



Failures in California's 2018 Midterm Election Demand Serious Investigation

- Thousands of vote-by-mail voters did not receive their ballots
- Voters found their registrations altered without consent
- Unprecedented numbers of provisional ballots were cast
- Unlawful conditional voting
- Dysfunctional system was overwhelmed

Report Summary

For the November 6, 2018 midterm election in California, Election Integrity Project, California (EIPCa) deployed poll observers to watch and document the election process in precincts throughout the state. This report summarizes serious election irregularities documented by EIPCa observers in eight counties, primarily in southern California. These irregularities expose serious flaws in California's election system, namely:

- 1) Thousands of vote-by-mail (VBM) voters did not receive their VBM ballots in the mail. These voters came to the polls because they did not receive their VBM ballots, but had none to surrender and were forced to vote provisionally.
- 2) Hundreds of voters who normally vote at the polls found that their voter registrations had been changed to vote-by-mail without their knowledge or consent. They, too, did not receive VBM ballots and were forced to vote provisionally. Automatic voter registration through the Department of Motor Vehicles (DMV) was the primary cause of the unconsented voter registration changes. Media reports confirm that the DMV program has created over 100,000 inaccurate voter registrations since the program's inception. It appears, however, that many affected voters were not informed of unauthorized changes to their registrations nor were these mistakes corrected prior to Election Day.
- 3) The Election Day rosters listed some voters as VBM voters, even though their voter registrations still list them as poll voters. Without a VBM ballot to surrender, they, too, were forced to vote provisionally. This is the third serious roster error EIPCa has documented since 2014
- 4) There was an unprecedented surge in provisional voting due to undelivered VBM ballots. For example, Los Angeles County voters cast about 100,000 provisional ballots in the 2014 midterm. In the 2018 midterm, they cast about 400,000 provisional ballots. The Los Angeles County registrar's office blamed this significant increase on voters who did not have a VBM ballot to surrender. Excessive provisional voting created long lines and voters were seen leaving without voting.

- 5) Voters were angry and worried that their provisional ballots would not be counted. Due to unprecedented numbers of upset voters observed, EIPCa had to create a new incident category called “Angry/frustrated/worried voter”. EIPCa poll observers gathered statements from witnesses who had been negatively impacted by the VBM ballot fiasco. Their stories are included in Appendix B of this report.
- 6) There have been few mentions from the media and elections officials concerning the VBM ballots not delivered to voters. This is unusual, since EIPCa observers, poll workers and even Registrar clerks were alarmed by the magnitude of the problem. Only one county of the eight summarized in the report admitted that their vendor failed to mail 1,129 late-requested VBM ballots.
- 7) Some voters may have been disenfranchised due to VBM ballot problems. VBM voters who did not receive a ballot were possibly disenfranchised because they did not have the time or means to visit a polling place. In the county that admitted to a problem with VBM ballot mailing, 646 of the voters who did not receive their VBM ballot did not vote.
- 8) EIPCa tracked the voting results of 57 provisional voters who signed witness statements. While most had their provisional ballots counted, nine did not have their provisional ballots counted, though they appear to be properly registered. An additional three witnesses were shown to have voted early or by mail, though they claimed in writing that they had not voted and were observed voting provisionally. For eleven witnesses whose provisional ballots were counted, their county’s look-up tool showed that VBM ballots were “received and verified” in their names.
- 9) The undelivered VBM ballots may have been caused by technical errors, like the DMV-caused registration errors and Election Day roster errors that have recently plagued the state’s election system.
- 10) Other Election Day observations appeared suspicious. These included excessive VBM ballots dropped off at the polls, unlawful conditional (same day) voting, what appeared to be “intentional” provisional voting, suspicious poll worker behavior and unprovoked disruptions by voters.

Introduction

In recent years, much effort has been made by California legislators and election officials to provide increased voter registration and ballot “access,” with few restrictions, the emphasis being “voter experience” not voter eligibility.

In pursuit of the ultimate voter experience—and in doing so, undermining the integrity of California’s election system—legislation has been adopted to include pre-registering children to vote, allowing non-citizens to vote in city elections, allowing mail ballots to arrive after Election Day, rejecting voter ID, removing restrictions on who can handle and return mail ballots, automatic DMV voter registration, same-day registration and voting and, in future, providing all registrants with VBM ballots.

The state’s focus on unconstrained registration and ballot “access” to provide “voter experience” has, unfortunately, come at the expense of the reliability of the election system. **This report will show that eligible voters were harmed by significant system failings and this casts serious doubt on the integrity of California’s elections.**

Background

EIPCa is a citizen-funded nonpartisan election oversight group formed in 2010, deployed trained poll observers to precincts across California on November 6, 2018.

This report summarizes key findings in the eight counties with the most documented observations: Los Angeles, San Diego, Orange, Riverside, San Bernardino, Ventura, Monterey, and Calaveras.

In these counties, 194 EIPCa volunteers observed a small sample of precincts-- representing 2-10% of the eight counties' total number of precincts-- and documented their observations via written Incident Reports (declarations signed under penalty of perjury). [Of note is that EIPCa cannot find evidence that the Secretary of State deployed any observers in the 2018 Midterm election.]

In addition to Incident Reports, the observers also gathered Witness Statements from voters who had complaints. EIPCa analysts then reviewed the witnesses' publicly-available voter registration data (using VoteCal, the state's voter registration database) to help understand these complaints. EIPCa Incident Reports, as well as its Witness Statements, are evidentiary documents signed under penalty of perjury.

Each documented incident was coded, databased, and quantified by EIPCa analysts. These incidents represent the main source of evidence for this report. Reports sent to EIPCa's website via electronic means were also databased, though these reports are not signed under penalty of perjury.

As a result of EIPCa's observation of the polls since 2012, it has developed a normative database of California election incidents. Statements in this report such as "unprecedented" or "unusual" mean that the number of incidents cited greatly exceed levels documented by EIPCa in past elections (2012-2016).

