County of Santa Clara

Registrar of Voters

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VOTER'S CHOICE
Registrar of Voters
Santa Clara County

EAP Public Hearing
Meeting Minutes
Wednesday, September 4th, 2019
Board Chambers
6:00pm to 8:00pm
70 W. Hedding St., San Jose, CA 95110

I. **Welcome**

   a. Introduction by Shannon Bushey, the Registrar of Voters for Santa Clara County. The Office of the Registrar of Voters (ROV) is looking for feedback towards the Election Administration Plan (EAP). Options to give feedback are possible through paper forms and online through a fillable form.

   b. The ROV covered housekeeping rules, ground rules, and an overview of the agenda. The ROV opened the invitation of joining the ROV Language Accessibility Advisory Committee (LAAC) and the Voter Accessibility Advisory Committee (VAAC). Comment cards were introduced and directed to be non-partisan. The ROV also requested no applause or opposition to comments.

   c. ROV Staff Subject Matter Experts (SME) were introduced to answer any questions; translations were also available in multiple languages.

   d. Introduction of ROV staff division managers.

II. **Voter's Choice Act (VCA) Overview Presentation**

   a. Link to the livestream of the public hearing:
      i. https://www.youtube.com/watch?v=WxALTnXIVXc

   b. VCA PowerPoint Presentation:
      i. Presentation – https://youtu.be/WxALTnXIVXc?t=1253
      ii. Implementation of the VCA will begin with the Presidential Primary which starts March 3, 2020
      iii. Every registered voter will receive a vote-by-mail (VBM) ballot –
          1. Postage-paid envelope
          2. Official ballot drop box
          3. Vote at any vote center
      iv. Up to 120 potential Vote Centers Countywide –
          1. New additional services
          2. New vote machines
          3. Vote at any Vote Center
      v. More Days to Vote Early –
          1. Vote Centers will be open up to ten days before Election Day
      vi. Same-Day Voting –
          1. Conditional Voter Registration: Register and cast a ballot on the same day
      vii. Developing the Election Administration Plan (EAP) focusing on the following –
          1. Vote Center location
          2. Accessibility
          3. Language assistance
          4. Voter education & outreach
          5. Community input/feedback

   viii. Previously held EAP public consultation meetings –
     1. (2) General, (2) Accessibility, Vietnamese, Khmer, Tagalog, Spanish, Chinese, Korean, Hindi, and Japanese. Throughout the meetings we collected input from the community to come up with the draft EAP
   ix. EAP Timeline –
     1. Draft > Public Comment > Amended Draft > Public Comment > Final Draft
 c. ROV comment: We have received over 200 pieces of feedback and comments. Our EAP plan has been online for over a month. Link to the VCA Resources: https://www.sccgov.org/sites/rov/VCA/Pages/home.aspx

III. **Vote By Mail Division Presentation**
 a. Link to presentation: https://youtu.be/WxALTnXIVXc?t=1543
 b. Vote-by-mail (VBM) Packets:
   i. Overview of Voter Registration as of 11/06/2018
   ii. Every registered voter will receive a Vote by Mail Ballot
   iii. Ballot Drop Box issued for every 15,000 voters
   iv. Sample of Official Ballot, return envelopes, VBM instructions, and sticker included in each packet
   v. Overview and images of mailings for Military/Overseas ballot material and instructions
 c. Ballot Drop Boxes:
   i. ROV currently has about 90 locations (including inside and outdoors) –
     1. County/City Libraries
     2. Schools & Universities
     3. County buildings
     4. City Halls
   ii. Security of Ballot Drop-Off –
     1. Cable locks
     2. Seals
     3. ADA compliance
 d. Remote Accessible Vote by Mail (RAVBM):
   i. For military, overseas voters, and voters with disabilities
   ii. Overview of the Accessible Voting link for the electronic version of the ballot; the voter must print their ballots and mail it back to the ROV for the ballots to be counted. Ballot selection is not selected electronically through the internet. Here is the Accessible Voting link: https://www.sccgov.org/sites/rov/Voting/Pages/Voting-Accessibility.aspx
   iii. RAVBM Instructional Video link using Democracy Live: https://youtu.be/LRZ8HllghQc?t=1438

