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BACKGROUND

Elections are the foundation of our democracy. The single act of casting a ballot is fundamental to our democracy and critically important to making government accountable to the people it serves. As elections officials, it is our job to ensure that elections in the state are accessible to all eligible Rhode Islanders, that the voting experience is smooth and without delay, and that voters can trust the integrity of every vote.

The 2016 election cycle was a busy one for elections officials across Rhode Island. The state held three statewide elections starting with the Presidential Preference Primary (PPP) in April, followed by the State Primaries in September and the November 8th General Election. In addition, elections officials implemented several new systems aimed at improving elections administration including new, state-of-the-art voting machines and online voter registration.

Throughout the year, the hard work and dedication of the Department of State, Board of Elections, 39 cities and towns and thousands of poll workers were focused on running Rhode Island elections successfully. Secretary of State Nellie M. Gorbea personally visited polling places around Rhode Island during each of the three statewide elections. She witnessed voters excited to be engaged in the democratic process. A review by elections officials of the data provided by poll workers and boards of canvassers shows that, overall, the 2016 elections ran smoothly. However, there were significant delays and issues in scattered polling places in Warwick, North Kingstown, Providence and Pawtucket.¹

In February 2017, Secretary of State Nellie M. Gorbea convened a task force of state and local elections officials and Rhode Island voters to review pre-election, election day, and post-election processes. The following report is based on their discussions of best practices, public feedback on current processes, and presentations from national experts. The report highlights key initiatives already underway to improve elections administration in Rhode Island and provides additional recommendations to enhance the administration of elections moving forward.

**PRE-ELECTION DAY**

While major statewide elections happen every two years, the RI Department of State, the Board of Elections, and the 39 cities and towns collaborate for months of preparation and training to ensure every Election Day runs smoothly. The below illustration outlines this collaboration and different responsibilities for each entity.

Prior to Election Day, these three governmental entities work on maintaining accurate voter rolls, preparing mail ballots, designating polling place locations, and proofing ballots. Over the past two years, two major new initiatives were implemented to improve pre-election day processes: modernizing the clean-up of voter rolls and creating online voter registration.

In 2015, Rhode Island joined the Electronic Registration Information Center (ERIC) to help clean-up Rhode Island’s voter rolls. ERIC is governed by the 20 member states and the District of Columbia. ERIC uses a variety of datasets including state voter registration and DMV records to determine the accuracy of states’ voter rolls. ERIC provides reports that indicate which registered voters have passed away, moved within the state, moved to another ERIC state, as well as those voters who have multiple voter registration records in the same state. Rhode Island has already seen a vast improvement in the maintenance of its voter rolls with the additional tools provided by ERIC. The first reports on Rhode Island’s voter lists indicated there were 1,500 deceased voters and 4,100 duplicate records. The most recent set of reports showed significant improvement with only 250 deceased voters and 3,200 duplicate records.

A second important improvement has been the development of online voter registration - voters can now conveniently register to vote and update their voter registration information online at the Secretary of State’s Voter Information Center/Online Voter Registration (OVR) Portal. Secretary Gorbea worked with the General Assembly to pass OVR in March 2016 and the portal was launched to voters on August 1, 2016. OVR makes voter rolls more accurate as people are more likely to update their information online as opposed to printing a paper application and sending it to their city or town hall. From August 1 through October 9, 2016 (voter registration deadline for the November 2016 election), over 18,000 people used the OVR portal to register to vote or update their voter registration information. To date, over 25,000 Rhode Islanders have used the portal.
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Over the past two years these initiatives have significantly improved the administration of elections leading up to Election Day, however there is still more work to do. Below is a list of pre-Election Day issues that are still active and recommendations on ways to address them.

ISSUE: Inaccurate voter rolls
An analysis published in the October 25, 2016 Providence Journal article “Voter rolls off by 189,000 in RI” indicated there were more people on the voter rolls in Rhode Island than should be. There have long been concerns that the state’s database of registered voters is bloated. This is not a problem that is unique to Rhode Island. A 2012 Pew Center on the States study found that approximately 24 million (1 out of every 8) voter registrations in the US are no longer valid or are significantly inaccurate.

