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Economy & Efficiency Commission Presentation

Editorial Note: Although every effort has been made to insure the accuracy of the material in this presentation, the scope of the material covered and the discussions undertaken lends itself to the possibility of minor transcription misinterpretations.

**PRESENTATION BY
Ms. Conny B. McCormack
Registrar-Recorder/County Clerk, Los Angeles County**

Topic: The Lessons of the 2004 Election

December 2, 2004

Chairman Philibosian introduced Ms. McCormack and welcomed her to the Commission.

Record Breaking Numbers

Ms. McCormack reported to the Commission the record breaking numbers of voters in the most recent election which resulted in a 79% voter turn-out, whereas the statewide turnout was 75%. This is particularly noteworthy since the county usually has a 4% lower turnout than the state. Over 3,085,000 people in the county voted in the election which created a dynamic the Registrar's Office had not been seen before. In this election 701,000 people voted early, 635,000 through mail, and 65,000 by touch screen. This left 2.3 million people that had to all vote on the same day. In a normal election the Registrar's Office usually receives about 300 complaint letters, but this year they only received 25 letters. This demonstrates that problems were minimal.

Some other record numbers included the activity volume on the website, which on election-day had 191,000 people visit with 5,999,000 overall hits. These numbers beat the amount of hits on the sex offender site. On election-day the office received 90,675 phone calls of which 90% were answered by individuals combined with automated response. Ms. McCormack commented that she had implemented a 15 second rule because calls were averaging approximately 2 minutes. This policy helped the call center volume and the average fell to 30 seconds a call. In addition, 4,118 County employees spent 13 hours working the polls, where normally no more than 2,500 employees were involved. The norm for college students working is 300, this year there were 3,120. For high school students working the polls the norm is 2000, this year 4,333. All in all, 30,000 people worked the polls as opposed to 25,000 workers in previous years.

Provisional Ballot

Since the gubernatorial recall, people got used to the vote anywhere rule, not voting in their precinct. If individuals go to other than their precinct they vote by provisional ballot. The Registrar's Office must then check to see if they are registered, what precinct, and if they have already voted. This causes long lines and problems at several polls. The Recorder's Office contributed 350 people working nights and weekends,

including overtime. Tasks included examining 204,000 provisional ballots, recording 446,000 new voter registrations in the month before the election, and duplicating 37,000 provisional ballots. An average provisional ballot takes about 30 minutes to process which is equivalent to approximately 100,000 man hours.

Ink A Vote

As the first change in voting in 35 years 1.7 million voters were introduced to Ink A Vote during this year's election. To aid in the transition an advertising campaign was launched introducing Got Dots, the Dalmatian mascot for Ink A Vote. Got Dots ran in all the papers as full page ads, on the radio and in television commercials. This was a \$1.3 million advertising campaign, that didn't cost the county since the funds came from the Help America Vote Act (HAVA). Although the grant wasn't offered until August of this year the office was able to present a proposal, received the grant, administer the grant and put the program on in time for the election.

Residual Vote

Another campaign called 3 Choices No Excuses, which also used HAVA monies, gave voters 3 ways to vote. The options were to vote early by touch screen (65,000 people voted), by mail (635,000 people voted) or at the polls (2.3 million). Since the year 2000, academics created a measurement in an effort to assist in the voting process. They created artificial criteria for judging the voting system by reasoning that if someone did not vote, it must have been because of a hanging chad or because they didn't know how to use Ink A Vote, not that they just didn't vote. This can result in a residual vote if the voter doesn't vote for a candidate at the top of the ticket. Under this circumstance the academic may say that it looks like system error and the vote was "stolen". The Registrar's Office knew they would be measured on the Ink A Vote system. The academics decided that a residual of over 3% was bad (during the November 2000 election the residual vote was 2.7% with use of the punch card). Thanks to the available information and the ad campaign, the Ink a Vote System produced a residual vote below 2%.

All in all, the Registrar's Office was relieved that they managed to certify the election on time. The Recorder's Office is bringing in money to the County through fees from property documents. This year the number of real estate docs recorded was 3 million similar to last 2 busy years. Additionally, new birth, death and marriage systems will be implemented next year.