Key Findings

Finding #1: Vote-by-Mail Ballots Not Delivered to Voters

Thousands of VBM voters did not receive their VBM ballots and were forced to vote provisionally. **EIPCa observers documented 1,304 VBM voters in 165 precincts in eight counties who did not receive their ballots in the mail and had to travel to the polls to vote.** Since none of these voters received a VBM ballot, they could not surrender it to vote normally, and all were forced to vote provisionally.

EIPCa estimates that the actual number of impacted voters may be as many as hundreds of thousands, given the related six figure increase in provisional voting. Observers only watched a small portion (2-10%) of each county's precincts and not every impacted voter showed up at the polls or audibly complained, so the actual numbers likely well exceed the counts in this report.

Of note is that a count of 1,304 impacted voters is unprecedented in EIPCa's eight years observing California polls; incident counts in the 300's have previously been considered significant.

****All counts quoted in this report should be considered "conservative" numbers. EIPCa observers are trained to tally actual numbers of incidents. If an observer does not provide a count but instead says there were "many" or "lots of" incidents, the frequency recorded by EIPCa analysts is conservatively capped at three.**

Observers collected 23 signed Witness Statements plus four complaints to the EIPCa website from established VBM voters who did not receive their ballots. Though Republicans do not skew to voting by mail in the counties observed, the witnesses skew Republican.

Not known are how many of the impacted VBM voters did not vote because they a) didn't get their

“reminder” in the mail; **b**) could not travel to a polling place; **c**) were mishandled by inadequately trained poll workers; or did not want to wait in long lines caused by excess provisional voting.

EIPCa has documentation of one voter who did not receive her VBM ballot, did not know about provisional voting or where to vote and therefore did not vote. In addition, EIPCa has documentation of eight voters threatening or actually leaving their precincts and not voting due to long provisional voting lines.

It’s highly suspicious that so many VBM ballots went undelivered to voters in Los Angeles, San Diego, San Bernardino, Ventura, Orange, Monterey, Riverside and Calaveras counties. One possibility is that the missing ballots were never sent due to technical, vendor or post office errors.

The San Bernardino County Registrar office admits that its vendor failed to mail ballots to 1,129 voters who requested VBM ballots on October 30. Of these, 482 voted at the polls but 646 (57%) failed to vote, likely due to not receiving their VBM ballots, since they had just requested the ballots on October 30. One voter was unaccounted for.

In Orange County, EIPCa has an Incident Report which states that the Registrar of Voters had informed a Precinct Inspector that a “glitch in their software” resulted in mail ballots not being generated. The Assistant Registrar of Ventura County told an EIPCa observer that “20-25% of ballots mailed were returned as undeliverable.”

Another possibility is that some VBM ballots were stolen. Supporting this theory, an observer in Orange County noted that all precincts she observed had complaints of missing VBM ballots—“except the one precinct in a gated community”. Another Orange County observer wrote of hearing that, in two separate San Clemente neighborhoods, thieves stole mail from everyone on their blocks that included VBM ballots.

Finding #2: Poll Voters Changed to VBM Voters Without Consent/ VBM Ballots Not Delivered

Hundreds of poll voters were changed to VBM voters without consent, primarily by the DMV. Most did not receive VBM ballots and were forced to vote provisionally.

Observers documented 496 voters in 112 precincts in eight counties who attempted to vote at their polling places and discovered that they had been changed to “vote-by-mail” status without their knowledge or consent. EIPCa estimates the true number to be much higher, perhaps in the thousands or more, given the number of counties and precincts it observed, as well as media reports.

In addition to being changed to VBM voters, most did not receive VBM ballots, though each was listed on the roster as having been sent one. Since these voters did not have VBM ballots to surrender, they, too, were forced to vote provisionally.

EIPCa observers gathered 26 signed Witness Statements from affected voters plus five voter complaints on its website. Most of the witnesses are long-time poll voters and claim that they would never vote by mail. A media reported documented examples of related voter frustration. The witnesses represent a range of parties, but skew Republican.

EIPCa analysts researched the witnesses’ publicly-available voter registration records and found that more than two-thirds of the witnesses were changed to “permanent vote by mail” (PVBM) via a registration method called “DL44” or “RBM”, which are codes for the DMV’s driver license application in person and by mail. The DMV is integrated with the state’s voter registration system via California’s New Motor Voter Program.

This program has come under fire for causing over one hundred thousand voter registration errors and duplications. According to a media reported, these irregularities occurred between April 23 and August 5, 2018 and voters were urged to check their registrations on line.

It appears that most voters were not informed, nor were the errors corrected, as possibly thousands of midterm poll voters were surprised to find on Election Day that their registrations had been changed. Five witnesses had their registrations altered by the DMV after August 5, 2018, when the problem had been discovered and supposedly rectified. Of interest is that some witnesses who were changed by the DMV to PVBM voters without consent received mail ballots, but most did not. The head of the DMV has since resigned.

On April 9, The Los Angeles Times reported that it had conducted a months-long review of the failures by California election officials to implement a functioning DMV voter registration system. The Times reviewed thousands of emails between California officials that “present a picture of a project bogged down by personnel clashes, technological hurdles and a persistent belief among those involved that top officials were demanding they make the ‘New Motor Voter’ program operational before the June 5, 2018 primary so that it could boost the number of ballots cast.”

The Times article shows what occurred behind the scenes with the troubled roll-out of the DMV automatic registration system. Three months of testing were condensed to six weeks. Hours before the system went live, serious errors were discovered, including “selections flipping from what the customer had chosen”, and this may have been a source of unauthorized changes to voters’ registrations.

The Times is rightly concerned about the voter registration system’s vulnerability to foreign hackers. It neglects, however, to discuss in detail the experiences of individuals who tried to vote on Election Day only to be informed that their voting status had been changed or that their names did not even appear on the voting rolls.

Finding #3: Roster Mistakes Listed Poll Voters as VBM Voters /VBM Ballots Not Delivered

Some poll voters were mistakenly listed as VBM voters on the check-in roster though they were concurrently listed as poll voters on the voter list. Most did not receive VBM ballots and were forced to vote provisionally.