Oftentimes, when someone moves away or changes their address, they do not notify their local board of canvassers right away. This leads to inaccurate records on the voter rolls. Our goal is to identify these voters as quickly as possible and make it easier for cities and towns to remove these voters in a manner that complies with very specific state and federal laws established to protect voter rights. Voters can only be removed for specific reasons (death, felony incarceration, voter requested, etc.). As previously mentioned, by joining ERIC and implementing OVR, Rhode Island is already working to address this issue, but there are additional measures the state can take.

RECOMMENDATION 1: Passage of automatic voter registration (AVR) legislation
The Secretary of State has introduced legislation that would improve the way citizens register to vote at the Division of Motor Vehicles (DMV) and state agencies. For example, currently voters must actively select their desire to register to vote (opt-in) on their driver’s license application. People often decline to register because they are already registered to vote, however, some registered voters do not realize that they need to update their voter registration information if they change their address. ERIC has identified 26,000 Rhode Islanders who are registered to vote, but have moved to another Rhode Island address. AVR legislation would eliminate this problem and improve the accuracy of the voter rolls because voters would automatically be registered at their new address. Additionally, automatic voter registration would allow all eligible citizens to be automatically registered to vote, unless they opt-out.

RECOMMENDATION 2: Send mailing as prescribed in Rhode Island General Law (RIGL) 17-9.1-27
Rhode Island General Law 17-9.1-27 allows for a mailing to be sent to all voters who have not voted in the last five calendar years. If someone has not voted in five calendar years, it is likely that they may no longer live at that address. If the mailing is returned undeliverable, the voter will be made “inactive”. Once the voter is made “inactive” and they do not vote in one of the

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next two federal elections, they will be removed from the voter rolls. The State has yet to do this specific mailing due to lack of funding. The Secretary of State should request funds in her annual budget as part of the systematic maintenance of the voter list. This maintenance should always take place in compliance with federal law, such as the Voting Rights Act.

RECOMMENDATION 3: Modify the Rules and Regulations for Local Boards of Canvassers in the Periodic Updating of Voter Registration Records  
This regulation, promulgated by the Department of State, went into effect in 2002 and provides the cities and towns with guidance solely on the periodic updating of voter registration records as they pertain to the National Change of Address (NCOA) program. This regulation was enacted before the Central Voter Registration System (CVRS) was created, and before the CVRS had an electronic connection to the Division of Motor Vehicles (DMV), the Department of Health, and the Department of Corrections. Now that Rhode Island has joined ERIC and modernized the voter registration system, this regulation should be revised by the Department of State to better reflect the current process of updating voter registration records.

RECOMMENDATION 4: Expand matching criteria in the CVRS  
Currently, when a voter’s record is entered into the CVRS by the local board of canvassers, the CVRS database is searched to find any matched voters using last name and date of birth. This does not allow voters who change their last name to be identified as a matched voter, causing duplicate registrations in certain instances. The Department of State should expand the criteria to match other information such as driver’s license number, address and first name.

ISSUE: Antiquated and inefficient emergency mail ballot system  
Due to the busy lives we live, it is often difficult for people to vote during normal business hours. Currently, Rhode Islanders can vote in-person during a 20-day period prior to Election Day under the emergency mail ballot statute. The language in the statute states that a voter must have an emergency circumstance to vote early, however, in 2016 the Board of Elections eliminated the need to have an “emergency” to cast a ballot during this period. Over 15,000 voters cast an emergency mail ballot in 2016 (up from over 5,600 in 2012) showing demand for more voting options. Unfortunately, the increased number of voters casting emergency mail ballots created stress on state and local elections officials as well as uncertainty with the public regarding the integrity of the process.

