

AI 7
3/12/2019

-----Original Message-----

From: Dennis Nard <DNard@pknwlaw.com>

Sent: Wednesday, March 6, 2019 10:03 PM

To: Rush, Bret <brush@fresnocountyca.gov>

Cc: sandi.sealy@sen.ca.gov

Subject: Implementation of Voter's Choice Act in Fresno County

To the County Board of Supervisors

I read an article just a day or two before the public meetings on the Voter's Choice Act. As I found out about these meetings at the last minute, I was unable to attend. I

Noted that there were no meetings in central or north Fresno. There were two in

South Fresno, and the other three were in Sanger, Clovis and Kerman. The Fresno Meetings were held the Friday afternoon, evening and Saturday of the Presidents Day Holiday weekend. I had seen or heard nothing about these meetings or the subject in

Time to attend. I decided to take my ballot to the registrars office and discuss this.

I informed them that it didn't seem like they were interested in input from the working Taxpaying public in north Fresno. The supervisor I spoke to denied this and I pointed out that all of the locations were at least a half hour drive (one way) from my location

In north Fresno. I asked what they did to get the word out and she said that they sent

out 400 e-mails to council people, supervisors and agencies. I said I didn't find that Impressive in a city of 500,000. She said that they had hoped that the people that received the e-mails would get the word out. She asked if I had other concerns and I said that I was concerned about almost all of the voter centers being located in low Income areas. She told me that that was not the case. She gave me a copy of their Presentation and when I read it, it says that these centers will in fact be located in low income areas. In fact 9 of the 12 criteria for locations of voter centers, ballot drop boxes and required meetings indicate low income areas. Apparently this explains Why the meetings were located where they were. I also said that I didn't think that Illegal aliens should be allowed to vote. She told me that this does not happen. They are being given voter registration forms by the DMV and I am skeptical that absolutely no errors are made.

This new system involves radical changes in our voting system. So far it has only been tried by five counties (one smaller county in our area). Two other nearby Counties have opted out. It seems to me that as one of the poorer counties in the state, we should not rush into this unproven, unfair and unpublishized system. It Would seem to be prudent to wait and see how this works out in other counties Over a period of time. The motor voter has caused massive problems at the DMV which are apparently not worked out yet. I've talked to many people who have little faith in the outcomes of the most recent election. I think most people are not aware of ballot harvesting and some of the other changes to our voting system that caused it to take days and weeks for the ballots to be counted. This new system seems to be the result of civil rights groups and community leaders that do not Necessarily represent the interests of the population as a whole. It looks like this is being pushed through quickly without the hard working, tax paying public that will pay for this even knowing about it. There are many changes here that provide Opportunities for fraud and we should be very concerned about public faith in our voter system. Please inform the public before moving ahead and possibly wasting our tax dollars on yet another failed program coming from a state government that has had many failures.

Sent from my iPad

March 4, 2019

Ms. Rebecca Spencer
Registrar of Voters
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Dear Ms. Spencer,

As you know, the 2018 primary and general elections were the first statewide California elections in which the practice known as ballot harvesting was permitted under state law. To be clear, I am referencing the changes to Section 3017 of the California Election Code made by the enactment of AB 1921 by the California legislature and Governor Jerry Brown in 2016.

AB 1921 repealed provisions of existing state law that prohibited a vote by mail ballot from being returned by a paid or volunteer worker of a general purpose committee, controlled committee, independent expenditure committee, political party, candidate's campaign committee, or any other group or organization at whose behest the individual designated to return the ballot is performing a service. It permits a vote by mail voter to designate any person to return the ballot.

The new law does prohibit a person designated to return a vote by mail ballot from receiving any form of compensation based on the number of ballots that the person has returned, and an individual, group, or organization shall not provide compensation on this basis. Any person in charge of a vote by mail ballot and who knowingly and willingly engages in criminal acts related to that ballot, including, but not limited to, fraud, bribery, intimidation, and tampering with or failing to deliver the ballot in a timely fashion, is subject to the corresponding punishment.

Beyond these compensation and fraud related restrictions, the new law is silent on many other aspects of ballot harvesting practices. Election law changes are a major focus of House Speaker Nancy Pelosi and the Democrat majority in the House of Representatives. In fact, H.R. 1, is a comprehensive bill affecting many provisions of federal election laws and would have a sweeping impact on our elections. Given the importance of these issues, I would like to seek clarification from you as Riverside County's top elections official on how you interpret and are implementing California's new ballot harvesting law.

- 1) When an individual obtains a vote by mail ballot from a voter and is designated to return it on their behalf, are they required to provide their name, the name of the organization

they are working on behalf of or any other identifying information to the voter who is turning over their ballot?