Eight witnesses who were listed on the roster as having been sent VBM ballots did not actually have their voting preferences changed and are still registered as poll voters, per EIPCa analysts who reviewed their publicly-available voter registration information. It is unclear why they were designated on the roster as VBM voters when the rosters are generated from the voter registration information, which designates them as poll voters. The witnesses represent a range of parties, but skew Republican.

This is not California’s first serious check-in roster error. Los Angeles County “mistakenly” omitted all the Vote by Mail designators from its rosters in the November 2014 election and, in June 2018, omitted more than 118,500 voters from its rosters due to a “printing error”.

Finding #4: Mail Ballot Irregularities Caused Excessive Provisional Voting

Unusually high levels of provisional voting created long lines and drove some voters away.

EIPCa observers documented 248 precincts with excessive numbers of provisional ballots cast. In these precincts, provisionals ranged between 13% and 75% of all ballots cast (vs. California’s 2014 Midterm average of 5%vii).

Each provisional ballot took time for the voter to fill out information on the envelope and insert his ballot. This added to chaos and long lines (some as long as a 1 hour and 45-minute wait to vote) in 82 precincts, frustrating voters and poll workers alike.

There were 196 documented incidents of angry voters, a number so above previous norms that EIPCa had to create a new incident report category called “Angry/frustrated/worried voter”. One worried voter asked why she was required to write her political party on the Los Angeles County provisional ballot envelope. The chaos took poll workers away from serving voters and resolving other polling place problems. In an Orange County precinct, the police were called by the poll workers to oversee a long line of disgruntled voters. [See Appendix C for descriptive comments.]

A shocking 35 observed precincts ran out of provisional ballots, envelopes or related supplies. There was a Ventura County report of 16 provisional voters actually turned away due to no provisional supplies. The long lines resulted in eight voters observed walking away or threatening to give up and not vote. EIPCa does not have statistics on how many eligible voters were disenfranchised in this manner.

Los Angeles County voters cast 389,229 provisional ballots, more than triple the 120,928 provisionals cast in the 2014 Midterm election. According to a media report^{viii}, Los Angeles County election officials believe the spike in the county’s provisional ballots was due to VBM voters who had no VBM ballots to surrender. In the same article, Secretary of State Alex Padilla’s spokesperson Sam Mahood said that the increase in provisional ballots is “consistent with a high turn-out election”.

Though the state’s overall 2018 turnout did increase 68% over the 2014 midterm, provisional voting was up 153%, which indicates a systemic problem, not just high turnout. Comparable figures^{ix} for four counties in this report, comparing 2014 and 2018 midterms, show that provisional voting increased well more than did the overall turnout:

<u>County</u>	<u>Increase in all ballots cast</u>	<u>Increase in provisional ballots cast</u>
Los Angeles	+99%	+222%
Orange	+72%	+193%
Riverside	+72%	+183%
San Bernardino	+84%	+264%
Total State	+68%	+153%

California counties had a deadline of December 6 to process all ballots and report results. Excessive numbers of provisional ballots may have reduced the amount of time available to research and validate each ballot. Adding to the problem is that the state de-funded the processing of provisional ballots in 2014, meaning it no longer reimburses counties for this expense.

If counties lack the funds and time to process extraordinary numbers of provisionals, the counting of illegitimate ballots is within the realm of possibility. In fact, several candidates that were declared winners on election night had their leads overturned days later^x, when the provisional ballots were counted.

Finding #5: Some Voters May Have Been Disenfranchised due to VBM Problems

EIPCa analysts looked up the witnesses’ final voting results in publicly-available voting history data. Though it appears that most of their provisional ballots were counted, some results suggest voters may have been disenfranchised. The details are highlighted in Appendix B; EIPCa plans to research these findings further:

Of the 57 signed witnesses who did not receive a VBM ballot and had to vote provisionally.

- Six did not have their provisional ballots counted because they “voted by mail”, though they stated in writing under penalty of perjury that they had not received vote by mail ballots and were observed voting provisionally.
- One did not have her provisional ballot counted because she “voted early”, though she came to the polls and voted provisionally on Election Day.
- Nine did not have their provisional ballots (or any type of ballot) counted, though they appear to have been properly registered.
- Eleven had their provisional ballots counted, but their county’s on-line look-up tool shows that their VBM ballots were “received and verified”.
- The remaining 30 witnesses appear to have had their provisional ballots counted.

It is especially concerning that 17 witnesses who claim not to have received or voted a VBM ballot are shown to have mailed one in.

Finding #6: Election Officials and Media Have Been Mostly Silent About the Undelivered VBM Ballots

While there have been media reports about DMV-caused problems with voters’ registrations, there have been no public statements from election officials and few media mentions of the undelivered mail ballots.

What happened to thousands of missing VBM ballots? Much has been written about the ballot harvesting’ scheme, but EIPCa’s repeated internet searches have turned up no official statements about the unprecedented numbers of voters who did not receive VBM ballots.

EIPCa found only three media articles, one about three people not receiving their ballots, one about post office problems in El Dorado County, and one about frustrated voters changed to VBM voters by the DMV but not receiving their ballots.

An additional article discussing Los Angeles County’s surge in provisional voting, said: “County election officials said the highest volume of provisional ballots came from voters... listed as vote-by-mail voters [who] didn’t have mail ballots with them to surrender.” **There is no mention in the article of why so many did not have VBM ballots to surrender. Why has the media been relatively silent on the missing ballots?**

Because potentially hundreds of thousands of mail ballots went undelivered across several counties, it appears it was caused by a widespread system error. If so, one could reasonably expect an alert and apology from county Registrars’ offices, but EIPCa is not aware of any mentions from the counties or the Secretary of State. A technical error would not be surprising, as such errors in the voting system have become the “new normal” in California.

EIPCa has asked the eight counties’ elections departments for comment.

- Thus far, San Diego, Orange and Los Angeles counties deny having any problems with mailing ballots to voters.
- The Orange County Registrar’s office has not admitted to the “software glitch” they had previously reported to one of its Precinct Inspectors.