RECOMMENDATION 5: Pass in-person early voting legislation  
The Secretary of State has introduced legislation that would replace the emergency mail ballot process with an in-person early voting process. The formal early voting period would be held 20 days leading up to an election, including the weekend prior to Election Day. Voters would be able to go to a location designated by their city or town, check-in on an electronic-poll book and cast their ballot just like they would on Election Day. This process would increase voter confidence as ballots would be fed right into a voting machine as opposed to being placed in an envelope and delivered to the Board of Elections. The bill also eases the burden on state and
local elections officials by streamlining the process in place today. 66% of Rhode Island voters favor early voting including weekends.\(^3\) Currently, 33 states offer the ability to vote early and in 2016, 46% of voters nationwide cast a ballot before Election Day.\(^4\)

**ISSUE: Inadequate paper poll book process**

Rhode Island voters have historically checked in on paper poll books on Election Day. Approximately 20 days before the election, cities and towns begin the process of preparing the paper poll books. They run time-consuming reports to initiate the process and must either print them on their own or use a printing vendor to do so. Paper poll books are hundreds of pages, making them unwieldy and hard to use.

During the emergency mail ballot period, cities and towns must go through the poll books and remove the labels of all voters who voted early to ensure those voters are unable to vote a second time on Election Day. The removal process is often done the day before the election (the deadline to vote an emergency mail ballot) and cities and towns work late into the night to accomplish this task. This tedious process is prone to errors that can allow for potential fraud and abuse.

At the polling places, the paper poll book check-in process is cumbersome. Poll workers are forced to thumb through hundreds of pages to find each voter and oftentimes confusion arises if poll workers and voters do not communicate properly regarding name spelling, date of birth, etc. In addition, voters are separated into lines by last name. This leads to some voters waiting in line longer than others simply due to the spelling of their last name.

**RECOMMENDATION 6: Fund the statewide implementation of electronic-poll books**

In 2016, Rhode Island took part in a pilot program that allowed voters in 37 polling places in September and 57 polling places in November to check-in using an electronic-poll book (on an iPad tablet). The pilot program was an overwhelming success. Poll workers, state and local elections officials, and most importantly, voters had great experiences using them.

Electronic-poll books allow poll workers to quickly find voters by scanning their driver’s licenses/State ID cards to pull up a voter’s record. (A voter can also present an ID and have the poll worker

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\(^3\) Common Cause RI poll of 400 likely voters conducted by Fleming and Associates, September 6 to 8, 2016 by landline and cell phones. The margin of error is plus or minus 4.9 percentage points.

type their name directly into the tablet to bring up their voter record.) Finding a voter in the electronic-poll book takes a matter of seconds. This process replaces the antiquated method of thumbing through hundreds of pages to find a voter’s record. Because poll workers scan the driver’s license/State ID which automatically brings up the correct voter’s record, electronic-poll books reduce clerical errors that arise when a poll worker inadvertently checks in the wrong voter. With the electronic-poll books, local elections officials, after the election, are able to transmit the check-in data to the voter registration system in seconds. Electronic poll books eliminate the need for local elections officials to manually scan ballot applications that are signed by each voter using the paper poll book system. The manual scan of voters by local clerks can take weeks to complete. For example, the election history of the 469,000 people who voted in November was not fully updated until December 8th, a full month after the election.

**ISSUE: Ballot coding error**
The towns of Foster and North Kingstown saw inaccurate election results on Election Night due to an error during the coding of ballots and set up of the voting machine. In Foster, spacing changes in the race heading caused results for the Town Clerk race to be reported inaccurately. In North Kingstown, results for one local question were reported inaccurately due to changes in the oval position on the ballot.

The Department of State works to design ballots with the voting machine vendor Election Systems & Software (ES&S). When ballots are created, there are four versions: official ballots, mail ballots, test ballots, and sample ballots. Official ballots are sent to the polling places, mail ballots are sent to mail ballot voters, test ballots are used to test the voting machines to ensure accuracy, and sample ballots are sent to cities and towns for posting. All four ballot styles are expected to be identical.

As the ballots are generated, they are proofed for accuracy by state and local elections officials. Any necessary changes to the ballot design or layout must be made on all four ballots styles (official, mail, test, and sample ballots). In the cases of North Kingstown and Foster, ES&S did not make the necessary changes to the test ballots in those communities causing a discrepancy between the test ballots and the official ballots. The issues were minor but even the smallest changes affect the way the results are reported.