IV. **Geographic Information Systems Mapping Division Presentation**
 a. Link to presentation: https://youtu.be/WxALTnXIVXc?t=2189
 b. Selecting Vote Center locations using data:
 c. Factors of Vote Center locations:
   i. Facility
   ii. Socioeconomic
   iii. Geographic
 d. Data Resources:
   i. American Community Survey –
     1. The most recent American Community Survey (ACS) data
     2. Conducted in 2017
     3. By US Census Bureau
   ii. Santa Clara County ROV Data Base –
     1. Current Voter Registration Count
     2. Ballot Cast
   iii. Public Transportation –
     1. Valley Transportation Authority (VTA)

2. California Department of Transportation
    iv. County GIS Data –
        1. Road Centerlines
        2. City Boundaries
e. Geographic Factor:
    i. Vote Center Boundaries for distributing locations –
        1. One 11-Day Vote Center for every 50,000 registered voters
            a. Estimation of 25 Vote Center areas
        2. One 4-Day Vote Center for every 10,000 registered voters
            a. Estimation of 120 Vote Center areas
        3. Ballot Drop Boxes
            a. Estimation of 80 Drop Box Areas
    ii. Establishment of Boundaries –
        1. City Boundaries
        2. Neighborhoods
        3. Major Roads
        4. Local Roads
f. Socioeconomic Factor using Decision Optimization Technology Solution (DOTS) to score the following factors:
    i. Public Transportation
    ii. Traffic Patterns
    iii. Population Centers
    iv. Language Minority
    v. Disability
    vi. Low Vehicle Ownership
    vii. Low-Income
    viii. Vote-by-Mail Usage
    ix. Low Voter Registration

V. Precinct Operations Division Presentation

a. Link to presentation: https://youtu.be/WxALTnXIVXc?t=2474
b. Vote Centers Overview:
    i. Approximately up to 125 available throughout Santa Clara County prior to and including Election Day
    ii. Voters will have eleven days including two weekends to vote
    iii. 20% will open on February 22, 2020: ten days prior to Election Day
    iv. 80% will open on February 29, 2020: three days prior to Election Day
    v. New voting technology will enable voters to vote anywhere in Santa Clara County
    vi. Will provide most services available at the Registrar of Voter's office
c. Vote Centers Implementation:
    i. Hours of operation –
        1. 8 hours per location, 7:00 am to 8:00 pm on Election Day
    ii. VCA Vote Center guidelines –
        1. Every 50k area, one eleven-day vote center is needed
        2. Every 10k area, one four-day vote center is needed
    iii. Santa Clara County Grid –
        1. To project number of Vote Centers needed for March and November 2020
        2. Aid in selecting optimum locations per several demographic criteria
    iv. Site selection –
        1. 14 location considerations
        2. Site availability and mix of other criteria
d. Vote Center Staffing and Training:
    i. Hourly: extra help county workers –
        1. Leads: oversee voting process and direct resource flow
        2. Aides: support staff, assist voters

      ii. Stipend workers: volunteers, high school students –
         1. Aides: support staff – assist voters
         2. Greeters: welcome, assist, direct voters to proper service lines
      iii. Time of employment* (including training and Election Days) –
         1. Leads: 21 days
         2. Aides and Greeters: 14 days
      iv. For more information, visit: www.sccvote.org
- e. Outreach Goals:
  - i. Highlight the voting model transition and inform voters of upcoming changes
  - ii. Educate and improve voter experience
  - iii. Identify and increase participation in underperforming communities
  - iv. Welcome public engagement
  - v. Build partnerships to expand civic engagement opportunities within all communities (Voter Education and Outreach Coalition)
  - vi. Provide voter education literature, civic and local government resources