- 2) Are individuals who collect vote by mail ballots from voters required to document the ballot's chain of custody in any way?
- 3) If an individual collects a vote by mail ballot from a voter, are they permitted to turn over that ballot to another individual or organization before it is returned to an authorized voting location?
- 4) If it is clear that a vote by mail ballot is being dropped off by a person other than the voter – e.g. the person is dropping off more than one ballot – and the envelopes are not signed by the third party, is that documented and is the ballot counted?
- 5) What identifying information does the Riverside County Registrar of Voters collect from an individual who delivers vote by mail ballots on behalf of other voters?
- 6) Does the Riverside County Registrar of Voters document and maintain a list of persons who collect and submit vote by mail ballots for others? If such a list is created, is it subject to public disclosure?
- 7) Is there a numerical threshold in terms of numbers of vote by mail ballots turned in by an individual that triggers an identification requirement? i.e. Is an individual turning in 10 vote by mail ballots required to submit and disclose their personal information? An individual turning in 100 vote by mail ballots? An individual turning in 1,000 vote by mail ballots?
- 8) What are the eligibility qualifications for an individual who collects and returns vote by mail ballots? Do they have to be an eligible voter?
- 9) Are non-California residents eligible to collect and return vote by mail ballots?
- 10) Are non-citizens eligible to collect and return vote by mail ballots?
- 11) Are foreign nationals in the United States eligible to collect and return vote by mail ballots?
- 12) Is there a maximum limit or cap on the number of vote by mail ballots an individual is allowed to collect and return?
- 13) AB 1921 indicates it is unlawful for individuals collecting vote by mail ballots to fail “to deliver the ballot in a timely fashion.” What do you consider to be a timely fashion to return a vote by mail ballot once an individual collects it from a voter?
- 14) Is a political campaign, including paid staff, allowed to collect and return vote by mail ballots?

- 15) Is a non-profit organization allowed to collect and return vote by mail ballots?
- 16) Are businesses, including corporations, allowed to collect and return vote by mail ballots?
- 17) Is a labor union allowed to collect and return vote by mail ballots?
- 18) Is a church allowed to collect and return vote by mail ballots?
- 19) AB 1921 makes it unlawful for anyone to provide any form of compensation based on the number of vote by mail ballots collected and returned. Are there any other restrictions on compensating individuals collecting and returning vote by mail ballots?
- 20) Are campaigns permitted to hire private outside vendors to conduct vote by mail ballot collection and return activities so long as they do not provide compensation based on the number of ballots collected?
- 21) Are individuals collecting vote by mail ballots required to disclose to the voter turning over their ballot if they are collecting ballots on behalf of an organization or campaign?
- 22) Are individuals collecting vote by mail ballots required to disclose to the voter turning over their ballot if they are being compensated to collect ballots?
- 23) How can a voter that turned over their vote by mail ballot to an individual who indicated they would return it verify whether or not the ballot was returned?
- 24) If a voter that turned over their vote by mail ballot to an individual who indicated they would return it believes the ballot was not submitted in a timely fashion as required by law, what recourse do they have?
- 25) You currently document and make public whether a voter cast a ballot in an election and, if they did vote, which method the voter used to cast a ballot. Do you have a new category to document ballots cast utilizing the ballot collection methods authorized by AB 1921?
- 26) When vote by mail ballots are returned by an individual, what procedures do you and your staff follow to ensure the ballots were not tampered with?
- 27) If physical evidence, such as opened and taped envelopes or a high frequency of spoiled ballots, was present in a batch of vote by mail ballots returned by an individual, what steps would you take?

I know you share my goal of protecting the integrity and confidence in our elections process. I would appreciate responses to these questions and any additional information you would like to provide to my office in the near future.

Thank you for your attention to this matter and your work on behalf of Riverside County residents.

Sincerely,

KEN CALVERT
Member of Congress

March 12, 2019

Honorable Nathan Magsig
Chairman, Fresno County Board of Supervisors
2281 Tulare St
Fresno, CA 93724

Re: Support for the Implementation of the Voter's Choice Act in Fresno County

Dear Supervisor Nathan Magsig:

We, the undersigned write to express our strong support for the implementation of the California Voter's Choice Act (VCA) in Fresno County.

Our collective work with historically disenfranchised families in Fresno County, on pertinent issues that impact daily life was a driving force in voters choosing to participate at record numbers in our 2018 midterm election. This urgency for our communities to get involved in elections is steadily increasing; as our health and well-being are at stake. Approximately, 176,000 adults and children in Fresno County experience high asthma rates. Our communities experience a higher than average preterm birth rate (10.3%), a shortage of affordable housing units for low-income families (-41,000 rental homes), and over 450,000 people in Fresno County are served by contaminated water sources. Through our work of integrated voter engagement, we know that for every 14 people contacted by our canvassers and outreach specialists, an additional person votes. When communities that have been previously ignored show up to vote and voice their priorities, policymakers are more likely to develop inclusive policies, that result in better outcomes, and more efficient utilization of resources. Together, we have been able to remove major barriers to voting and have provided culturally and linguistically responsive voter education and outreach.

In Spring 2017, Future of California Elections launched Voter's Choice California (VCC) to help counties and voters prepare for significant changes ahead for our elections. Under the California Voter's Choice Act (VCA), which state leaders enacted in 2016, California counties will modernize their elections, most notably by changing how, when and where many voters cast their ballots. In its first year — 2018 — a handful of California counties successfully switched to the new voting process. Other counties will have the option of participating starting in 2020.