**RECOMMENDATION 7: Create one master ballot file**
The Department of State will create a single master ballot file to send to the printer. The printer will split the file into the four ballot styles to ensure that all four ballot styles are identical. This will eliminate the possibility of the ballot issue occurring again. It will also streamline the ballot proofing process so that only one file will need to be adjusted when necessary, not four.
ELECTION DAY

Until September of 2016, the State was using voting equipment that was purchased in 1997. Continuing to use those voting machines would have jeopardized the integrity of our elections as parts for the old machines were no longer available and the risk of widespread breakdowns was too big. In the Summer of 2015, Secretary of State Gorbea convened a task force to begin the process to procure new, state-of-the-art voting equipment. By the Spring of 2016, the State had signed a contract and the new equipment was deployed to Rhode Island, including voting machines, vote tabulators and ballot on-demand printers. In a short time frame, the Board of Elections prepared the machines for use in the September and November elections.

The State also modernized the voter check-in process at a limited number of polling places in September and November by using electronic-poll books. The General Assembly appropriated funding for an electronic-poll book pilot program that allowed for voters in 37 polling places in September and 57 polling places in November to check-in on iPads. As previously mentioned, electronic-poll books streamline the voter check-in process for poll workers and voters. Over 57,000 voters were checked-in on electronic-poll books on Election Day.

Voters across the state benefited by these initiatives to modernize elections. The new ballot tabulators were fully implemented during the September Primaries without issue. However, the November Election Day saw some problems arise at a number of polling places that resulted in unacceptably long wait times. Below is a list of Election Day issues and recommendations on ways to address them.

ISSUE: Not enough polling places open on Presidential Preference Primary Day

History has shown us that each type of election has a different expected turnout. Presidential election cycles tend to have the highest turnout in the November General Election. Turnout for the Presidential Preference Primary tends to be much lower.

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<tbody>
<tr>
<td>PPP</td>
<td>13.55%</td>
<td>6.05%</td>
<td>32.5%</td>
<td>3.26%</td>
<td>25%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Primary</td>
<td>15.40%</td>
<td>22.5%</td>
<td>11.01%</td>
<td>20.99%</td>
<td>9.98%</td>
<td>18.17%</td>
<td>12.80%</td>
<td>22%</td>
<td>9.1%</td>
</tr>
<tr>
<td>General Election</td>
<td>61%</td>
<td>50%</td>
<td>62%</td>
<td>58%</td>
<td>68%</td>
<td>49%</td>
<td>62%</td>
<td>44%</td>
<td>60%</td>
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In 2011 and 2012, the state underwent redistricting, resulting in the redrawing of voting district lines in response to the decennial Census. At roughly the same time, the General Assembly approved legislation that increased the number of constituents served by each polling place, from 1,900 to 3,000 voters. This reduced the typical number of polling places from 490 to 420.

Specifically, for the Presidential Preference Primary, local cities and towns and the Board of Elections consolidate the number of polling places open because turnout is lower than during a general election. Historically, only about 1/3 of the State’s polling places are open for the PPP. In 2016, this reduction was based on the already reduced number of polling places. Couple this with the second highest voter turnout in Rhode Island PPP history (25% in 2016) and the result was confusion and delays for voters.

**RECOMMENDATION 8:** Re-examine the consolidation of polling places for presidential preference primaries
Using metrics that include the competitive nature of the primary, polling place size, and registered vote totals, the Board of Elections and local elections officials should consider opening more polling places on PPP Day.

**ISSUE: Long wait times at certain polling places**
During the November 2016 Election Day, voters at certain polling places waited an unacceptable amount of time to cast their ballot, some more than two hours. The Presidential Commission on Elections Administration (PCEA) indicates that a voter should not have to wait more than 30 minutes to cast their ballot. Long lines were reported in East Providence, Jamestown, Pawtucket, Providence, and Warren. A review by the Board of Elections and the Department of State of Election Day processes indicated a variety of factors, many that will be addressed below, resulted in long lines at certain polling places in 2016.

Long lines at polling places can also be symptomatic of larger issues ranging from the population density of certain communities to polling place location and setup. Whatever the underlying cause, research has shown that long lines discourage voting, decrease voter confidence, and impose a monetary cost on voters.