VI. Ballot Layout Division Presentation

- a. Link to presentation: https://youtu.be/WxALTnXIVXc?t=2819
- b. Federally mandated languages:
  - i. English
  - ii. Chinese
  - iii. Spanish
  - iv. Tagalog
  - v. Vietnamese
- c. State mandated languages:
  - i. Korean
  - ii. Khmer
- d. Previously mandated languages:
  - i. Hindi
  - ii. Japanese
- e. For the March 3rd, 2020, Presidential Primary Election, Official Ballots will be printed in the following languages:
  - i. English
  - ii. Chinese
  - iii. Spanish
  - iv. Tagalog
  - v. Vietnamese
  - vi. Korean
  - vii. Khmer
  - viii. Japanese
  - ix. Hindi
- f. All ballot language versions will be produced in the following formats:
  - i. Optical Scan paper ballots
  - ii. Accessible Touchscreen Ballots
  - iii. Accessible Audio Ballots
  - iv. Remote Accessible Ballots for Military, Overseas, and voters with disabilities
- g. Ballots Created during Presidential Primary Election, 2016 vs 2020 chart: https://youtu.be/WxALTnXIVXc?t=2918
  - i. BLD will be producing twice as many ballots in 2020 vs 2016
- h. County Voter Information Guides (CVIGS) and eBooks:
  - i. The Vote Centers and the sccvote.org website will have CVIGS and eBooks, which will be translated in English, Chinese, Spanish, Tagalog, and Vietnamese
- i. VCA Implementation:
  - i. Expands language services county-wide

      ii.   Provides language assistance at Vote Centers

     iii.   Increases bilingual ballot materials

VII.   Public and Legislative Affairs Division Presentation

    a.   Link to presentation: https://youtu.be/WxALTnXIVXc?t=3053

    b.   Direct Media Outreach:

       i.   Newspaper

      ii.   Television

     iii.   Radio

     iv.   Online

    c.   Voter's Choice Act:

       i.   Keeping the media informed = Keeping the public informed

          1.   New voting options

          2.   New voting system

          3.   New accessibility and language options

    d.   Advertising:

       i.   Previous campaigns – recruitment, Vote by Mail

      ii.   All platforms – print, TV, radio, online, buses

    e.   Bigger Campaign for Outreach:

       i.   Previously six to eight weeks before an election

      ii.   Ads will begin in September, run for six months

     iii.   Post-holidays escalation prior to March 3 election

    f.   Language Media Outreach:

       i.   Expanding our roster

      ii.   Input from Election Administration Plan meetings

     iii.   Shopper publications, radio, possibly television

     iv.   Other language media outreach includes –

          1.   Nichi Bei

          2.   La Oferta

          3.   Philippine News

          4.   Viên Thao Television

          5.   SOH

          6.   Silconeer

          7.   India West Best Indian Newspaper in Print and Online

      v.   Key Content –

          1.   Specific to communities

          2.   Toll-free voter assistance hotline for languages

          3.   Vote-by-Mail ballots in accessible format

          4.   Remote Accessible Vote by Mail

      vi.   Social Media –

          1.   http://www.facebook.com/sccvote/

          2.   https://www.instagram.com/sccvote/

          3.   https://twitter.com/sccvote/

          4.   https://www.youtube.com/user/sccvote

          5.   Nextdoor: @sccvote

     vii.   Sports Franchises –

          1.   San Francisco 49ers

          2.   San Jose Sharks

          3.   San Jose Earthquakes

VIII.   Election Logistics and Voting Systems Division Presentation

    a.   Link to presentation: https://youtu.be/WxALTnXIVXc?t=3318

    b.   Voting Security:

       i.   Utilizing surveillance systems for voting equipment

    c. Ballot Return:
- i. Drayage Operation –
    1. 1-2 days delivery
    2. 3-4 locations per truck
    3. 8-30 trucks / Approx. 60 staff
    4. Two ELVS Staff supported by Vote Center staff at time of delivery
    5. Drop off locations
    6. Strategic color-coded packaging for Vote Centers
    7. Strategic packaging with security measures for sensitive equipment
    8. Supply requirements
- ii. Logistics and Supply Centers –
    1. One truck and three smaller vehicles will be spread out through the County containing Vote Center supplies, tech support, equipment replacements, and additional supplies
- iii. Ballot Return Logistics –
    1. Couriers
    2. VBM drop box couriers