- There has been no response from Ventura County, whose registrar office told a voter that she was “one of many in Ventura that never received their mail in ballot.”
- As mentioned earlier, San Bernardino County admits that its vendor failed to send late-requested ballots to 1,129 voters. This failure was county-wide and not concentrated in any one community.

Though 482 voted at the polls instead, 646 who did not receive their VBM ballots did not vote at all. These figures illustrate the negative impact on voting when those expecting to receive a VBM ballot do not receive theirs—57% did not vote.

Finding #7: Suspicious Incidents- Possibly Related

EIPCa observers documented several areas of suspicious behavior that may be related to missing ballots, ballot harvesting or nefarious campaign tactics.

Excessive mail ballots dropped off at the polls

- Election Day far exceeded normal. Tiny Calaveras County accounted for eight of these precincts.
- This happened in a steady stream of persons dropping off 2-5 ballots at a time.

Unlawful conditional voting

- California has a new Conditional Voter Registration law, whereby persons can register and vote on the same day. It is currently in effect only at county registrar offices, designated satellite vote centers in five test counties.
- Despite the law, 185 incidents of conditional voting were documented at 39 non-test-county, non- satellite precincts on Election Day. Person not registered to vote were simultaneously given registration forms and provisional ballots under what appeared to be the practice of same-day registration and voting.
- The largest documented violation was at Pomona College in Los Angeles County. Though the college was not listed as a satellite location for conditional voting on the county’s website, it issued at least 120 conditional ballots to students on Election Day. Students there were reported to be using a phone app that encouraged them to vote conditionally. The “Spadra” precinct at Pomona college had only 164 registered voters but 639 ballots cast.
- The Los Angeles Registrar’s website was reported by some voters to be encouraging this practice in the county, though the information on the website today is consistent with the law. It says that conditional voter registration was “**only** available” at the Los Angeles County registrar office in Norwalk and early voting locations (original emphasis).
- A poll worker told an observer that the San Bernardino County Registrar was encouraging this unlawful practice, though the Poll Inspector denied to the observer that it was even happening. San Bernardino County had five satellite precincts, but conditional voting was observed at ten non-satellite precincts. One issued at least 15 conditional ballots.
- Unlawful conditional voting is suspicious and added to the high levels of provisional voting observed on Election Day. “Purposeful” provisional voting. It appeared to observers in some precincts that much provisional voting was intentional ...
- EIPCa observers documented 169 incidents of what they suspected was “purposeful” provisional voting, primarily in San Diego, San Bernardino and Orange counties.

- One entire precinct in San Diego County was filled with “*many dozens*” of voters that refused to travel to their home precincts and voted provisionally en masse.
- An additional report described voters asking for provisional ballots before they checked in.
- There were unusually high numbers of voters that “forgot” their VBM ballots at home and had to vote provisionally. A suspicious voter in Riverside County reported witnessing 4-6 people come to the poll where she was voting, each saying he “forgot” his mail ballot, lost it, or made a mistake on it and wanted to cast a provisional ballot.
- The claim of “forgetting” a mail ballot may reflect an organized campaign tactic to “flood the zone” with provisional ballots in battleground counties.
- There was a Twitter meme encouraging voters to demand provisional voting.

Ballots found in the bushes.

A man in Orange County found eight signed VBM ballots in a bundle under a bush on his morning jog. The witness photographed the envelopes for EIPCa, then turned them in to the Registrar office. The affected voters represent a range of political parties, per publicly-available registration data.

Suspicious poll worker behavior.

- A Poll Inspector in San Diego County told an EIPCa observer that “hundreds of poll workers had cancelled at the last minute...”. This may have been a political tactic to create chaos at the polls.
- Calaveras County had two precincts in which the poll workers used their own hand written or computerized “tally sheets” of who had voted and then appeared to be communicating the information by cell phone to unknown recipients. The poll workers refused to turn in their tally sheets with the election materials.
- This behavior, which had also occurred in Calaveras County’s June 2018 primary election, gave the appearance of poll workers assisting a political campaign.
- A progressive group has openly advocated for placing its activists into the polls as workers.

Appearance of “manufactured chaos”.

In addition to what appeared to be ‘purposeful’ provisional voting that added to long lines and chaos at the polls, and “no-show” poll workers in several counties, observers in Calaveras County reported eight incidents in this small county of disruptive voters who appeared to be purposefully yelling and otherwise disrupting the polling places.

Conclusions and Recommendations

It is clear from EIPCa poll observer reports and witness statements from a sample of just 2-10% of precincts in eight counties that California’s November 6, 2018 midterm election was dysfunctional in many ways. Likely thousands or possibly hundreds of thousands of eligible voters were harmed by the actions (or inactions) of the state.

The following list of “harms” exceeds the normative levels EIPCa has observed in the past elections of 2012-2016:

- ✓ VBM ballot delivery failures
- ✓ possible VBM ballot security failures (stolen or re-routed VBM ballots)
- ✓ changes to voter registration without consent, resulting in poll voters denied access to secret ballots
- ✓ disruption at the polls due to excessive provisional ballots cast-- resulting in angry voters
- ✓ non-voting due to not receiving VBM ballots (57% did not vote in the San Bernardino Co. example)
- ✓ non-voting due to long lines
- ✓ disenfranchisement if provisional ballots were not counted
- ✓ disenfranchisement if falsified mail ballots were counted
- ✓ possible dilution of votes due to mass provisional voting with limited processing time
- ✓ unlawful conditional voting.
- ✓ damaged confidence in elections

Thousands not receiving their VBM ballots, registrations altered without consent, suspicious behavior at the polls, angry voters and a provisional ballot surge well exceeding the increase in overall voter turnout in several counties are symptoms of a serious, statewide breakdown in California's voting system that must be investigated. EIPCa seeks answers to why this happened and what remedy is available to correct the problems.

EIPCa continues to seek evidence of a significant technical problem that impacted the delivery of mail ballots. It will also seek evidence related to "purposeful" provisional voting and other suspicious Election Day incidents.

The state must stop involving the DMV in voter registration. The New Motor Voter Program is demonstrably a chronic source of voter registration errors.