Some of the key elements of the Voter's Choice Act Elections Model include:

Vote-by-Mail Ballots

Every registered voter in participating counties would be delivered a ballot 28 days before Election Day. In the 2018 general election; 63.58 % of Fresno County voters cast VBM ballots, so full implementation of the VCA could provide opportunities for even greater civic participation.

Vote Centers

Traditional polling places will be replaced by vote centers. Voters will have the freedom to cast a ballot in-person at any vote center in their county instead of being tied to a single polling location. Vote centers look and feel like polling places, but provide additional modern features to make voting easy and convenient. At any vote center in a participating county, a voter may:

- Vote in-person
- Drop off their ballot
- Get a replacement ballot
- Vote using an accessible voting machine

- Get help and voting material in multiple languages
- Register to vote or update their voter registration

Voter Education and Public Process for Adopting Vote Center Plans

Every county that adopts the Voter's Choice Act model is required to draft and adopt a detailed plan through an open, public process. In addition, counties are required to hold education workshops with community groups, including organizations that assist voters with disabilities and language minority communities. We are willing to partner in providing community education to further insure that communities are informed and well prepared for the VCA.

Members of our four organizations have participated in the VAAC and LAAC, attended the community meetings hosted by the County Clerk on the future voting model of Fresno County, and provided input on addressing community concerns. It is from our participation on all these different levels that we believe the implementation of the Voters Choice Act in Fresno County is the best option. United, we strongly urge you to support the recommendation from Brandi Orth, the Fresno County Clerk, to opt in and implement the California Voter's Choice Act in the County of Fresno. Thank you for your time and we are prepared to answer any questions you may have.

Sincerely,

Communities for a New California Education Fund (CNCEF)

Faith in the Valley (FIV)

Hmong Innovating Politics (HIP)

Leadership Counsel for Justice and Accountability (LCJA)



CC: Fresno County Clerk Brandi Orth, Program Manager Rachel Lopez, Board of Supervisors: Buddy Mendes, Sal Quintero, Brian Pacheco



March 11, 2019

Supervisor Nathan Magsig, Chair
Supervisor Ernest Buddy Mendes, Vice-Chair
Supervisor Brian Pacheco
Supervisor Steve Brandau
Supervisor Sal Quintero
Fresno County Board of Supervisors
2281 Tulare Street, Room 301
Fresno, CA 93721

Via Email

RE: Resources to Support Fresno County's VCA Implementation

Dear Chairman Magsig and members of the Board,

The ACLU of California is dedicated to protecting and advancing civil rights and liberties, including the right to vote. Through coordinated litigation, policy, and organizing strategies we work to remove structural barriers to voter registration and participation in California's elections. We focus our efforts on historically marginalized communities to ensure that people with disabilities, people impacted by the criminal justice system, language minorities, and other underrepresented communities are not intentionally or inadvertently excluded from our democracy.

Last month, we had the opportunity to attend one of the community meetings hosted by the Fresno County Registrar of Voters. We also had the opportunity to discuss the proposal to adopt the California Voter's Choice Act ("VCA" or "vote center") model with Ms. Orth last week, and we appreciate her openness to meeting with us to discuss her plan. We also appreciate Ms. Orth's supplemental letter dated March 8, 2019 which further details the voter outreach plan.

The vote center model presents exciting opportunities to expand voting options for many voters, including more days of early voting, same day registration, and the convenience of voting at a vote center anywhere in Fresno County. If the Board decides to adopt the Registrar's recommendation to implement the VCA, we urge the Board to support the Registrar in the following ways to ensure no voters are left behind:

- (1) allocating sufficient resources to educate voters;
- (2) increasing the opportunities for public comment regarding VCA's implementation; and
- (3) preparing to provide additional vote centers and drop off locations above the minimum ratios, should voters indicate a need exists.

I. The Board Should Be Prepared to Allocate the Resources Needed for Robust Education and Outreach.

For VCA to be a success, the County will need to allocate enough resources for education and outreach, particularly during the first year of implementation. The proposed budget should account for the level of outreach needed for voters to understand the new system, which will be a significant change for many Fresno County voters, particularly those who have not voted by mail in the past.

Raul Macias – rmacias@acluca.org – Christina Fletes – cfletes@acluca.org

While 64% of Fresno County voters voted by mail during the November 2018 general election, more than a third of voters still voted in-person at their local polling site.¹ Fresno will need to educate and reach out to precinct voters to inform them about this significant change. The Registrar will also need to be mindful that vote-by-mail use is lower for some communities within the County. Data from Political Data Inc., a company that conducts voter file analysis, reveals that amongst November 2018 voters in the County, 57% of Latinos voted by mail, compared to 66% of non-Latino voters. Only 58% of young voters between the ages of 18 and 24 voted by mail.

Research from the California Civic Engagement Project (“CCEP”) underscores the fact that voter and community education is crucial for successful implementation of the VCA model. In 2017, CCEP found that 71% of in-person voters across the California were skeptical of the countywide vote center model.² Previous CCEP research also found that African Americans, Latinos, voters with limited English proficiency, and voters with disabilities had concerns about the loss of neighborhood polling sites under a vote center model.³ These findings are consistent with other research that found that even small disruptions in a voter’s routine, like polling site consolidation and closures, or moving a polling site just a couple of blocks away, can result in decreased turnout.⁴ The Registrar’s letter and proposal to the Board described hearing similar themes amongst some voters at their meetings.