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RECOMMENDATION 9: Implement best practices on queuing theory
Professor Gretchen Macht, Ph.D, Assistant Professor – Sustainability & Human Systems Engineering at the University of Rhode Island provided a presentation on queuing theory at the second task force meeting. She discussed how the URI School of Engineering can assist in identifying ways to better structure polling places to improve the flow of voters and how queuing theory can be incorporated into Election Day operations to improve the overall voting experience. The Board of Elections and local elections officials should continue to work with Professor Macht and/or other resources, to identify best practices in queuing theory, identify contingencies, and implement better polling place design.

RECOMMENDATION 10: Pass legislation clarifying the number of voting machines at each polling place
The Board of Elections has introduced legislation that would clarify current law to ensure the Board of Elections has the authority to send more than one voting machine to a polling place. In the 2016 election, the Board of Elections voted to send a second machine to a few polling places that were experiencing long lines. Once the second machines were operational, the lines dissipated. Under the proposed legislation, the Board will be able to proactively allocate more than one machine to certain locations based on the number of registered voters at the polling place, number of ballot pages, and size of a polling place.

ISSUE: Poll worker readiness and capacity
During the March 8 task force meeting, members of the public expressed the confusion they witnessed at their polling place – the Francis J. Varieur School. Poll workers were unable to assist when machines became jammed and were not prepared to handle the onslaught of voters.

Technicians hired by the Board of Elections are trained to handle all machine malfunction issues, but communication breakdowns between poll workers and these technicians were cited as exacerbating tensions. For example, poll workers at Varieur School contacted their local technician to assist with a voting machine. By the time technicians got to the polling place, a line had formed and voters had become impatient. The issue was minor and could have been fixed by poll workers under the direction of the technician.

RECOMMENDATION 11: Revamp poll worker training
The acquisition of new voting equipment and electronic-poll books gives the Board of Elections the opportunity to restructure the poll worker training on Election Day operations. The Board of Elections should utilize the latest in technology (video, webinars, digital) to enhance the in-person training experience currently being conducted for poll workers and have various formats of user guides (video and printed) of common protocols for poll workers to refer to on Election Day.
Further, local elections officials, boards of canvassers and poll workers should be trained to handle minor machine issues to avoid having to wait for a technician. This will prevent lines from developing and improve the voter experience. In addition, electronic-poll book software allows poll workers to video chat with elections officials so machine issues can be rectified quickly.

In addition, it is important to highlight all potential issues during poll worker training and offer solutions for how to clear paper jams on Election Day. Poll workers should also be trained on how to offer guidance to voters struggling with casting their ballots.

Lastly, there should be an opportunity for elections officials to share best practices in poll worker training. This would allow communities to learn from each other and share experiences to enhance the experience of poll workers and improve the elections process.

**ISSUE: Poll worker recruitment**
Local communities regularly struggle to find adequate staffing for Election Day.

**RECOMMENDATION 12: Expand recruitment of poll workers through businesses, schools and organizations**
For the 2016 election, Secretary Gorbea solicited dozens of poll workers from area businesses and community organizations. Over 60 poll workers were hired due to innovative poll worker recruitment efforts. Most notably, Amica Mutual Insurance, allowed their employees to serve as poll workers on Election Day without charging their personal or vacation time. These efforts should be expanded to recruit a more diverse pool of poll workers. Secretary Gorbea and the Board of Elections should continue to meet with business, schools, colleges and universities and nonprofit leaders to identify additional recruitment strategies that will diversify the pool of poll workers throughout the state.

In addition, legislation introduced on behalf of the Board of Elections would allow public sector employees to serve as poll workers during primary elections. If enacted, this legislation would provide elections officials with an additional pool of persons eligible to serve as poll workers.

**ISSUE: Tracking of technicians and spare voting machines on Election Day**
Currently, there is no mechanism to know exactly where technicians and spare voting machines are on Election Day. Technicians are designated a specific set of polling places to monitor but the exact whereabouts at any given time is unknown. This can be problematic if there is a sudden need for assistance or a spare voting machine. Understanding where all Election Day assets are can maximize efforts to respond to issues as quickly as possible.
RECOMMENDATION 13: Implement best practices learned from the private sector
The private sector has already identified ways to utilize global positioning systems (GPS) to enhance field operations and transportation. Similar practices can be implemented on Election Day to identify exact locations of technicians and spare voting machines for the most efficient use of all machines. The Board of Elections should work with Gretchen A. Macht, Ph.D, Assistant Professor – Sustainability & Human Systems Engineering at the University of Rhode Island and other resources, to identify best practices in tracking and assigning work to technicians in the field.