The state must outlaw the harvesting of VBM ballots, which, combined with the Voter's Choice Act's plan to provide every registered voter with a mail ballot, would be a disaster for California election integrity. The Los Angeles Times has opined that harvesting should be discontinued or at least have added safeguards.

The state's VoteCal voter registration database has and has had serious inadequacies. This is especially true in the area of generating the state's check-in rosters and possibly the VBM ballots. Because VoteCal has been shown by EIPCa as unable to perform simple functions such as identifying duplicate registrations, this database should not be used to assure that "conditional" voters are not already registered in the state. Other legislation that relies on a valid statewide voter registration database should be sidelined at least until VoteCal is proven reliable.

Appendix A: Incident Frequencies

Below are the number of occurrences of each incident documented by EIPCa poll observers and described in this report. EIPCa observers are trained to tally actual numbers of incidents. If a busy observer does not provide a count but instead says there were "many" or even "alarming amounts" of an incident, the frequency recorded by EIPCa analysts is capped at three. Therefore, all counts quoted in this report should be considered "conservative" numbers.

Incident Code	Incident Description	Number of Occurrences	Notes
G4	VBM voter did not receive VBM ballot and forced to vote provisionally	1,304 voters	
G3	Poll voter changed to VBM voter without consent and forced to vote provisionally	496 voters	
G10	VBM ballot received without consent	63 voters	
G2	Registered voter not on roster and forced to vote provisionally	317 voters	
G1	Roster inaccurate/ out of date	67 voters	
G13	Long-time voter changed without consent	84 voters	
G7	Voter transacted with DMV and had registration errors	87 voters	
C1	Excessive numbers of provisional ballots cast	248 precincts	Provisional ballots were 13%-75% of all ballots cast vs. a midterm norm of 5%
C10	Ran out of provisional envelopes, supplies	35 precincts	
C100	Provisional ballots overflowing/ not fit in container	17 precincts	
B18	Voter angry/frustrated/ worried	196 voters	
B100	Voter did not vote/ left/ almost left without voting	9 voters	
B3	Chaos/long lines at polls	82 precincts	20 to 105-minute waits
K1	Excessive numbers of VBM ballots dropped off at polls	22 precincts	
K3	Unlawful conditional voting	185 voters	39 non-designated precincts
K1	"Purposeful" provisional voting	169 voters	Primarily San Bernardino, San Diego and Orange counties
K1	Suspicious poll worker behavior	213 poll workers	Primarily San Diego Co. no-shows
K1	Appearance of "manufactured chaos"	9 incidents	Primarily Calaveras Co.
Total	All related incidents	3,603	

Appendix B: Summary of Witness Statements2

There are three groups of witnesses shown below. Each submitted a written statement signed under penalty of perjury unless otherwise noted. EIPCa analysts researched witnesses' voter registrations in publicly-available VoteCal data of February 7, 2018, October 17, 2018, and February 8, 2019 and checked the ballot status for many on county websites. Results are described below.

Group 1: VBM voter but did not receive a VBM ballot. Listed as VBM voter on roster but had no ballot to surrender and was forced to vote provisionally.

1. C. R.- Orange Co- Republican (EIPCa doc #OC55)
PVBM voter since December 2017 but did not receive VBM ballot.
“...I received all other sample ballots and voter guides etc....The actual voting absentee ballot is the only piece of important mail I did not receive...”
Update: VoteCal data shows she voted EARLY, though she claimed did not receive VBM ballot, came to poll on Election Day and voted provisionally.
2. S. G.- Orange Co- Republican (OC33)
PVBM voter since 1987 but did not receive mail ballot, though he had pre-confirmed it was sent.
Update: VoteCal data shows he VOTED BY MAIL, though he claimed he did not receive VBM ballot, came to poll on Election Day and voted provisionally.
3. D. G.- Orange Co- Republican (OC34)
PVBM voter since 1986 but did not receive VBM ballot, though he had pre-confirmed it was sent.
Update: VoteCal data shows she VOTED BY MAIL, though she claimed she did not receive vote-by- mail ballot, came to poll on Election Day and voted provisionally.
4. T. M.- Orange Co- NPP (OC50)
PVBM voter since 2012 but did not receive VBM ballot.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
5. C.- Orange Co- American Independent (OC51)
PVBM voter newly registered and on list in October 2018 but did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
6. G. T. – Orange Co- Democrat (OC59)
PVBM voter since 2000 but did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
7. S. S.- Orange Co- NPP (OC57)
PVBM voter since 2008 but did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
8. N. G.- Orange Co- Republican (OC28)
Registered as PVBM voter in September 2018 but did not receive VBM ballot.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
9. M. S.- Los Angeles Co- Republican (LA17)
PVBM voter since 2014. Updated registration via “DL44” in July 2018. Still registered PVBM but did not receive VBM ballot.
“...all three family members did not receive.”
Update: VoteCal data indicates his provisional ballot was counted. However, county registrar website says his VBM ballot was issued Oct.9 and was “received and verified”.
10. C. S.- Los Angeles Co- NPP (LA17)
PVBM voter since 2016 but did not receive VBM ballot.
Update: VoteCal data indicates her provisional ballot was counted.
However, county registrar website says her VBM ballot was issued Oct.9 and was “received and verified”.