    d. Voting Equipment:
- i. Tabulating Machines –
    1. Up to (3) per Vote Center
- ii. Accessible Ballot Marking Devices –
    1. Up to (8) per Vote Center
- iii. E-Poll Books –
    1. Up to (11) per Vote Center
- iv. Ballot on Demand Printers –
    1. Up to (5) per vote center
- v. Small Ballot Scanners –
    1. Up to (8) scanners
- vi. Large Ballot Scanners –
    1. Up to (10) scanners
- vii. Ballot Review Stations –
    1. Up to (16) stations

    e. Ballot Package and Seal:
- i. Securing and storing ballots in locations for the ability to retrieve any batches of ballots

    f. Technology Projects & Plans:
- i. Cisco phone systems (robust customer service)
- ii. Tier Technical Support plan (service continuity)
- iii. Secure Connection to Vote Centers
- iv. Cyber Security (preparedness awareness)
- v. TrackIT System (verification)
- vi. Asset Management System (accountability)

IX. Distribution of Comment Cards

X. Discussion

    a. Attendee (Question 1): Have other Counties implemented the Voters Choice Act and has it been successful?
- i. ROV Response: In 2018, there were five counties that implemented the VCA and in 2020, there will be a total of 14 counties that will be implementing and doing it again. It equals 50 percent of the state's registration. Our county has been working with the state and the counties for over a year and have met with respective divisions to ask specific questions that have implemented that piece in another county. We have statewide conference calls. We've been working with the other counties and the state. All the counties have had successful implementations and we are able to see what their challenges have been. Challenges include recruiting Vote Center locations because of the number of days a location needs to be open and available at our office compared to polling places that only need to be open for one day. Now with our 125 locations we are

unable to use many of the polling places that we used before because of size, accessibility, and parking. We are down to the last 20% of finding locations. The other issues were the recruitment of election officers and extra-help staff. Just like the location time frame, we need to find people that can work for two to three weeks at the Vote Centers. Once we get all the feedback, we will then focus on the recruitment of the extra-help employees and we will continue the process of stipend workers.

    ii. ROV Response: All the volunteers that helped us in the past is that they helped for one day. Now we will need help for 11 days. The scheduling will be difficult. We will need to ask for people to apply as a county employee even if it's a seasonal reason. The challenge is to find staff workers to help us for one full weekend. The equipment will be new, and everything will need to be revamped and retrained. They must commit to the classes and training as well. We will have many challenges and we are learning as we go.

b. Attendee (Question 2): The Vote Centers are open 13 hours from 7 am to 8 pm, but only open for 8 hours, are they closed for 5 hours or is the closing and opening time staggered?

    i. ROV Response: On Election Day, the Vote Centers will be open from 7 am to 8 pm. Before Election Day, and the 10 days before, the Vote Center times will be fully set, but they will range; some will be open more in the evening and some into the morning.

    ii. ROV Response: To clarify the requirement is for the ones that are open prior to Election Day, they will be open at least 8 hours a day. On Election Day they will be all open from 7 am to 8 pm.

c. Attendee (Question 3): How does the word "precinct" apply under the new voting system?

    i. ROV Response: We will still have precincts; we will organize our voters into precincts for voting purposes. However, the precinct is not as important anymore because you can go to any vote center to vote. There is no correlation between precincts and Vote Centers. Precincts become a geographic reporting area. When you look at our Statement of Vote where we break down Election results to precincts, they will still have precincts associated with it. Now we can go to any vote center we choose to go to.

d. Attendee (Question 4): Does the population boundaries 50k and 10k, account for the daytime population change?

    i. ROV Response: Our data is based on our current voter registration plus 50 percent of the population that are not registered. Through the Census data, we count for residential and the address. For daytime, the data for tracking where people vote is not available.