To overcome discomfort at the prospect of replacing neighborhood polling sites with a new election system, CCEP recommended “that targeted and sustained education efforts will be critical to helping California voters know about, have confidence in, and successfully utilize the new election model. This is essential to ensuring that voters experience the new model positively, minimizing the risk that voters could be discouraged from casting their ballots.”

Experience also demonstrates the importance of investing in outreach and education. San Mateo County piloted a program like the VCA in 2015. The county reported that “[p]revious research has shown that failing to clearly communicate changes in how an election is being administered can generate significant voter concern and confusion (Michelson et al. 2012). The voter education and awareness campaign conducted by the San Mateo County Elections Office likely minimized those potential challenges.”⁵ In its Election Administration Plan (“EAP”), San Mateo County explained that VCA “requires extensive voter education about the differences between an All-Mailed Ballot/Vote Center election model and a traditional polling place election model.”⁶ As a result, San Mateo County allocated

¹ California Secretary of State, November 2018 General Election Results: Voter Participation Statistics By County *available at*: <https://elections.cdn.sos.ca.gov/sov/2018-general/sov/03-voter-participation-stats-by-county.pdf>

² The California Civic Engagement Project at U.C. Davis, California Voter Experience Statewide Survey: Voter Perspectives on Vote Centers – Fact Sheet (2017), *available at*: <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/59a61470beba8b3f370287/1504056433815/UCDavisCCEPIssueBrief3VoteCenterStatewideSurveyFactSheet+%281%29.pdf>.

³ The California Civic Engagement Project at U.C. Davis, The California Voter Experience: Why African-American Voters Choose to Vote at the Polls or Vote-by-Mail, and How They Perceive Proposed Changes to California’s Voting System 2 (2016) *available at*: <http://explore.regionalchange.ucdavis.edu/ourwork/projects/ccep/UCDavisCCEPCVEBriefTwo.pdf#test>; The California Civic Engagement Project at U.C. Davis, The California Voter Experience: Vote-by-Mail vs. the Polls 5 (2016), *available at*: <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/57ffe6bfe3df28f75af48b3b/1476388544252/UCDavisCCEPCVEBrief1.pdf>.

⁴ For example, see Henry E Brady & John E. McNulty, Turning Out to Vote: The Costs of Finding and Getting to the Polling Place, 123 (Feb. 2011).

⁵ San Mateo County Registration & Elections Division, San Mateo County Report to the State Legislature & Secretary of State November 3, 2015 All-Mailed Ballot Election 110 (2016), *available at* www.shapethefuture.org/elections/2015/nov_mailedballot/documents/ab2028_report.pdf.

⁶ San Mateo County Registration & Elections Division, San Mateo County Voter’s Choice Act’s Election Administration Plan (Sept. 2018), *available at*: https://www.smcacre.org/sites/main/files/file-attachments/acre-electionadministrationplan_oct15_web.pdf.

\$241,000 for voter education and outreach in addition to \$200,000 for direct mailings to registered voters for the June 2018 primary to reach 388,456 registered voters.^{7,8} Then, for the November 2018 general election, the county allocated \$450,000 for voter education and outreach, and direct mailings to reach 399,351 registered voters.^{9,10}

The table below provides a comparison of amounts allocated per registered voter for outreach and education for the June 2018 primary.

Outreach Budgets for the June 2018 Election

<i>VCA County</i>	<i>Registered Voters¹¹</i>	<i>Budget</i>	<i>Amount Per Registered Voter</i>
Fresno	456,891 (as of Oct. 2018)	TBD	TBD
Napa ¹²	76,211	\$17,500 ¹³	\$0.23
Nevada	68,126	\$89,085 ¹⁴	\$1.31
Madera	54,848	\$68,000 ¹⁵	\$1.24
Sacramento	741,260	\$700,000 ¹⁶	\$0.94
San Mateo	388,456	\$441,000	\$1.13

According to each county's EAP, outreach budgets for counties increased substantially once they adopted VCA. For example, Nevada County budgeted \$7,205 for outreach efforts for the 2014 primary election and then once it adopted VCA budgeted \$89,085 for the 2018 primary (1,136% increase). Likewise, Madera County allocated \$1,500 for outreach for the primary election in 2014 and in 2016 and then under VCA allocated \$68,000 for the 2018 primary election (4,433% increase). Similarly, Napa County did not allocate any money for outreach for the 2014 primary election budget but allocated

⁷ *Id.*

⁸ California Secretary of State, June 2018 Primary Election Results: Voter Registration Statistics By County *available at:* <https://elections.cdn.sos.ca.gov/sov/2018-primary/sov/02-county-voter-reg-stats-by-county.pdf>.

⁹ San Mateo Co. VCA's Election Administration Plan (Sept. 2018), at p. 13.