ISSUE: Voting equipment performance
The state’s new voting equipment is widely regarded as state-of-the-art and currently used by hundreds of jurisdictions throughout the country. However, on Election Day, some polling places experienced paper jams with the DS-200 ballot tabulators. It was determined that paper weight and user error were the primary causes of these jams. The paper weight specifications for the new voting machines are lighter than the paper used for the old voting machines. In certain polling places, voters handled their ballots while in line for long periods of time, some folded their ballots while waiting. This degradation of the paper ballots increased the potential for the voting machine to jam when trying to process the ballot.

In addition, some voters could not identify the correct spot on the voting machine to place their voted ballot. Public testimony also indicated that some voters tried to force multiple pages into the machine at once, resulting in the machine to jam. Poll workers were not always monitoring for proper ballot insertion.

RECOMMENDATION 14: Review paper stock used to produce ballots
Working with ES&S, the Board of Elections should test heavier paper stock to ensure ballot stability on Election Day.

RECOMMENDATION 15: Clearly mark the slot in which voters should place their voted ballot
ES&S will mark the location that voted ballots should be fed into by posting signs and stickers on the machine.

RECOMMENDATION 16: Work with voting equipment vendor to ensure that machines are operating at optimal performance
Because the new equipment features advanced encryption security, the tabulators take slightly longer to process each ballot than the 19-year-old optical scanners they have replaced. The Board of Elections should work closely with ES&S to ensure that equipment is properly set up and operating at peak efficiency before every election. This includes installing the latest firmware updates to maximize processing speed.
POST-ELECTION DAY

A part of the elections process that is often overlooked is the work that takes place after the votes have been cast and outcomes determined. After Election Day, local elections officials spend many days and weeks reconciling voter records to ensure voting records are accurate and to ensure persons only voted once in the election. If voting irregularities are identified during this process, they are brought to the proper authorities for further investigation.

As we have stated earlier in this report, improvements also can be made in the post-election process. Conducting a formal post-election audit establishes a transparent mechanism for voters to have confidence in the results of the election.

ISSUE: Lack of post-election audits
Twenty-nine states and the District of Columbia require a post-election audit to ensure that equipment and procedures used to count votes during an election worked properly. This process is done by hand counting election results, usually by a random sampling of precincts. Rhode Island is one of 17 states across the country that does not require post-election audits by law.

RECOMMENDATION 17: Pass post-election audits legislation
Legislation has been introduced to audit election results after an election and before certification. During a post-election audit, paper records are checked against the results produced by the voting system to ensure accuracy. Typically, only a sample of the paper records are examined to verify that the voting system is accurately recording and counting votes. Occasionally, an audit may turn up a programming error or equipment malfunction. If an audit process is in place, it can inform election officials of any bugs or errors in the system.

CONCLUSION
Secretary Gorbea thanks all members of the Elections Task Force for their collaboration on these recommendations including: Diane Mederos, Vice Chairwoman, Board of Elections; William West and Dr. Isadore Ramos, Commissioners, Board of Elections; Louis Cirillo, Town Clerk, Bristol; Louise Phaneuf Town Clerk, Burrillville; Sonia Grace, City Clerk, Central Falls; Cheryl Fernstrom, Town Clerk and Karen Montoya Deputy Town Clerk, Jamestown; Kenneth McGill, City Registrar, Pawtucket; Renay Brooks Omisore, Board of Canvassers, Providence; Patty Aylesworth, Director of Elections and Dottie McCarthy, Board of Canvassers, Warwick; Michele Murphy, Board of Canvassers and Cathy Brayman, Deputy Town Clerk, Westerly; Sheri Sweitzer and Pilar McCloud, Rhode Island voters.

By highlighting key initiatives already underway and providing additional recommendations to enhance the administration of elections moving forward, it is our desire to continue working with the Board of Elections, local canvassing authorities and all stakeholders to ensure that elections in Rhode Island are fair, fast and accurate.