11. I. S.- Los Angeles Co- NPP (LA17)
Newly registered as PVBM via “DL44” in May 2018 but did not receive VBM ballot.
Update: VoteCal data indicates her provisional ballot was counted.
However, county registrar website says her VBM ballot was issued Oct.9 and was “received and verified”.
12. G. R.- Los Angeles Co- Republican (LA20)
PVBM voter since 2004 but did not receive VBM ballots in June 2018 and Nov. 2018. June provisional ballot was counted, per SOS website.
“Second time I did not receive a vote by mail ballot...”
Update: VoteCal data indicates her provisional ballot was counted.
However, county registrar website says her VBM ballot was issued Oct.9 and was “received and verified”.
13. E.M.- Los Angeles Co- Democrat (LA119)- unsigned survey response
Updated registration in October 2017 to PVBM but did not receive VBM ballot or sample ballot.
14. D. W.- Los Angeles Co- Democrat (LA120)- unsigned survey response
Poll voter who requested one-time VBM ballot sent to Maine. Confirmed it had been sent but did not receive.
15. J. K.- Los Angeles Co- Democrat (LA120)- unsigned survey response
Poll voter who requested one-time VBM ballot sent to Maine. Confirmed it had been sent but did not receive.
16. E. C.-Riverside Co- (R20)- unsigned complaint via email
Registered to vote by mail in October 2018 via on-line system.
Did not receive VBM ballot, did not know about provisional voting or where to vote, so she did not vote.
17. C. R.- San Diego Co- NPP (SD2)
PVBM voter since 2011 but did not receive VBM ballot.
“I did not receive my mail ballot...neither did my family members in the same address.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
18. E. I.- San Diego Co- NPP (SD3)
PVBM voter since 2010 but did not receive VBM ballot.
“Election material was received but no ballots were received.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
19. L. B.- San Diego Co- NPP (SD9)
PVBM voter since 2016 but did not receive VBM ballot.
“Did not receive my mail ballot so had to go to polling place.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
20. C. M.- San Diego Co- Republican (SD10)
Poll voter who updated to PVBM via mail in May 2018 but did not receive VBM ballot.
Update: VoteCal data indicates that her vote was NOT COUNTED, though she was registered to vote on time and voted provisionally on Election Day.

21. A. M.1- San Diego Co- Democrat (SD11)
 PVBM voter since 2012. Changed address on Oct. 10, 2018, address on list is correct, but did not receive VBM ballot.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
22. A. M.2- San Diego Co- Democrat (SD36)
 PVBM voter since 2014. Updated registration to change apartment number in June 2018. October 2018 list has correct apartment number but did not receive VBM ballot.
 “For first time, did not receive absentee ballot...”
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
23. M. J.- San Diego Co- Democrat (SD53)
 PVBM voter since 2016 but did not receive VBM ballot.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
24. M. R.- San Diego Co- Republican (SD74)
 PVBM voter since 2012 but did not receive VBM ballot two times.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
25. S. N. S.- San Diego Co- NPP (SD75)
 PVBM voter since 2012 but did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
26. E. S.- Tehama Co- American Independent (changed to NPP) (T1)
 PVBM voter since 2006. Requested change to NPP via “DL44” in September 2018.
 Did not receive VBM ballot and called Registrar, who told him that he asked to be removed, per the DMV. But he is still on the list as a PVBM voter but did not receive a VBM ballot.
 “...The application for [driver license] renewal asked the question would you like to register to vote (yes) or (no). My answer was marked no as I had been registered to vote by mail for eleven years...my name had been removed from voting rolls by notification by the DMV...she informed me that this happened often...”
Update: VoteCal data shows he VOTED BY MAIL, though he claimed he did not receive vote-by-mail ballot, came to poll on Election Day and voted provisionally.
27. S. Z.- Ventura Co- Republican (V66)
 PVBM voter since 1992 but did not receive VBM ballot.
Update: County registrar website says two VBM ballot requests were processed- one on Oct. 8 and another on Nov. 1. Voted VBM ballot was processed Nov 2, 2018. VoteCal data shows she VOTED BY MAIL, though she claimed she did not receive vote-by-mail ballot, came to poll on Election Day and voted provisionally.

Group 2: Poll voter changed to VBM voter without consent.

Most did not receive a VBM ballot. Arrived to vote at poll, listed as VBM voter on roster, had no ballot to surrender and was forced to vote provisionally. DMV (“DL44”, “RBM”) voter registration was the primary cause.

1. L. B.- Orange Co- Republican (OC84)
 Poll voter since 1981. Updated registration via “DL44” in July 2018. Changed to PVBM without consent. Did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

2. B. K.- Orange Co- Republican (OC48)

Poll voter since 2004. Updated registration via “DL44” in September 2018. Changed to PVBM without consent. Did not receive VBM ballot.

“I am a proud voter. I’ve voted for 50 years and would never vote by mail. I’m upset by this.”

Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

3. D. L.- Orange Co- Republican (OC47)

Poll voter since 2002. Updated registration via “RBM” in September 2018. Changed to PVBM without consent. Did not receive VBM ballot.

“I have never had a problem voting in the past...I have never voted by mail and did not ask for this!!!”

Update: VoteCal data indicates that her ballot was NOT COUNTED, though she was registered to vote on time and voted provisionally on Election Day.

4. C. E.- Orange Co- Republican (OC92)- unsigned survey response

Poll voter for 40 years. Updated registration via SOS on-line system in May 2018. Changed to PVBM without consent. Unknown if she received a VBM ballot, but she had none to surrender.

Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

5. R. M.- Orange Co- Republican (was Democrat) (OC93)- unsigned survey response

Poll voter since 2008. Updated registration via SOS on-line system in June 2018. Changed to PVBM without consent. Unknown if she received a VBM ballot, but she had none to surrender.

“...I overheard two others with the same problem...also, why did I have to put my political party on the outside of the envelope?”

Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

6. K. B.- Los Angeles Co- Republican (LA18)

Poll voter since 1985. Updated registration via “DL44” in July 2018. Changed to PVBM without consent. Did not receive VBM ballot.

Update: VoteCal data indicates her provisional ballot was counted. However, county registrar website says her VBM ballot was issued Oct.9 and was “received and verified”.

7. D. B.- Los Angeles Co- Democrat (LA18)

Poll voter since 1983. Updated registration via “DL44” in June 2018. Changed to PVBM without consent. Did not receive VBM ballot.

“Never registered to vote by mail. Always have voted in person.”

Update: VoteCal data indicates his provisional ballot was counted. However, county registrar website says his VBM ballot was issued Oct.9 and was “received and verified”.

8. D. H.- Los Angeles Co- Republican (LA 72, LA 90)

Poll voter since 1980. Updated registration via “DL44” in September 2018. Changed to PVBM without consent. Did not receive VBM ballot.

