

Alameda County Elections Commission Meeting Agenda June 18, 2025

Meeting Date: Wednesday, June 18th, 2025
Time: 4:00 PM
Location: Via Zoom/In person
Alameda County Training and Education Center
125 12th Street, 4th Floor, Oakland Room
Oakland, CA 94612

Zoom Link for Meeting: <https://us02web.zoom.us/j/82563661774>

The video recording of the meeting is normally posted 2-3 days after the meeting at:

<https://bos.acgov.org/committee-meetings/>

1 -- Call To Order / Roll Call at 4 pm -- 2 minutes

In case anyone from the public wishes to attend, see the front desk at Alameda County Training and Education Center, 4th Floor

2 -- Swearing In of New Commissioners -- 3 minutes

Thai Nam Pham - The commission membership includes an ex-officio member representing the city clerks of the county. This ex-officio member shall not have any voting rights, but shall be advisory to the commission.

3 -- Approval of Agenda -- 2 min

Modifications to the agenda can be made here

4 -- Approval of Minutes of May 2025 -- 5 minutes

See attachment.

5 -- Announcements and Communications -- 5 minutes

No discussion on these items.

- a. From staff
- b. From commissioners

6 -- Public Comment on Agenda Items -- 15 minutes

If we have 5 or less commenters, then they will have up to 3 minutes each. 5-14 commenters will be limited to 2 minutes each. If we have 15 or more people then they will be limited to one minute each. We encourage and appreciate written comments to be emailed to the Commission at eoc@acgov.org.

7 -- Monthly Update from Registrar of Voters Office -- 10 minutes

See attachment – potential special election in November 2025 and other matters

8 -- **Business Items** – all items are for action

(a) Ongoing Items from Committees – 1 hour

See attachments for committee reports. The convener / lead for each subcommittee has an asterisk by their name.

(1) Structure of the ROV position (Z Valentine*, J Belcher, Whitehurst) -- 30 min

Background: At the May meeting the ROV provided feedback on the committee's report about having Alameda County Registrar's position being a stand-alone position, as opposed to managing multiple departments. The commission decided to recommend that the Board of Supervisors (a) engage the Elections Center or other qualified organization to assess the advantages and disadvantages of bifurcating the current ROV/IT position and having a dedicated Registrar of Voters, and (b) hire a Public Information Officer.

Two remaining issues need to be resolved with regard to the committee's report:

(a) Decide whether to also recommend that the Elections Center collaborate with the ROV Office to look at best practices, efficiencies, and other improvements that the ROV Office could implement, and

(b) Decide whether or not to send the committee's report to the BOS.

Possible actions:

- *Accept and endorse the committee report as is or with amendments, and send it to the BOS as the Commission's official position.*
- *Send only our recommendations to the BOS with an alternative preamble explaining why we are making these recommendations. In this case, the Commission would not be sending the report to the BOS.*

See attachment.

(2) Voting Participation (A Moore*, Whitehurst, and Lindsay) -- 5 minutes

Background: This committee is looking into how the ROV can move the needle for Black men and other populations that have a low voting rate.

See attachment.

(3) Nominations (Ramon and Seabrook) -- 5 minutes

Background: The Nominations Committee is trying to find a strong candidate for the District 2 supervisor and for the "impacted community" seat that the commission is responsible for nominating to the Board of Supervisors.

See attachment.

(4) April 15 post-election assessment - 15 minutes

Background: Issues were identified at the April and May meetings. A draft assessment will be presented for feedback and/or approval by Commissioner Valentine.

See attachment.

(b) New Business – 20 minutes

(1) Website reporting of election results – 15 minutes

Background: The 2024 post-election assessment listed improvements needed for reporting plurality at-large election results and reporting of participation turnout per contest.

Recommended Action: (1) Endorse requested improvement and ask the ROV Office to implement it in the next election; and/or (2) Form an ad-hoc committee or appoint a commissioner to work with staff on website changes. Commissioner Dieter volunteers to serve in that capacity.

See attachment.

(2) Speed of Tallying Elections – 5 minutes

Background: Candidates, the press, and the public have expressed concern regarding the speed of tallying elections. In May, the ROV explained the mandatory timeline that is followed. The ROV said they would include this information on its website in the future.

Recommended action: Ask for a report from staff at the July meeting as to options to improve the speed of election and to improve communications and expectations.

9 -- **Special Report from the ROV** – 15 minutes

A hands-on review of the Election Results web pages

10 -- **Public Comment on Agenda or Non-Agenda Items** -- 15 minutes

The 15 minutes here is a fixed allocation of time, and will be divided equally among all who wish to comment, with a maximum of 3 minutes per person. If your comments are complex or if you didn't have enough time, we always appreciate it if you send your input to the Elections Commission at eoc@acgov.org.

11 -- **Requests for Future Agenda Items**

Commissioners can make requests directly to the president of the commission. Requests for future agenda items from the public can be emailed to the commission at eoc@acgov.org.

12 -- **Adjournment** (as close to 6:30 as is viable)

The next meeting will be Thursday, July 17, 2025, at the San Lorenzo Library.

