



EVERY LAWFULLY CAST VOTE ACCURATELY COUNTED

SB 450

CONSIDERING THE VOTE CENTER MODEL OF VOTING

Laws are intended to protect people and benefit society as a whole. The Social Contract mandates that civilized individuals respect the laws they have collectively made (through their governmental representatives) so that all are free to live, work and play in comfort and safety.

Equally true is that all laws have unfortunate consequences, unintended or otherwise. When those consequences actually overwhelm the benefits of a law, that law must be revisited to be amended or eliminated for a brand new start.

In the case of California's SB 450, the inaptly named Voters' Choice Act passed in 2016, it is fortunate that it has not been fully implemented in any county as of yet. That means that citizens have an opportunity to familiarize themselves with the pros and cons, and give input to those in their county who will make the final decision as to whether to implement the provisions of the law or not. In counties with an elected Elections Official, that person will make that decision. In counties with a hired or appointed Elections Official, the County Board of Supervisors will have the final say.

Below are the facts about the voting system as it currently exists, followed by the features of the Vote Center Model established by SB 450, both presented with pros and cons.

CURRENT VOTING SYSTEM

- 29 days of early voting
 - Pros:
 - This long time window gives people a heavily expanded opportunity to vote early for whatever reason without requesting a mail ballot.
 - This leniency alleviates voter concerns about mail ballot voting, which requires them to submit their blank ballot or voted ballot to the handling of the USPS.

- Cons:
 - Early voting does not remove the risk of ballot processing errors or machine “malfunctions”, since an early vote is cast either by machine or in a mail ballot envelope.
- Same-day registration opportunity at the County Elections office or any official satellite location designated by the County Elections Office, with the casting of a provisional ballot
 - Pros:
 - This provision gives unregistered people a last minute opportunity to decide to participate in an election, which benefits people who have recently moved, returned from travels, etc.
 - Cons:
 - Given the subjectivity of the signature verification process, the current chaos of the voter rolls, the newness and significant unresolved issues connected to VoteCal, the new statewide voter database, and the **lack of ID verification**, this process contains a significant added risk of unlawful ballots being counted
- Single election or permanent mail ballot voting
 - Pros:
 - Voters who must, because of their own schedule or living circumstances, vote by mail have the opportunity to do so.
 - Cons:
 - Voters choosing to vote by mail for “convenience” rather than out of necessity are inadvertently contributing to the diminished integrity of the electoral process by requesting and casting ballots that are vulnerable to loss, theft, harvesting and manipulation.
 - The permanent mail ballot voting option lulls voters into believing they have cast a ballot that will be accurately counted; the reality is that ballot harvesting and manipulation are **very real risks**, and no one casting a mail (or provisional) ballot can be sure that the ballot arrived, or was counted without manipulation
 - A growing number of mail ballot voters are not receiving their ballot and if they don’t report the fact IMMEDIATELY, that ballot is “in the wind” and very likely harvested, voted, submitted and counted before the legitimate voters can vote provisionally at the polls. In that event, the

provisional ballot option gives the voters a false sense of participation in the election when, in reality, if the system operates correctly, their provisional ballot will be rejected.

- A growing number of people are being shifted to permanent mail voting without their desire, permission or knowledge. Their risks are intensified because since they are not expecting a ballot, they do not have the protection of being able to report it missing in a timely fashion.
- 29-day availability of mail ballot drop off at the County Elections Office—often with a drive-through option
 - Pros:
 - Voters have a relatively convenient method of ballot submission that gives them peace of mind.
 - Cons:
 - There is not a statewide standard for procedures that would guarantee ballot protection and lawful submission. The voters and the security of their ballots are at the mercy of the individual Elections Officials.
- Community Drop-off locations for mail ballots—available for any County Elections Official to set up, whether or not the county participates in the Vote Center Model
 - Pros:
 - These drop-off opportunities have been very popular with voters who are concerned about surrendering their ballot to the USPS but who still prefer to vote with a mail ballot. They are close to home, and IF SET UP WITH PROPER SECURITY they are as secure as submitting the ballot at the polls or at the County Elections Office.
 - Cons:
 - The law requires the Secretary of State to establish procedures and regulations to be implemented statewide with respect to the Community Drop-off program. He has until the end of 2017 to do so. It remains to be seen whether his standards will be sufficient to protect the integrity of the ballots submitted under this program. At the very minimum, it should be mandated that:
 - ✓ the drop box be actively attended at all times by two (2) individuals trained by the County Office, who will inspect every envelope prior to submission for the protection of the voter

- ✓ the contents of the drop box be collected daily by two (2) individuals bonded by the County Office, one of whom remains in the vehicle as security for the already-collected ballots, and transported under two-person chain of custody to the County Office
 - ✓ the drop box be kept overnight in a securely locked location within the building
 - The “convenience” of this option further anesthetizes the voters to inadvisability of voting by mail if they have another option
- Neighborhood Precinct polling places are available on Election Day for same-day voting (the least risk-prone, i.e. safest, way to vote) and submission of mail ballots
 - Pros:
 - Making the wise choice to vote safely is close and convenient.
 - The ability to cast a low-risk ballot is provided in very close proximity to each voter’s home.
 - Cons:
 - Recruitment and proper training of sufficient numbers of poll workers is often a challenge.
 - Location of appropriate voting venues is often a challenge.
 - Supervision of procedures at polling places on Election Day requires organization and specific training.
- Ability to vote at any polling place with a county using a provisional ballot on Election Day
 - Pros:
 - In the rare event that a voter is unable to make it to the neighborhood polling place at any time during the 13 hour voting day, casting a provisional ballot at any nearby polling place is still possible, preventing disenfranchisement.
 - Voters who value convenience to the point that they are willing to risk casting a ballot that is vulnerable to manipulation, and that may disenfranchise them in some way, can enter the lottery of provisional voting and still participate.