e. Attendee (Question 5): How are the ballots cast in the Vote Centers 8-hour day, secured until Vote Centers close on Election night?

    i. ROV Response: The majority of ballots that are at a Vote Center will be put into a ballot tabulator, where the voter will feed it in the machine. It will store the results in a memory cartridge and the tabulator will drop the cartridge down in a secure locked receptacle. We will account for the ballots by the end of the day. We will open the seal and transport them back, securely to our office on a nightly basis. We do have a series of chain of custody protocols that we follow for that. Most of the ballots cast will go into that tabulator. The exceptions to that will be Provisional Ballots or Conditional Voter Registration Ballot (CVR) or VBM Ballots that people are dropping off. just like at a traditional polling place we'll have sealed and secured ballot bags at each vote center. Those will be deposited in envelopes into the ballot boxes at the end of the day we will break the seals and transport it to our office. We have plans in place if we end up having a high volume and we need additional ballot boxes we will have secure rolling cages on carts where we will put excess ballot boxes in the secure cages.

f. Attendee (Question 6): Looking though the website and voter action plan, we have a growing homeless population on the recent County Report. I was wondering if we have a Voter Accessibility Plan for our unhoused neighbors. Before the Voter's Choice Act, I scanned online and found on the National Coalition of Homelessness, they had a great thing about voting rights for the unhoused, but it was not updated to include what we have for the Voter's Choice Act. I understand that outreach will be difficult to reach this population, but is there a place that they can go to understand their voting rights and how does that effect the Voter's Choice Act?

    i. ROV Response: In order to find out about their voting rights, they can come to our office, they can call us at any time, we have information on our website, which may not always be

accessible, but at any Vote Center for the 11 days, they can go to any one of those vote centers, we can give them information on their rights, and we can register them. They can also vote CVR and vote through a CVR ballot. Does that answer your question?

    ii. Attendee Response: Yes, I just could not find it on the website, but that cause me some concern, because now you have so many voter accessibility levels, which is the best thing ever—but does that mean it will be accessible for the unhoused population?

    iii. ROV Response: Yes, it is, they would have the same accessibility as any voter. Currently we take registrations, if someone doesn't have address to list as their residence, we can take cross streets, so we can offer them a specific ballot type.

    iv. Attendee Response: If they have to move their RV every 72 hours, how does that work if it's a different cross street, each time?

    v. ROV Response: At the time they are going to vote, they can re-register, and they can they can change their voter registration everyday online leading up to where they want to vote. Conditional Voter Registration will allow them to vote at any of the Vote Centers.

g. Attendee (Question 7): For the Voting Boundaries, 10k and 50k and regarding daytime data; for Palo Alto, their voting population triples during the daytime. I'm glad you are doing the 50k Vote Center location, but Palo Alto can be heavy with traffic on 101 and it's hard to say how voters will choose to vote with the expanded times. I'm concerned that the areas will be filled with people, who are living there or may not live there, but they live in San Jose and you are counting their voting in San Jose in terms of their vote center numbers. Is there a way during the rollout in the Presidential Primary, that we are tracking how some areas are being used more and others are used less?

    i. ROV Response: We will be able to see the Vote Centers that have more activity, more ballots dropped off, etc. Maybe in the future we can look for an additional Vote Center in those areas and for this election, we can definitely take into consideration to see if we can increase in certain areas.

    ii. ROV Response: We want to take daytime population into consideration, but there was no data available. In the areas where we think there will be more jobs close to city standards, we try to make the number a little bit smaller than 50k and in the residential area we can accommodate more people.

h. Attendee (Question 8): What happens when someone votes by mail and decides to vote in person at a Voting Center.