Commissioner Questions

Commissioner Barcelona asked how the Office responded to critics who complain about the lack of a paper trail in electronic voting? Ms. McCormack explained that issue has been discussed for about 18 months and will continue to be a concern. The California Secretary of State has mandated the use of paper trails for electronic voting. In 2002 when the Help America Vote Act (HAVA) voting passed, it looked optimistic to expect to have new voting systems in place by 2006, but now with the insertion of the major dynamic that is going on in electronic voting will cause timing problems in California. Thirty percent of the country voted using electronic systems this year without paper trails and it went very well. California has yet to certify systems that meet existing criteria since there are only prototypes; therefore, no systems are available to be implemented before the January 1, 2006 deadlines. Standards are to be issued in July by the National Institute of Standards and Technology. Ms. McCormack commented that she welcomes their participation because they are not political, but rather technically based. The standards should help, but the voting system needs to be in place by January 1, 2006 and this doesn't include procurement, installation, or training time. Ms. McCormack suggested that the LA Times publish an article explaining that the artificial deadline should be moved 2 years to enable the use of onetime HAVA funds. Also, a recent Field Poll identified that 35% of voters reporting that they don't trust electronic voting. Ms. McCormack informed the Commission that she hopes to retain Ink a Vote for the next 2 years and wait for the technology to evolve before the county spends \$110 million on a new electronic system.

Chairman Philibosian asked if the Registrar's Association is trying to do something statewide using the print media? Ms. McCormack replied that they are. She explained that statewide association will be in

Sacramento next week to discuss the issue of “dilemmas facing the counties”. Chairman Philibosian asked what can be done concerning provisional ballots, from a legislative stand point, to reduce the number of people voting out of their precinct? Ms. McCormack explained that the California Legislature wanted to help voters, but this effort resulted in the unintended consequences of people voting outside of their precinct and even their county. Ms. McCormack doesn’t think it will change and agrees that maybe it shouldn’t, but thinks policies and procedures should be in place to document what happens when the Registrar’s Office has to count these resulting provisional ballots.

Commissioner Tortorice asked how the Registrar’s Office is addressing issues of identity theft, considering the new public access to government records? Ms. McCormack explained that the voter file is an open document available to the public (e.g. political campaigns) and to the media. For example, California was one of the few states that someone could walk in and ask for a birth certificate and get one. When SB-247 passed it stated that a family member or the individual can apply for a birth certificate with proper identification. This is important considering that birth certificates are in high demand across the border. The Recorder’s Office now has to undertake research to validate the individual prior to issuing any documents, which causes problems. There are processes set in place, but people are torn between wanting access to information and also wanting privacy.

Commissioner Padilla asked about the status of Prop 72? Ms. McCormack replied that the passage of Proposition 72, mandatory health insurance, was a story resulting from erroneous information derived from the Secretary of State’s website. The Registrar’s Office certified the results and Proposition 72 did not pass. Commissioner Padilla asked about the process that voting equipment must go through to gain approval? Ms. McCormack replied that voting equipment go through two levels of approval - the federal process and state certification process. This process will be improved with the involvement of the National Institute of Standards and Technology. Commissioner Padilla asked about the criteria of demanding a recount and what is the situation in Ohio? Ms. McCormack explained that once the election is certified anyone can request a recount of an election if they are willing to pay the cost. Two parties in Ohio asked for a recount but it shouldn’t change the outcome.

Commissioner Hill asked how many elections are conducted in the county in one year? Ms. McCormack replied by stating that 220 elections are held. Commissioner Hill informed the Commission that Ms. McCormack was presented with the Chair’s Leadership award at the Quality and Productivity Commission luncheon in October 2004. Ms. McCormack thanked Commissioner Hill and said that the award came at a good time and was appreciated.

Chairman Philibosian asked Ms. McCormack if there was anything that the Economy & Efficiency Commission could do to assist her? Ms. McCormack replied positively. The EEC can help the Registrar’s Office with change management, e.g. succession planning. Ms. McCormack said that she would be glad to put together a bulleted list of items that are posing problems and suggested that the Commission could help. Chairman Philibosian asked the Organization and Accountability Task Force to investigate what can be done to assist the Registrar’s Office.

Chairman Philibosian thanked Ms. McCormack for taking time out of her busy schedule to make an informative and valuable presentation to the Commission.

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