arkansas elections, it is the individual the Arkansas counties which perform the boots on the ground work of running elections. Thus, county outreach, support, and training are critical to the safety of elections.

Ample training opportunities are provided by the Secretary of State to counties on election best practices. These trainings focus on voter registration, voting equipment, regional legislative meetings to inform county election officials of recent legislation governing elections, among a wide variety of other topics. The Elections Division has recently promoted an employee to a position which focuses exclusive on county voter registration training and acts as a resource to the counties on this topic. Training on election procedures is also provided to election workers prior to any election held in Arkansas. The Elections Division also provides a variety of helpful documents to the counties for use during the election, including training manuals, voter registration database training guides, code books, election calendars, and physical or cybersecurity guidelines.

It is clear that the Elections Division places a high focus on providing support to county election officials, and their actions and dedication warrant a high grade in this area.

Petitions

Grade: D

Petitions are bar none the biggest area of concern when it comes to election security. Though some legislation has been passed to reform the petition process, such legislation has thus far been insufficient to combat the security threats currently posed.

As the law currently stands, wealthy out-of-state interest groups are able to get almost any issue on Arkansas ballots. Arkansas voters are not required to be informed of what they are actually signing before providing their signatures on a ballot. For example, an amendment legalizing late-term abortions in Arkansas can be explained to would-be petitioners as "an amendment to protect pregnant women," thus inducing people who would otherwise be anti-abortion to sign the petition. Arkansas voters are also not required to provide a valid identification for voting before signing the petition, thus allowing individuals who are not Arkansas voters to sign a petition.

Almost all petitions provided to the Secretary of State's Office contain tens of thousands of invalid signatures and thousands of duplicate signatures. Though the Elections Division does their absolute best to ensure that the petition process is not abused, this requires combing through every single one of the tens of thousands of signatures on a petition to verify that each petitioner only signed the petition once, is a registered voter in the county they claim to reside in, as well as checking for a litany of other criterion. By law, all of this work has to be done in 30 days. This process is incredibly burdensome and in the 2024 election cycle it costed Arkansas taxpayers approximately $313,000 to perform this work, as many temporary workers had to be hired to assist in this process.

Though laws have been put in place to control the activities of canvassers, including paid "supercanvassers" who are hired purely to gather signatures for petitions, the Secretary of State's Office currently has no ability to investigate violation of these laws and is limited to an "on the face" review of canvasser documents. Thus, there are not adequate measures to ensure canvassers comply with all applicable laws and the signatures acquired by the canvasser were acquired lawfully.

By law a cure period is provided to petition sponsors to supply extra signatures after their petitions have been checked and signatures have been disqualified. Sponsors have been known to cheat this cure period by holding back signatures gathered in the initial circulation of the petition and only providing those signatures when it is known how many extra signatures are needed to get their petition on the Arkansas ballot. This allows the sponsor to ensure that it has plenty of signatures above the required threshold, thus mitigating the risk of a signature challenge in court.

In sum, the petition process as it stands does not have adequate safeguards to ensure that issues presented by petition are on the ballot because it is the will of the requisite number of Arkansas voters, and more reform is needed.

In-Person Voting

Grade: A

In-person voting in Arkansas is a safe and secure process. To begin, early voting has given thousands of Arkansans the opportunity to safely and securely vote and is still beholden to all of the rules applicable to election day voting. Early voting has greatly increased voter turnout and greatly decreased lengthy election day lines.

Voting via voting machines has been proven to be safe and secure. Voting machines are not connected to the internet, and thus are safe from cyber-attacks. Further, the voting equipment used in Arkansas is certified by the U.S. Election Assistance Commission. Voting machines also produce a verifiable paper ballot which a voter can review to ensure that it accurately reflects his or her choices. Additionally, voting machines are compliant with the Americans with Disabilities Act and have made voting more accessible by allowing voters who have disabilities to vote unassisted. For example, the voting machines allow Arkansans who are blind to vote by audio and Arkansans who are paraplegic to use a "sip-and-puff" device to cast their votes. However, voting machines can be expensive to upkeep, which must be taken into consideration.

Pre-printed paper ballot voting has also been found to be secure. There have been no documented problems associated with using pre-printed paper ballots when the results are calculated electronically. However, problems have arisen when counties choose to "hand count" ballots. For example, in the 2024 election the State Board of Election Commissioners found through an audit that in one county 11 pre-printed ballots had not been included in the county's "hand count." Because of the possibility for these types of human error, hand-counting ballots is not recommended for voting. Additionally, voting via paper ballot does not offer the same disability accommodations of voting machines, and may not allow certain disabled voters to vote without assistance.

Elections are certified and results are reported via a secure software licensed to the Arkansas Secretary of State's Office. Election results are tabulated and verified for accuracy on a computer which has no internet access to protect from cyberattacks, and results are transferred via USB drive to a computer with internet access to be uploaded to the Secretary of State result reporting software.