➤ Con:

- This provision stretches, if not violates, the intent of the federal mandate regarding provisional ballots, and leads to partial disenfranchisement of voters voting this way out of “convenience”.
- This provision causes great time and financial burdens on County Elections Officials because of the nature of the verification process.
- This provision allows for the possibility of more unlawful votes to be counted than in any other state.
- Together with the circumstances generated by the lack of voter ID requirement and the posting and maintaining of the street index, indiscriminate provisional voting facilitates voter impersonation and multiple votes by a single individual.

VOTE CENTER MODEL

- 29 days of early voting (Same pros and cons as above)
- Same-day registration opportunity at the County Elections office Vote Center (Same pros and cons as above)
- All registered voters will be sent a mail ballot, requested or not

➤ Pros:

- The proponents of this provision believe that more people will participate if the ballot is sent to their door. (Evidence from the states that have implemented all mail voting would suggest that this argument is false. It appears that what motivates people to vote is not the receipt of a ballot but a desire to participate in the process.

➤ Cons:

- Having more ballots delivered to mail boxes facilitates ballot increased harvesting and ballot theft.
- Those who choose not to vote will discard their ballots, leaving them in the trash or recycle bins for harvesting.
- Those who have no desire to use their ballot are ripe to be offered money or reward for their ballot.

- Homeless and itinerate individuals may not receive a ballot, and will be equally less able to travel the longer distance necessary to vote at a Vote Center.
 - People with handicaps, particularly visual or physical handicaps that affect writing, will be at the mercy of caretakers to mark their ballot as directed, and travel to Vote Centers where they can get neutral assistance or machine assistance will be more difficult.
 - People living in abusive or domineering circumstances will lose the right to vote in a non-influenced fashion in the protected confines of a voting booth. Their abuser/dominator will take charge of their ballots in the home and see that they are marked their way.
 - Especially considering the new law allowing individuals to turn in an unlimited number of ballots at one time, certain groups of people, such as college students and union members, may be at risk of being coerced or bullied into communal voting situations where they might experience a loss of privacy for voting.
 - Because of the current chaos in the voter rolls, many ballots will be sent to deceased voters and to voters at addresses where they no longer reside. All of those ballots are ripe for harvesting, sale and theft.
 - Virtually all votes will now be subject to processing error, mishandling and wrongdoing.
 - Opportunity for citizen oversight is greatly reduced, thus distancing voters from their own process.
- 29-day availability of mail ballot drop off at the County Elections Office—often with a drive-through option (same pros and cons as above)
 - Required Community Drop off boxes (same pros and cons as above)
 - Vote Centers provided for every 60,000 voters
 - Pros:
 - ✓ This system will likely greatly reduce the number provisional ballots, although until a solution is found for the number of people who never receive the ballot sent to them, significant numbers will be cast. In addition, the same day registration procedure will add to those numbers.

- ✓ This system may reduce the number of in-person voter impersonations.
- Cons:
 - ✓ Finding locations large enough in within the mandated geographic locations presents a huge challenge for the county.
 - ✓ There will be no precinct voting locations available for convenient in-person voting. **Voter choices reduced**, not enhanced as the name of the bill would suggest.
 - ✓ More people will be forced by circumstances to submit their ballots by mail due to the inconvenience of distant vote centers.
 - ✓ The only in-person voting option will be at the vote center by machine, which opens up an entirely new area of concern.
 - ✓ Opportunity for citizen oversight is greatly reduced, thus distancing voters from their own process.
- Provisional Ballots still available for voters who need them for whatever reason (pros and cons same as above)

SB 450 places a greater burden on County Elections Officials, burdening them with gathering and reporting elaborate collections of statistics to the Secretary of State.

The Secretary of State's office will also be bogged down in the statistical analyses mandated by this bill, and though some studies are necessary to track the impact of election procedures on overall integrity, statistical overkill is possible. In order to fulfill the mandates of this bill, the Secretary of State may well be pressed to bring more employees and bureaucrats onto the public payroll.

Colorado has adopted the Vote Center Model for voting, and many Colorado voters express significant concern over the integrity of their votes as a result. So far one county in California, Orange, has determined that the integrity concerns warrant a rejection of the offer to pilot the program in their county.

Election Integrity Project California urges citizens in counties considering a move to the Vote Center Model to read the bill for themselves (www.leginfo.gov), consider the pros and cons discussed above, and communicate thoroughly to the decision-makers in their county in order to participate in the decision.