¹⁰ California Secretary of State, November 2018 General Election Results: Voter Registration Statistics By County *available at:* <https://elections.cdn.sos.ca.gov/sov/2018-general/sov/02-county-voter-reg-stats-by-county.pdf>.

¹¹ California Secretary of State, Voter Registration Statistics By County, *available at:*

<https://elections.cdn.sos.ca.gov/sov/2018-primary/sov/02-county-voter-reg-stats-by-county.pdf>.

¹² While Napa County allocated less money for voter outreach relative to other counties, Napa County had the highest vote-by-mail rate in the state amongst counties that were not already all vote-by-mail. During the 2016 general election, 93% of voters already voted by mail. (CA SOS, 2016 General Election Statistics: Voter Participation Statistics by County, *available at:* <https://elections.cdn.sos.ca.gov/sov/2016-general/sov/03-voter-participation-stats-by-county.pdf>.) Further, even though Napa County continues to provide some translated materials, Napa County does not have any requirements under Section 203 of the Voting Rights Act. Secretary of State, CC/ROV Memorandum #16333 (Dec. 2016), *available at:* <https://elections.cdn.sos.ca.gov/ccrov/pdf/2016/december/16333ji.pdf>.

¹³ Napa County Elections, Election Administration Plan, Appendix VIII, *available at:* <https://www.countyofnapa.org/DocumentCenter/View/7581/Amended-----Napa-County-Draft-Election-Administration-Plan-1-25-18-PDF?bidId=>.

¹⁴ Nevada County Elections, Election Administration Plan, Appendix J (March 2018) *available at:* <https://www.mynevadacounty.com/DocumentCenter/View/23323/Election-Administration-Plan-March-1>

¹⁵ Madera County Registrar of Voters, Election Administration Plan, Appendix E (March. 2018), *available at:* <https://votemadera.com/wp-content/uploads/2018/04/MadCo-Final-EAP-v-2.1-English-.pdf>.

¹⁶ Sacramento County, Voter's Choice Act Election Administration Plan, *available at:* <http://www.elections.saccounty.net/Documents/EAP-Appendix-J%20November%202018.pdf>.

\$17,500 in 2018 under VCA model. Sacramento County reported spending \$40,262 in outreach for the 2016 primary and \$60,687 for the 2016 general election and then significantly increased its budget to \$700,000 when it first sought to implement VCA for the 2018 primary election (1,639% increase).

The VCA requires participating counties to provide a robust, multilingual effort to first seek community input, and later provide voter education to prepare voters in diverse communities for the new election system. New requirements include multilingual public service announcements, new multilingual outreach materials, multiple voter contacts, multiple multilingual voter workshops, and the establishment of a Language Accessibility Advisory Committee and Voter Accessibility Advisory Committee.¹⁷ Without such education and outreach, many voters will be unaware their local polling site has been changed, might not request a ballot in their preferred language, or might incorrectly fill out their vote-by-mail ballot and have it go uncounted, potentially adding to existing voter participation disparities. We therefore urge the Board to grant the necessary funding to support the Registrar in successfully carrying out these mandates, should the board approve adopting the VCA.

II. Fresno County Should Provide Sufficient Opportunities for the Public to Provide Input Regarding VCA Implementation.

Public input as the county works to plan its outreach and selects the location of vote centers and drop off locations is another key to a successful transition to the VCA model. A successful public input process will require staffing and resources, and will likely require the county to go above and beyond some of the minimum requirements of the VCA. For example, while the law requires county officials hold one public meeting and a two-week comment period for the review of the draft Election Administration Plan, Fresno should plan for additional time for public comment and consider holding additional public meetings to review the plan. Additional public comment will provide the County with an understanding of whether there is widespread understanding of the new model, whether the location of the vote centers serves the Fresno community at an optimum level, and whether there is need for additional vote centers and drop-off boxes, and ultimately can help lead to a more successful adoption of the VCA.

Further, Fresno should plan meetings that are accessible to voters, similar to the community outreach meetings that the Registrar held to gather input on VCA: meetings that are held both in the evening and morning at a variety of locations, that locations are accessible to all, that translated materials and interpreter services are available, and that the meetings are in proximity to public transportation. We urge the Board to provide the Registrar with the staffing and resources needed to conduct successful public meetings throughout the development of the EAP.

III. Fresno County Should be Prepared to Provide Additional Vote Centers and Drop-Off Box Locations Above the Minimum Requirements.

The VCA established minimum ratios for the number of vote centers and drop-off box locations counties are required to provide per voter. If Fresno County adopts the minimum requirement, **these ratios will result in approximately 82% fewer in-person voting locations on Election Day** (the proposal accounts for 50 vote centers compared to the 268 polling sites that were available during the November 2018 election). While voters will have the advantages of more days of voting early and the option to vote at any vote center in the county, as opposed to being limited to voting just at their neighborhood polling site on Election Day, this may be a big change for some voters who have used the same neighborhood polling site for years.

