



An introduction to ethics in voting design and usability

Usability and design professionals are becoming interested in creating elections materials and voting systems. The affinity is natural: the professionals who make systems easier for all to use want to eliminate barriers to exercising citizen rights and responsibilities.

Because elections are the foundation of any democracy, the systems that surround elections also attract the scrutiny of diverse, often conflicting, sets of people.

Stakeholders in Democracy

Broadly divided, elections in most democracies involve these key constituencies.

1. The Citizens
Citizens want election systems that are easy to use, accessible and fair. Fairness often includes transparency in the process: Voters want to know that the vote counting process is unbiased and accurate – and they need to see that fact for themselves. The same applies to the vote registration process, and any other related tasks they are expected to complete in order to cast a vote.
2. The Candidates and Political Parties
Candidates may be divided into two categories: the uninitiated and the experienced. Often, the experienced will include current officeholders. Both groups must register for office, campaign and watch the polls on Election Day. Those who do not currently hold office may be especially sensitive to systems that appear to favor the incumbent. Experienced candidates and officeholders often have learned how to leverage current systems. Both candidates and parties will carefully analyze proposed changes to existing systems for risks and rewards.
3. The Election Officials
Election officials are responsible for the infinite number of details involved with conducting elections. These are the people, both elected and appointed, who must register voters, set up the polls, know and follow complex laws to conduct and count the election. If a system is difficult to use, or if citizens have unexpected problems, the workload of these contributors can become overwhelming. They are also mindful of the media and other election observers. To them, no news is good news: When the reporters show up, it often means something has gone wrong.

The election environment can surprise the unaware professional with ethical challenges: funding, design, methodology and findings will become subject to scrutiny not only for quality but for bias. Everyone interested in elections wants to be sure they are fair. The following guidelines are offered to reduce the political risks of providing usability, research and design services to government officials or other parties.

Guideline 1: Subscribe to an Appropriate Code of Professional Conduct, and Publish that Information.

Both AIGA and Usability Professionals' Association (UPA) provide codes of professional conduct that provide the foundation for work in information design and usability research.

They can be found online at the association web sites:

AIGA:

<http://www.aiga.org/content.cfm?ContentID=146>

UPA:

http://www.usabilityprofessionals.org/about_upa/structure_and_org_chart/code_of_conduct.html

The UPA Code of Professional Conduct is based on the following ethical principles:

- Act in the Best Interest of Everyone
- Be Honest with Everyone
- Do No Harm and If Possible Provide Benefits
- Act with Integrity
- Avoid Conflicts of Interest
- Respect Privacy, Confidentiality, and Anonymity
- Provide All Resultant Data

Guideline 2: Maintain Political Impartiality

Professionals working on elections projects may find that the best approach will be to take care to avoid the appearance of bias. Just as elected officials must declare their financial activity, we recommend that design and usability professionals be prepared to take the following steps before accepting a contract or when findings are published:

1. Declare the organizations or officials that provide funding, including any political affiliation, if appropriate.
2. Provide a history of your personal political activity, if any, including:
 - a. Membership in any political party or group, and
 - b. Level of activity in that party (For example, it might be appropriate to distinguish a state-mandated partisan voter registration with active participation in a local group.)
3. Never declare how you intend to vote.

In the process of obtaining a commission, you may encounter pressure to state your political leaning. Do not accept a contract that requires you to state your voting intention: such a requirement would likely violate the law. Your right to ballot secrecy is also a democratic fundamental, and part of the requirements you agree to evaluate when conducting an evaluation of usable voting systems.

Guideline 3: Avoid Conflicts of Interest

Unintended conflicts may arise while working in the field of elections. Carefully review your own financial interests or the interests of your business or employer for financial relationships that may provide the appearance of bias to outsiders. For example, be certain that you disclose that you have had a past financial relationship for the same manufacturer of the voting equipment you are currently evaluating -- particularly if that manufacturer is not the sponsor of your current project. If you've conducted an activity, paid or unpaid, for a party or candidate, be prepared to publicly disclose that relationship.

Guideline 4: Avoid Mixing your Private and Professional Interests

While no one can tell you not to exercise your own right as a citizen, the appearance of bias may torpedo your usability or design efforts or reduce the strength of your findings. The activity you conduct is likely to gain some attention, in the media, by interest groups and sometimes by powerful people. Keeping a distance between your voluntary and commercial efforts and between your professional and private activities will help the public receive your work more openly.

Guideline 5: Do Not Use Your Position for Gain

You may be asked to accept an official commission (such as an advisory committee) or to sign an agreement that restricts your disclosure and your communication. Even if your agreement does not contain such restrictions, and even if you do not have to swear or affirm an oath, avoid inappropriate use of your position for gain.

While representing yourself as a design or usability professional, it is recommended that you lobby for nothing beyond the interest of your profession for usable and accessible design for citizens. Do not represent your personal opinion as those of the groups or organizations you may represent. Do not aim to use the notoriety of your initiatives to leverage your own career, politically or otherwise.

Guideline 7: Use Information with Discretion

Providing information is a highly regulated activity in government. Be certain to understand your legal responsibilities about the information you may reveal, and the information you may not. Do not reveal non-public information. Do not reveal anyone's secretly cast ballot. Do not use the information you develop or encounter to embarrass anyone.

Guideline 8: Be Open about Your Approach or Methodology

This guideline is particularly important for professionals conducting usability research or evaluations. Open declarations of your approach or methodology allow observers to evaluate your findings with an appropriate perspective regarding your findings.

Make an open statement of your (intended) methodology including:

1. The techniques or methods you used. If you alter a generally accepted procedure, explain the reason for this deviation, and the rationale for making it.
2. When working with participants, state openly the recruiting criteria, and how closely you were able to match the desired participant profiles.

3. If you are reporting quantitative results:
 - a. State clearly how the data was gathered (for example, through automation, human calculation or observation and inference).
 - b. Provide an indication on the confidence intervals for the metrics being reported, and an assessment of how well the results can be applied to a general population
 - c. Avoid reporting metrics on sample sizes too small for accurate quantitative measurement.

Guideline 9: Consult Design for Democracy, UPA or AIGA for advice

Design and usability professionals who work for the public good want to help your work achieve its goals of better government. Our resources are at your disposal.

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