“I am extremely angry that my designation was changed to mail vote causing me to vote provisionally. I feel my vote does not count... I feel I am the victim of voter fraud...I feel my age and party affiliation are factors in not receiving ballot...”

Update: VoteCal data indicates her provisional ballot was counted. However, county registrar website says her VBM ballot was issued Oct.13 and was “received and verified”.

9. A.W.- Los Angeles Co- Democrat (LA1)
 Poll voter since 2008. Updated registration via DMV in June 2017. Changed to PVBM without consent. Did not receive VBM ballot.
 “I was listed as vote by mail but never requested to vote by mail. I never received a ballot...”
Update: VoteCal data indicates his provisional ballot was counted. However, county registrar website says his VBM ballot was issued Oct.9 and was “received and verified”.
10. M. D.- Los Angeles Co- Democrat (LA21)
 Re-registered from PVBM to poll voter January 2018 via SOS on-line system (though he claims it was via DMV). Still listed as PVBM in October 2018. Did not receive VBM ballot.
 “Entire new voter registration at DMV on 1/26/18 to ensure any trace of vote by mail deleted. Arrived at polling station. On vote by mail list!”
Update: County registrar website says VBM ballot was issued Oct. 9 and says VBM ballot is still in process. Says provisional ballot was not counted. Witness’s called Registrar, who said his provisional was not counted and would not give the reason why. VoteCal data verifies that NO VOTE WAS COUNTED (neither VBM nor provisional).
11. R. M.- Los Angeles Co- Republican (LA88)
 Poll voter since 2004. Updated registration via “RBM” when he got a new driver license. This created a second registration for him (with his middle name spelled out) without consent, which is a PVBM registration. He received a VBM ballot without consent.
Update: County registrar website says VBM ballot was issued Oct. 18 and says VBM ballot is still in process. Says provisional ballot was not counted. However, VoteCal data shows he voted at poll, which indicates that his provisional ballot WAS counted.
12. D. D.- Los Angeles Co- Republican (LA19)
 New registration via “DL44” in June 2018 and made PVBM without consent. Received VBM ballot but threw away and came to polls.
 “I did not request a VBM form and received one anyways...”
Update: VoteCal data indicates his provisional ballot was counted. However, county registrar website says his VBM ballot was issued Oct.9 and was “received and verified”.
13. D. E.- Los Angeles Co- NPP (was a Democrat) (LA123)- unsigned survey response
 Poll voter since 2001. Updated registration via “DL44” in September 2018. Changed to PVBM without consent. Unknown if she received a VBM ballot, but she had none to surrender.
14. M. F.- San Diego Co- Republican (SD12)
 Poll voter since 2017. Updated registration via “DL44” in May 2018. Changed to PVBM without consent. Did not receive VBM ballot.
 “Did not receive mail-in ballot. Was not aware I was mail-in voter.”
 Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
15. D. M.- San Diego Co- Democrat (SD13)
 Poll voter since 2008. Updated registration via “office” in 2016. Changed to PVBM without consent. Unknown if he received a VBM ballot, but he had none to surrender.
 “Listed by mail conflict. Always voted at precinct listed.”
 Update: VoteCal data indicates that his ballot was NOT COUNTED, though he was registered to vote on time and voted provisionally on Election Day.

16. M. M.- San Diego Co- Democrat- (SD14)
 Poll voter since 2004. Registration was duplicated with a different name spelling in May 2018 via “DL44”. New registration without consent. Made PVBM without consent. Other registration still poll. Unknown if she received a VBM ballot, but she had none to surrender.
 “...they said I requested a mail ballot which I did not.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
17. E. R.- San Diego Co- Democrat (SD37)
 Poll voter since 2000. Changed address via NCOA in February 2017. Changed to PVBM without consent. Received VBM ballot.
 “...I don’t recall requesting mail in because if I were aware I would have not requested mail in.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
18. T. W.- San Diego Co- Republican (SD112)
 Poll voter since 2008. Updated registration via the registrar office in November 2016. Changed to PVBM without consent. Unknown if he received a VBM ballot, but he had none to surrender.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
19. S. A.- San Bernardino Co- Republican (SBern23)
 Poll voter since 2016. Updated registration via SOS on-line system in October 2018. Changed to PVBM without consent. Did not receive VBM ballot.
 “I never received a mail in ballot nor did I request one...”
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
20. M. E.- San Bernardino Co- Republican (SBern43)
 Updated registration to poll voter in November 2017. Updated via “DL44” in July 2018. Changed to PVBM. Did not receive VBM ballot.
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
21. J. G.- San Bernardino Co- Democrat (SBern11)
 Poll voter since 2008. Updated registration via SOS on line system in July 2016. Changed to PVBM without consent. Unknown if she received a VBM ballot, but she had none to surrender.
 “...Today when I came in, my voting preference had been changed to ‘mail-in’. I never changed my status.”
Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.
22. T. B.- San Bernardino Co- Republican- now NPP (SBern69)
 Poll voter since 2004. Updated registration via “DL44” in August 2018.
 Changed to PVBM without consent. Also changed to NPP. Unknown if he received a VBM ballot, but he had none to surrender. Unknown if he chose to change to NPP.
 “...I have never used a mail in ballot- ever- and never requested one... [My children] were also changed to permanent mail in...”
Update: VoteCal data shows he VOTED BY MAIL, though he claimed he did not receive vote-by-mail ballot, came to poll on Election Day and voted provisionally.
23. K. B.1-San Bernardino Co- Republican (SBern69)
 Updated registration via SOS on-line system in June 2016. Changed to PVBM. Unknown if she received a VBM ballot, but she had none to surrender.
Update: VoteCal data shows she VOTED BY MAIL, though it’s claimed she did not receive vote-by- mail ballot, came to poll on Election Day and voted provisionally.