Fresno County should err on the side of having more vote centers and drop off locations if community input indicates that the number required by law is insufficient to meet voter needs. There are different ways the County can provide this additional access to voters. For example, Fresno could consider

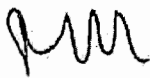
¹⁷ As the Registrar indicated in the March 8 Letter, Fresno County has a LAAC and a VAAC and has committed to continue to “engage the community to recruit additional members” for those committees.

providing additional vote centers just on Election Day. Another option is to provide mobile vote centers that can be strategically located at community events and gatherings (like at a flea or farmers market on one day during the early voting period, and at a mall or community center on a different day) or can target outlying areas or where there is a high concentration of voters with mobility issues. We urge the Board to give the Registrar the resources necessary to go above and beyond the minimum statutory ratios and provide the Registrar with the flexibility to add vote centers and drop-off boxes based on community input.

In summary, we urge the Board to provide the Registrar with the necessary resources to support the successful implementation of the Voter's Choice Act if the county adopts the model.

Please do not hesitate to contact us with any questions.

Sincerely,



Raúl Macías
Manager & Attorney
ACLU of California Voting Rights Project



Christina E. Fletes
Voting Rights Attorney
ACLU of California Voting Rights Project

Item #7
8-12-2019

	(Dec. 2018) ESTIMATE	PROJECTED (Only CVIG & Official ballots are final)	ESTIMATE	
	Board of Sup. District 2	Board of Sup. District 2	Voters Choice Act	Difference
March 5, 2019-Supervisor 2 Special Election				
County Voter Information Guide Printing	40,000.00	27,657.00	27,657.00	-
Official Materials Printing	65,000.00	52,482.00	52,482.00	-
Ballot Printing (Unused Ballots)		20,740.00	-	(20,740.00)
Ballot Printing (Additional VBM Costs)		-	41,959.00	41,959.00
Paper Roster and Street Indexes		2,275.00	-	(2,275.00)
Training Materials		4,800.00	2,856.00	(1,944.00)
Salaries (Perm & Extra Help)	260,000.00	207,650.00	207,650.00	-
Provisional Processing		3,750.00	-	(3,750.00)
Dryage Staffing		3,600.00	975.00	(2,625.00)
Election Night Staffing		5,000.00	1,750.00	(3,250.00)
Drop Box Staff Costs		-	1,740.00	1,740.00
Precinct Officer Expense (Payroll Transactions)	82,800.00	44,200.00	30,840.00	(13,360.00)
Ballot Unfolding	1,500.00	642.00	642.00	-
Postage	10,000.00	14,000.00	14,000.00	-
Communication	130.00	2,050.00	2,050.00	-
Publication - (Indirect Charges)	9,600.00	6,800.00	6,800.00	-
PeopleSoft Charges	300.00	1,000.00	1,000.00	-
Transportation Of Booths & PP Supplies (Vehicles)	3,500.00	1,800.00	1,000.00	(800.00)
Voting Location Supplies	14,500.00	11,750.00	1,750.00	(10,000.00)
Safety Services	2,000.00	750.00	750.00	-
TOTAL COSTS	489,330.00	\$ 410,946.00	\$ 395,901.00	\$ (15,045.00)

Election estimate range from \$375,000 to \$450,000 (less \$170,000 in Permanent Salaries & Benefits)
NCC increase between \$205,000 and \$280,000 (Board of Supervisors allocated \$250,000 in December 2018)

Item #7
3-12-2019

Halima Aquino
Voter Research

- Vulnerability - when you mail
Ballots to everyone

* Is it possible to create a
Voter Ed or Center But not
Mail out all Ballots?

↙ This saves money but provides
Info + Security?

- The vulnerability

- Employer Requests
to Bring Ballots to
work

- Family member votes for
worker

- Community members
going + pressuring
voters in their homes

Truncated
A voting Center where people
can provide info plus
Help - Gives more time to vote,
in person But - Save \$ - Don't
mail Ballots

The Future of Voting Methodology and Technology in Fresno County

March 12, 2019

Current Precinct Voting Model

- ▶ Voting on one day, at an assigned polling location
- ▶ Voters must request a ballot be mailed to them - every signature compared
- ▶ Voters must go to their assigned polling location or they will be required to vote Provisionally
 - 268 Physical Polling Places
 - 1 Vote by Mail Drop Box available 29 days before and through Election Day outside the Kern Street Office
- ▶ Same Day Registration not available at polls, by law (only at main election office)

Voter's Choice Act Model (Recommended Model)

- ▶ Voting Assistance Centers will be located throughout the county
 - ▶ 50 Vote Assistance Centers: 10 open 11 days, 40 open 4 days
 - ▶ Time open includes Saturday, Sunday, and Holidays
- ▶ ALL Voters will automatically receive a ballot in the mail - every signature compared
- ▶ Voters may go to ANY Voting Assistance Center and receive their correct ballot - almost NO provisional ballots
- ▶ Electronic roster check-in process
- ▶ Additional 30 Ballot Drop Boxes, available 28 days before and through Election Day, spread throughout Fresno County
- ▶ Same Day Voter Registration available at ALL Voting Assistance Centers

Community Meetings

- ▶ 5 Community Meetings attended by 98 constituents
 - ▶ Kerman, Sanger, Clovis, West Fresno, Fresno County Elections Training Facility
- ▶ A majority of attendees supported transitioning to the VCA model
- ▶ Some individuals strongly supported the current precinct model and opposed Vote Centers
- ▶ A small group expressed no opinion in favor of either model