Overall, in-person voting is safe and secure and effectuates the will of the people.

Absentee Voting

Grade: B-

Due to the lack of in-person contact with voters, absentee voting presents a large concern for election fraud. Measures have been taken to prevent fraud, such as requiring a photocopy of a valid voter identification to accompany an absentee ballot, and requiring absentee voters to sign a voter statement to accompany their ballot and mail the documents to the appropriate office or submit them via a designated bearer. Additionally, a designated bearer log has been created to track who has submitted absentee ballots and flag if multiple ballots are submitted by one person without explanation.

However, security threats exist nonetheless. For example, in the past an individual running for office pleaded guilty to election fraud when it was found that he requested multiple absentee ballots for various individuals, to be delivered to a vacant mailbox near his house, purportedly so he could fill the ballots out himself and sway the vote in his favor.

No measures can make up for the innate security deficiencies caused by the fact that a person is not required to personally appear to cast their ballot and establish they are the person listed on the submitted voter identification. This lack of physical control, with no clear solution for how to fix this problem, is the reason this area has been given a B-.

Cyber Security

Grade: A

Arkansas does an excellent job to ensure that its elections are safe from cyberattacks. Indeed, in 2019 the Secretary of State's Office created a new Elections Security Specialist position, whereby a dedicated employee focuses solely on fighting the ever-changing threats to Arkansas elections and ensuring that every Arkansas voter has their voice heard.

The Elections Division has created the Arkansas Election Security Working Group consisting of federal and state partners who share a desire to ensure Arkansas has free and fair elections. The group's main functions are maintaining open lines of communication amongst each other to alert counties of threats of cyber and physical attacks, information sharing, and planning/performing election security focused outreach to local election officials.

The Elections Division supplies counties with cyber hygiene best practices, encourages and assists with the acquisition of more secure .gov email addresses, and provides counties access to cybersecurity assessments provided by the state and federal partners. Before the 2024 election, the Elections Division, in conjunction with federal and state partners, provided counties training regarding potential artificial intelligence threats to elections.

Each county has multiple resources for cybersecurity best practices and measures provided by the Elections Division, demonstrating the high priority cyber security must be given in elections. For these reasons, the cyber security area has been awarded an A.

Physical Security

Grade: A

Ample measures are taken to protect Arkansas elections from physical attacks. The Arkansas Election Security Working Group, discussed above, works together to prevent and plan against physical attacks as well as cyber threats. Training is also provided to counties upon request on how to prevent and respond to physical attacks.

The Elections Division provides every county access to a physical security assessment which evaluates the security needs of each county upon request. Many counties have been provided grants for physical security measures from the Department of Homeland Security as a result of the

physical security assessment. Any county can be assessed for physical security upon request, free of charge.

Ample resources are provided to counties to combat the threat of physical attacks, and the peacefulness of past elections prove the effectiveness of these methods. For these reasons, the physical security area has been awarded an A.

Conclusion

As outlined above, though many areas of Arkansas elections are safe and secure, more work must be done to ensure that Arkansas has the safest elections in the nation, including in the areas of petitions, absentee voting, and voter registration. Having assessed the issues addressed above, it is the commitment of this Office to do its best to pass reforms which honor the voices of Arkansas's voters.

ELECTION SECURITY ASSESSMENT
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SUBJECT	GRADE	FEEDBACK
Voter Registration	B+	The Secretary of State's Office is actively taking steps to ensure the accuracy of Arkansas voter registration rolls, and the registration database is secure from unauthorized access
County Outreach	A	Ample training opportunities, helpful documents, and other support are provided to counties to ensure each county has safe and fair elections
Petitions	D	Many petitions include tens of thousands of invalid signatures and thousands of duplicate signatures. No adequate safeguards exist to ensure voters are aware of what they are signing and that signers are who they claim to be. The Secretary of State cannot ensure all signatures counted are valid without reform.
In-Person Voting	A	In-person voting is safe and secure, EAC accredited, and ADA compliant. Voting machines are not connected to the internet and are safe from cyberattacks, and all voting methods tabulate a voter's choice on a verifiable paper ballot.
Absentee Voting	B-	Absentee voting remains a significant concern regarding election security. Though a designated bearer log has been created to cut down on fraud, due to decreased in-person contact opportunity for fraud still exists.
Cyber Security	A	The Secretary's Office has created the Arkansas Election Security Working Group which consists of federal and state partners who work together to assess and prevent security threats to elections. Cybersecurity assessments are offered to all Arkansas counties.
Physical Security	A	All counties are provided to opportunity to participate in physical security assessment performed by state and federal agencies, and multiple resources are provided to counties to help assess and prevent physical security threats.

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