24. K. B.2- San Bernardino Co- Republican (SBern69)
 Updated registration at the poll in June 2016. Changed to PVBM. Unknown if she received a VBM ballot, but she had none to surrender.
Update: County registrar website says “mail ballot was not received”. VoteCal data indicates her ballot was NOT COUNTED, though she was registered to vote, came to poll and voted provisionally.
25. K. P.- San Bernardino Co- Republican (SBern5)
 Poll voter since 1984. Updated registration via “DL44” in July 2018. Changed to PVBM without consent. Received VBM ballot but did not bring one to surrender.
 “Received mail in ballot...Have never gotten mail in ballot before nor did I request one...”
Update: County registrar website says “mail ballot was not received”. VoteCal data indicates that her ballot was NOT COUNTED, though she was registered to vote, came to poll and voted provisionally.
26. A. B.- San Bernardino Co- No Party Preference (SBern6)
 Poll voter since 1998. Updated registration via “DL44” in September 2018.
 Changed to PVBM without consent. Received VBM ballot but threw it away and had none to surrender.
 “Apparently, we got switched to permanent mail in ballot without our knowledge or consent. We received the mail in ballots but disposed of them.”
Update: County registrar website says “mail ballot was not received”. VoteCal data indicates that his ballot was NOT COUNTED, though he was registered to vote, came to poll and voted provisionally.
27. G. W.- Monterey Co- Republican (M2)
 Poll voter since 1998. Updated registration via “RBM” in July 2018.
 Changed to PVBM without consent. Do not know if he received VBM ballot but had none to surrender.
 “I was told that I was an absentee voter and had already been issued a ballot... I had not signed up for absentee...”
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
28. D. K.- Monterey Co- Republican (M51)- unsigned survey response
 Poll voter since 1999. Updated registration with new address via SOS on-line system in August 2018. Changed to PVBM without consent. Do not know if he received VBM ballot.
29. R. M.- Calaveras Co- American Independent (C29)
 Poll voter since 2012. Updated registration via “DL44” in August 2018.
 Changed to PVBM without consent. Received VBM ballot but threw away.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
30. C. R.- Calaveras Co- Republican (C34)
 New registration in November 2016. Made PVBM without consent. Received VBM ballot but did not bring it to surrender.
Update: VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.
31. E. L.- Amador Co- NPP (was Republican) (A1)- unsigned survey response
 Poll voter since 2017. Updated registration via “DL44” in August 2018.
 Changed to PVBM without consent. Party changed to NPP without consent. Received VBM ballot but gave to registrar. Happened to husband as well.

Group 3: Poll voter on the voter registration list, but mistakenly listed as mail voter on the check-in roster. Most did not receive mail ballot and forced to vote provisionally.

1. D. S.- Riverside Co- Republican (R3)

Long-time poll voter. Updated registration in April 2018

...still listed as poll voter but on roster as VBM voter. Did not receive VBM ballot. This also happened in June 2018. This time, she pre-confirmed her registration with the county, but it still happened.

“...My polling place register shows me as a mail ballot voter. I did not get a mail ballot. I had phoned Riverside Election Dept several times to ensure this did not happen...”

Update: VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

2. P. J.- San Bernardino Co- Democrat (SBern19)

Poll voter since 1984. On list as poll voter but on roster as VBM voter. Did not receive VBM ballot.

“The facts are, we were not sent and did not request mail-in ballots...I worry that this will affect my vote and my husband’s...we heard multiple voters being told the same story.”

Update: County registrar website says “no mail ballot status information found”. VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

3. D. J.- San Bernardino Co- Democrat (SBern19)

Poll voter since 2012. On list as poll voter but on roster as VBM voter. Did not receive VBM ballot.

Update: County registrar website says “no mail ballot status information found”. VoteCal data shows he voted at poll, which indicates that his provisional ballot was counted.

4. P. W.- San Bernardino Co.- Republican (SB21)

Poll voter since 1991. On list as poll voter but on roster as VBM voter. Did not receive VBM ballot.

“Hotline... argued that I went to the DMV and changed it...stated that it was mailed to me on the 31st and I should have received it.”

Update: County registrar website says “mail ballot was not received”. VoteCal data indicates that her ballot was NOT COUNTED, though she was registered to vote, came to poll and voted provisionally.

5. M. R.- San Bernardino Co- Republican (SB67)

Poll voter since 2009. On list as poll voter but on roster as VBM voter. Did not receive VBM ballot.

“I never requested a mail-in ballot!”

Update: County registrar website mail ballot status says “no results found”. VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

6. V. C.- San Bernardino Co- Democrat (SB97)

Poll voter since 1997. On list as poll voter but on roster as VBM voter. Did not receive VBM ballot.

“I was not allowed to vote because they stated I was sent a mail ballot which I did not receive. So I was given a provisional ballot...”

Update: County registrar website says “no mail ballot status information found”. VoteCal data shows she voted at poll, which indicates that her provisional ballot was counted.

7. S. L.- Los Angeles Co- Democrat (LA14, 15)

Long-time poll voter changed in 2017 to PVBM via NCOA change of address.

Updated registration to poll voter in October 2018. On list as poll voter but on roster as VBM voter.

Received VBM ballot but did not bring one to surrender. This has happened in last two elections. Her June 2018 provisional was counted.

“This is the second time I tried to vote that there is incorrect information on my voting status... I never signed up to vote by mail...I have been voting for over 50 years and have never encountered the complications these last two elections have presented.

The LA County Register Recorder has a moral obligation to rectify this “default” vote by mail issue. It is highly suspect and commensurate with the voter suppression movement in this country...”

Update: VoteCal data indicates her provisional ballot was counted. However, county registrar website says her VBM ballot was issued Oct.9 and was “received and verified”.

8. C. Y.- Los Angeles Co.- No Party Preference (LA2)

Updated registration on line to change from PVBM to poll voter in August 2018.

His change to poll voter was confirmed via email. On list as poll voter but on roster as VBM voter. Received VBM ballot but did not bring one to surrender.

“Changed from absentee ballot voting to in-person voting. Received... email confirmation...Received both absentee ballot in mail AND vote-in-person instructions. Poll...had my name listed as vote by mail.”

Update: County registrar website says VBM ballot was issued Oct. 9 and says VBM ballot is still in process. Says provisional ballot was not counted. VoteCal data shows that NO VOTE WAS COUNTED (neither VBM nor provisional).