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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.

**PRESENTATIONS BY
Dean Logan
Registrar Recorder
Los Angeles County**

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The Election results and the future of Election Technology in the County of Los Angeles

Chairman Barcelona greeted Mr. Logan, Registrar Recorder and welcomed him while turning it over for Mr. Logan to speak to the Economy and Efficiency Commission (EEC). Mr. Logan expressed that he was honored to be there and thanked Executive Director Edward Eng for inviting him to speak to the EEC.

Department Overview

Mr. Logan stated that in January 1968 the Department of Registrar of Voters and County Recorder were merged by the Board of Supervisors and then further merged with County Clerk in January 1991. During this time, the three operations and 700 employees were situated in separate facilities. In July 1993 the consolidated Department was able to fulfill its long term goal of merging all functions to one site, providing a permanent and secure headquarters for all operations, as well as its extensive volume of 185 million documents.

Mr. Logan also reported that on January 15, 1951 the Board of Supervisors approved the transfer of non-judicial County Clerk functions, procedures, and records to the Registrar Recorder. Major functions transferred include: marriage license issuance, the performance of civil marriage ceremonies, fictitious business name filings and indexing, qualifications and registration of notaries and miscellaneous statutory issuance of and filings. The office issues approximately 60,000 marriage licenses and processes 206,000 fictitious business name filings annually.

Registrar's Office

Mr. Logan explained that the Registrar-Recorder/ County Clerk is also responsible for registration of voters; maintenance of registration files; conducting Federal, State, local and special district elections; checking initiatives, referenda and recall petitions; filing campaign reports; recording real estate documents and other records. The Fiscal year 2008-2009 budget of the Registrar Recorder/ County Clerk is approximately \$178 million and annually the Department collects over \$220 million in revenue for the County General Fund and

its 88 cities. The Department's permanent budgeted staff is 1,130. Los Angeles County has a population of roughly 10.3 million residents, which accounts for approximately 30% of the total population of State of California. Los Angeles County has more residents than any other County in the nation. Los Angeles County has, with more than 500 political districts and more than 4.1 million registered voters, is the largest and most complex election jurisdiction in the country. Mr. Logan stated that his department was awarded the County's Productivity and Quality Golden Eagle award in 2007, for the implementation of the Enterprise Recording Archive (ERA). This system was developed in-house and successfully implemented a sophisticated and complex document recording system. He explained that the ERA system enhanced the process of recording more than 3 million real property documents annually by migrating from a mainframe-based process to a PC-enabled document examination and cashiering system. Mr. Logan reported that the system is still being enhanced to include a standardized infrastructure. For storing documents, workflow modifications for queuing electronically submitted documents from multiple sources and the enhancement of internal OCR processes to allow for the future capture of grantor-grantee data from electronic images. He also stated that it is anticipated that the enhancements will be completed in 2009.

Critical Budgetary Issues

1. Election Expense

Mr. Logan explained that the escalating cost of conducting elections continues to be a primary fiscal concern for his Department. For example, the cost of conducting a general election has more than doubled from \$14.1 million for the 1996 General Election to \$28.8 million for the 2006 General Election. He stated that in addition to the negative fiscal impact of escalating election costs, the continuing downward trends in the real estate market have significantly reduced the collection of Document Recording Revenues, a major revenue source for the Department. Since the Department must absorb the cost of conducting Primary and General elections, the decline of this key revenue source has compelled his Department to utilize and exhaust Special Revenue Fund reserves to sustain uninterrupted election and recorder services.

2. Declining Document Recording Revenue

Mr. Logan stated that in accordance with the Government Code 27361 and Health Safety Code 103625, his Department collects a portion of the document recording fee to fund critical Recorder-related improvements and operations. The current economic environment has caused an unfavorable impact on the recording fee revenues and this downward trend is expected to continue for several years. Mr. Logan stated that collections have decreased from \$41.4 million in Fiscal Year 2002-03 to \$20.2 million in Fiscal Year 2007-08. A continuing decline in this major revenue source is due to the downturn in the real estate market and is a major concern to his Department.

3. Voting System Requirements

Mr. Logan reported that the uncertainties surrounding elections and voting system requirements continue to pose a challenge to his Department in dealing with constant changes forced upon by legislative mandate, aging voting system and equipment, and continually developing State and Federal regulatory changes. Mr. Logan explained that his department strives to not only comply with legislative mandates, but also to take a proactive approach in acquiring and certifying alternative voting systems to meet these changing requirements. He also explained that following the 2008 Statewide Primary Election, a decision was made to develop a Voting Systems Assessment Team comprised of high level management staff along with the voting system experts and stakeholders including members of the Community Voter Outreach Committee, the disabled community and other County departments to evaluate prospective voting system solutions for Los Angeles County. Mr. Logan reported that in mid 2009, based on the assessment team findings, a report will be prepared for the CEO and Board of Supervisors outlining recommendations to move forward with the acquisition or development of an alternative voting system to better meet the future needs of Los Angeles County voters.