Community Meetings

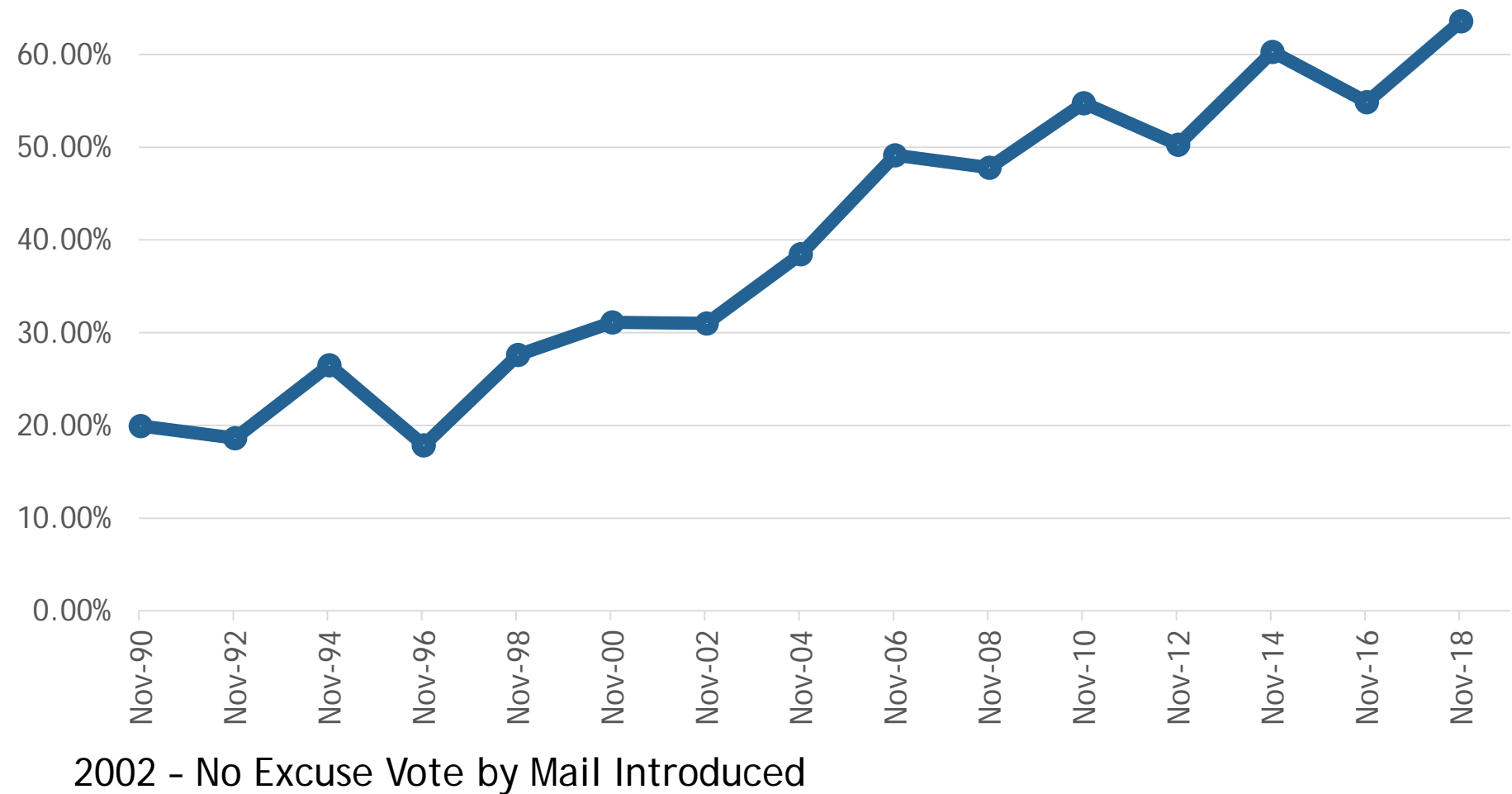
- ▶ Common themes in these discussions included:
 - ▶ Expanded services would be available at Vote Centers
 - ▶ The VCA is a big change and requires lots of communication
 - ▶ Drop Boxes can save postage and potentially avoid mail delays
 - ▶ Neighborhood voting locations would be reduced - might have longer to travel to voting centers
 - ▶ Vote Center workers would receive more training
- ▶ Non-VCA specific issues such as Voter ID and non-citizens voting

Voters Choice Act Counties – A Resource for Implementation

- ▶ 2018 counties continuing to be VCA in 2020: Madera, Napa, Nevada, Sacramento and San Mateo
- ▶ Additional counties implementing VCA for March 2020:
 - ▶ Los Angeles
 - ▶ Orange and Mariposa Counties approved for implementation February 26, 2019
 - ▶ 42% of registered voters in California are now under VCA
 - ▶ Santa Clara County also discussing transition today
 - ▶ Approximately 8 counties still considering implementation of VCA for 2020