    i. ROV Response: Our Election Management System will be accessed at every vote center through a new electronic poll pad/tablet. We will be able to see if this person has already voted. We are switching from signing in on the roster to using the poll pad. Now the workers will be able to look you up on our electronic device and enter into the information that will be current with our Voter Registration Information, and Vote by Mail information. We will be able to tell if a voter has already cast a ballot and see if whether he or she voted – we will not give a ballot to those who already voted. There is also the Provisional Ballot (PV) -- we cannot deny any one the right to vote when they come to a polling place, but if we have determined the person has voted and they insist to vote, we will allow them to vote; but they must place their ballot in a provisional envelope, which is kept separate and not tallied at the Vote Center. The PV envelope will come back to our office and we will look up their information that they completed on the envelope. That ballot will not be opened if they already cast a ballot.

i. Attendee (Question 9): Are your counting machines isolated from the worldwide net, if they are not, how can you assure that they cannot get hacked?

    i. ROV Response: Our tabulation systems are completely air gapped meaning it's on a private network where the tabulators are only connected to themselves and the central tabulation server. They are not touching any internal County network or external internet. The tabulation devices at each vote center are all offline, they do not transmit the results back to us, we have to physically remove the drive from the machine and drive it back to the office. We also have a number of security protocols in place, we won't take USBs that were outside and plug them in the terminals that are hooked up to our tabulation system. When we post the election results on our webpage, it's not a live feed from our tabulation system. What w are doing is exporting a copy of the results and putting it on a USB drive and walk it over to another computer that is

connected to the internet and we upload the results. The results that you see at home are a copy, so if someone were to attack the website that shows the results, they wouldn't change the votes. After the USBs have been plugged into the devices, they will be quarantined so they don't come back and touch our secure network.

j. Attendee (Question 10): Did I hear you say you are tabulating or counting the votes at the Vote Centers after the close on Election night?

   i. ROV Response: Yes, when a voter goes to vote, they will take their ballot to the tabulation machine. The system will let them know if they over-voted, under-voted, or made too many choices. Once they run it through the equipment and they cast the ballot, it will then tabulate it into the system and drop their ballot into a secure compartment. At the end of Election night, the cartridge will be brought back to the Registrar of Voters office where we will upload it to our system and all the tabulation of all the votes will come together from what we post on Election night.

k. Attendee (Question 11): Does the ballot scanner tabulator detect mis marked ballots and return to the voter for correction?

   i. ROV Response: Yes, it was just explained.

l. Attendee (Question 12): I think you answered it. I was concerned, when everyday it's tabulated. I've heard stories of voting changed. I guess when you talked about the security, I'm still concerned by the time they get the results, it's changed the vote. What if the vote and they realize that they don't want to vote that way, is there any way of changing their vote?

   i. ROV Response: We will offer two options in the Vote Center. One option will be to take a physical paper ballot and mark your choices with no electronic interface. The other way we'll have accessible marking devices. It's like the touch screens we use now, but instead of putting the ballot on the machine's memory, it will print out the ballot with the selections marked on it. The voter will have a chance to look it over and feed their ballot in the tabulator. There is a paper trail that the voter has a chance to verify and make sure the selections are marked accurately before they cast it.

   ii. ROV Response: In California, we also have mandated post-election audits where we will do random samplings of the paper ballots and do a manual tallying of the paper ballots and compare them to the election results. We can detect if there are patterns of something happening to the results from malicious action or just error. With the new equipment, we will have a feature called adjudication. If the voter made an error on how they marked the ballot and causes the machine to read it wrong, we can override the mark interpreted it and sure that the voter's intent was captured. What the system does is create an audit trail of any action that we took on those ballots. We generally have observers come in and we can show them the logs of each and every ballot and show them an image of the ballot and also find the paper ballot. We can compare that to the what the system read, tallied, and interpreted for each ballot.

m. ROV response: If they already cast their ballot, once it's casted they wouldn't have the ability to change it then. We have a higher degree of transparency and auditability, so we think this will be a very secure system. We can demonstrate that to anyone who is interested.

XI. Conclusion

a. The ROV concludes: Thank you for the attendee's participation, comments, and feedback. We are taking feedback until the end of today, September 4, 2019. Another public comment period will open up when the Amended Draft is published.