Questions

Commissioner Soteras commented that he read in a newspaper that Legislators in Washington want to federalize the way the system works in different States. Commissioner Soteras asked for Mr. Logan's thoughts on the idea. Mr. Logan replied that when the Help America Vote Act was passed after the 2000 Presidential cycle, it was a fundamental shift. It was the first time in history that Federal Government took an active role in the Administration of Elections. Mr. Logan explained that a big step in that was to decentralize from the County level to the State level. He stated that from a Federal standpoint the federal regulators are looking at the 50 State Election Officials to be accountable rather than the hundreds and thousands of County Officials. Mr. Logan stated with regards to voting systems and voting regulations it would be very difficult to completely federalize that, because state laws are different from state to state, and in terms of what officials are elected and how frequent the elections are conducted, and whether or not you have state initiative in referendum. Mr. Logan stated that he doesn't see that we will be completely federalized.

Commissioner Cole stated some of the communities and voters were removed from the Voter Registration List. Commissioner Cole asked how did that happen and why? Mr. Logan replied that there used to be a purge for failure to vote if you didn't vote for a series of elections you were removed from the reels. The way it works is that the department performs list maintenance activity where the department runs the database against U.S. Post office database to determine if people have filed a change of address. Mr. Logan explained if the department receives something back from the Postal Service either through undeliverable mail or through their change of address program then we are required to mail out a notice to that voter. If the voter doesn't respond within a certain period of time the voter will be placed on inactive status. However, if you show up to vote then the system automatically reactivates your voting status. If you are on the inactive status for over the course of two federal elections with no activity then you are removed after two federal election cycles.

Commissioner Cole asked when a voter shows up to vote and his name is not on the roll, how does he automatically reactivate his status? Mr. Logan replied that if you're on the inactive status, your name still remains on the roster with an "I" next to it for inactive. However if your name still doesn't appear, you will be issued a provisional ballot so that the department can verify your eligibility within the County and the department can still count the ballot.

Commissioner Fuhrman stated that in the February Election the department offered a web-based form to apply for absentee ballot. Commissioner Fuhrman asked did that work out in the general elections and how many people used this format. Mr. Logan replied that he does not have the statistics but issues were corrected that took place in February and there was a lot of activity that took place on the site. There was a record number of votes by mail of over 1 million votes by mail ballot issued for the November Election, and from that 810,000 of the vote by mail ballots came back.

Commissioner Ikejiri congratulated what Mr. Logan did during the November Elections, he stated that it was good to see that the whole process went well. Commissioner Ikejiri stated that he enjoyed the aspect of the department having the automated touch screen service machines where you could go in, use the touch screen services and get your documents that you request from the machine. He asked how many district offices outside of Norwalk Mr. Logan have and if he thought this particular type of machine could be setup at other district offices? Mr. Logan replied that his department does have 6 district offices around the County but unfortunately 2 of the offices are closed due to renovation. The touch screen Kiosks was placed at each of the district offices. Mr. Logan expressed that he would like to have the Kiosks placed outside of the district offices even in other places of the communities. Mr. Logan explained the problem with this would be to obtain photo identification in order to give out vital records, i.e. birth certificates and death certificates.

Commissioner Mindlin commented that there are still some states with electoral issues, with Minnesota being one of them. There are some counties who had more votes than people that are alive in those counties. How do we prevent something like that from happening? Mr. Logan replied that in 2004 he lived through a similar situation, he stated that when he was the Director of Elections in King County, Washington Seattle and the gubernatorial races in Washington came down to about 42 votes, the person who won on election night was not the person who won in the recount. He explained that there are a number of things you can audit for: accountability in terms of numbers, a lot of people look at the roster books and say if you count

the number of signatures in the roster books, there were more ballots cast in that precinct than there were signatures in the roster. The reality is that our voting system relies on 25,000 community volunteer poll-workers and when you have an 80% turn out, the likelihood of someone being issued their ballot before they sign the roster, or even signing on the wrong line of the roster, all of these things are subject to human error.

Commissioner Cole asked that if someone applied for a vote by mail ballot today, would they get it for the 3rd of March or the 24th? Mr. Logan replied that the 3rd of March is the City of LA Elections date so they would need to request that ballot from the city clerk and then they would have to separately contact the Norwalk Office for the March 24th date.

Commissioner Cole asked if someone were a staff person for a federal president, would there be a conflict to run for a Senate seat? Mr. Logan replied that there is a federal hatch act that prevents federal employees from participating in partisans. He stated that the federal employee would have to resign and it also depends on the position.

Mr. Logan closed by extending an opportunity for the Commission to come and observe the Election Headquarters on Election night.

Chairman Barcelona expressed his appreciation to Mr. Logan for coming to speak to the EEC and the Commissioners applauded.

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