Ballots Cast By Mail, 1990-2018

VBM % of Total Votes in General Elections



The County Clerk/Registrar of Voters recommends transitioning to VCA in March 2020

- ▶ Vote Centers increase the amount of time voters may vote in-person
- ▶ Vote Centers provide services that are unavailable at traditional polling places, increasing voter access to:
 - ▶ Conditional Voter Registration (same day voter registration)
 - ▶ Ballot on Demand (voter receives their correct ballot)
- ▶ All voters receive a ballot in the mail. Can return by mail, drop boxes, any voting assistance center and/or main elections office
- ▶ Electronic roster check-in to verify voter has not already voted
- ▶ Almost complete elimination of Provisional ballots
- ▶ Drop boxes/Drop-offs have been very popular

Voting Systems Equipment - One Time Savings associated with VCA Implementation

Current precinct model (268 precincts)	\$3.3 million
<u>VCA model (50 voting assistance centers)</u>	<u>\$1.7 million</u>
Total one-time reduction of costs	(\$1.6 million)

- ▶ State and Federal grant funds may be used to offset all costs
- ▶ All grant funds will expire June 2021
- ▶ State grant funds are restrictive - can only be utilized for capital expenditure

External Funding Sources

Grant/Funding Source	Balance	Use of Funds
HAVA 301	\$1,458,000	Broad
Prop 41	\$2,019,000	Restricted
Voting Systems Replacement Contract 2018	\$2,886,500	Restricted

- ▶ Prop 41 dollars may only be used for certified Voting Systems. Have 3 to 1 match requirement. HAVA can be utilized for match funding. Will expire June 2021.
- ▶ State dollars under the 2018 contract may only be used for certified Voting Systems and physical support materials for those systems or VCA requirements. Match is 1 to 1. HAVA can be utilized for match funding. Will expire June 2021.

VCA Ongoing Costs

<i>Item</i>	<i>(reduction)/additional costs</i>
Precinct ballot printing	(\$61,303)
Voting Assistance Center staff	\$78,245
VCA vote by mail (additional distribution)	\$189,835
Paper roster and street index	(\$9,100)
Provisional ballot processing	(\$30,000)
Drayage of voting location materials	(\$13,700)
Voting Location materials costs	(\$40,000)
Election night staff	(\$13,000)
Drop box labor	\$35,500
Training materials	(\$5,000)
Total ongoing increase for VCA model per election	\$131,477

VCA One-time Costs - Clarification

Item	<i>(reduction)/additional costs</i>
IT implementation	\$69,000
Total One-Time Cost*	\$69,000
Direct Voter Contact	\$250,000
Outreach/voter education	\$50,000
Total Cost per Regularly Scheduled Election	\$300,000

- ▶ *State and Federal grant funds may be used to offset the one-time IT cost
- ▶ In 2018, the Secretary of State made additional funds available to offset the outreach and voter education requirement. The SOS is trying to obtain funding again for 2020

Outreach/Voter Education Plan

- ▶ Continue Language Accessibility Advisory Committee
- ▶ Continue Voting Accessibility Advisory Committee
- ▶ Video and Audio Public Service Announcements (with creative support from the SOS)
 - ▶ Planned partners will include local Radio and TV stations that reach English, Spanish and required language minority groups
- ▶ Hosting and Participating in presentations and events
 - ▶ 50-80 events targeted, with an emphasis on seniors, veterans, voters with disabilities, language minority groups and communities that traditionally vote at polling places
- ▶ Informational posts on NextDoor
- ▶ Paid PSA ads on Facebook and Twitter by Secretary of State
- ▶ Informational Emails to voters

VCA effect on March 2019 special election

- ▶ VCA requirements are reduced for special elections
- ▶ 2 Voting Assistance Centers open for 10 days
- ▶ 4 Voting Assistance Centers open on Election Day
- ▶ 8 drop boxes open 28 days prior and on Election Day
- ▶ Operational cost reduction of \$15,000 (Supervisor race only)
- ▶ Once regularly scheduled VCA election conducted, outreach efforts are not required for special elections
- ▶ Actual voter behavior in March 2019 election (includes Clovis City Council and Coalinga Regional Medical Center District)
 - ▶ 86% voted by mail, 14% went to polls
 - ▶ 121 voting precincts housed in 87 physical locations, 600 provisionals

Pending Legislation

▶ Assembly Bill 363 - Gonzalez

Requires polling places (46 for Fresno County) to be open Saturday, Sunday, and Monday prior to the election based on registration formula. Will increase staffing costs. Closely mirrors the requirements in the Voters Choice Act.

▶ Senate Bill 72 - Umberg

This bill has been amended to require Conditional Voter Registration be available at all voting precincts (419).

The bill requirements are best accomplished by use of electronic roster and ballot on demand (like VCA). If technology not utilized, will increase amount of provisional envelopes for processing. Will require increased staffing costs at precincts, and possibly increased technology costs.

To Participate on One of the Advisory Committees

- ▶ Call (559) 600-8683

or

- ▶ Call (800) 742-1011

- ▶ Email at Clerk-Elections@fresnocountyca.gov

- ▶ Website: Fresnovote.com