**COUNTY OF ALAMEDA ELECTIONS COMMISSION
UNAPPROVED MEETING MINUTES**

Meeting Date: Thursday, May 15, 2025

Time: 4:00 PM

Location: Via Zoom/In person
San Lorenzo Library Greenhouse Community Room
395 Paseo Grande
San Lorenzo, CA 94580

1. Call To Order / Roll Call The Elections Commission meeting of May 15, 2025, convened at 4:00 p.m. in the San Lorenzo Library Greenhouse Community Room. The meeting was called to order by President James R. Lindsay.

Present

Commission Members: Judy Belcher, Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, David Wagner, Zabrae Valentine, and Allie Whitehurst (arrived late).

Registrar of Voters (ROV): Tim Dupuis, Cynthia Cornejo, Shaheer Siddiqui, and Charles Smithline.

County Counsel: Jason Allen.

Absent

Commission Members: Alissa Moore, Alexander Ramon, and Karl I. Seabrook. *Ex Officio member:* City Clerk Thai Nam Pham

2. Swearing-In of New Commissioners

There were no new commissioners to swear-in.

3. Approval of Agenda

No modifications were made to the agenda.

4. Approval of Minutes of April 17, 2025

A motion to approve the minutes was made by Vice President Dieter, seconded by Commissioner Butter, and passed unanimously (7-0).

5. Announcements and Communications

- (a) From staff

There were no announcements from staff.

- (b) From commissioners

- **President Lindsay added to the minutes an email from City of Albany Councilmember Preston Jordan, with his permission, as some of the commissioners had not received the message. (See Attachment B)**

- **Commissioner Valentine noted that it is difficult for the public to find the Elections Commission page on the county’s website.**
- **Commissioner Belcher asked for the email address of the clerk.**

6. Public Comment on Agenda Items

Public comments were made on the agenda and non-agenda items.

7. Monthly Update from Registrar of Voters Office

- **Mr. Dupuis reviewed the April 15, 2025, City of Oakland Special Municipal Election, including voter turnout figures, and reiterated the certification timeline.**
- **Commissioner Valentine asked whether the described information of the mandated timeline is published on the website. After Mr. Dupuis responded that it is not, Ms. Valentine requested that it be added to the website. Mr. Dupuis said the ROV can post the canvassing requirements on the website.**

8. Business Items

a. Old Business

(1) April 15 Election Assessment

- **Ms. Dieter reviewed the prior discussion from the last commission meeting, invited further comment, and suggested that commissioners residing in Oakland form a new committee or one commissioner volunteer to bring back a proposed post-April 15 election assessment.**
- **Commissioners Belcher, Whitehurst, Lindsay, and Valentine contributed to the discussion.**
- **Jason Allen clarified that while the ordinance strongly suggests that there be a report on each election, it does not specify the timing, the substance, or the form. Thus, in theory, he explained, the commission could issue one report that captures all the elections in a year as there is nothing in the ordinance that precludes that.**
- **A motion to appoint Ms. Valentine to draft a brief assessment of the April 15 election, to be presented at the June meeting, was made by Ms. Dieter, seconded by Ms. Belcher, and passed unanimously (8–0).**

b. Ongoing Items from Committees

(1) 2024 post-election assessment

Ms. Belcher gave a brief update. A motion to dissolve the 2024 post-election assessment committee was made by Ms. Dieter, seconded by Commissioner Wagner, and passed unanimously by acclamation.

(2) Structure of the ROV position

- **Ms. Valentine gave a brief update. Mr. Lindsay asked for the Registrar’s response to the committee’s report.**
- **Mr. Dupuis gave a presentation outlining the ROV’s mission and mandated**

services, associated facilities, vehicular fleet, staff and observer space, and how complex service departments are typically structured and funded. He said the committee's report is missing some key research and suggested including the grand jury report; the ROV's organizational chart with the advantages and disadvantages there are to the current structure and where the support would come from if the departments are separated; the systems the IT department supports; comparisons of local news articles to other counties showing similar stories; and noting the global pandemic period as a factor of managing how elections would be run. Mr. Dupuis added that there is some faulty information that should be corrected. The ROV is exceeding in its election observation law requirements, and the cast vote records issue is not balanced. He said the report does not make the connection between what is called out in the report and how having a single, dedicated ROV is going to change the outcomes. Mr. Dupuis noted the amount of public record requests that were handled, and that special points of contacts have been set up for the public and media. Mr. Dupuis said the ROV office does not oppose a recommendation for a public information officer and engaging with the Elections Center.

- Commissioner Valentine requested that the Registrar send the committee all material/information generated for the presentation so that some of it can be integrated into the analysis or attached as an appendix. All the commissioners provided comments.
- A motion was made to send Mr. Lindsay's handout to the Board of Supervisors by Mr. Lindsay, seconded by Ms. Butter. Discussion continued. (*See Attachment A for motion handed out*).
- Commissioner Wagner requested that the commission vote separately on Items A, B, and C.
- A substitute motion was made by Ms. Dieter to incorporate the input from the Registrar of Voters, including attachments and comments made during the meeting, and to recommend that the Board of Supervisors engage the Elections Center or another qualified organization to assess or evaluate whether the department should be bifurcated. The substitute motion failed for lack of a second. Discussion continued.
- At 6:30 p.m., Mr. Lindsay called a point of order and asked staff if they were available to extend the meeting. A motion to extend the meeting by no more than 30 minutes was made by Ms. Valentine, seconded by Ms. Belcher, and passed unanimously by acclamation.
- As a replacement to Mr. Lindsay's Item A, a substitute motion to recommend that the Board of Supervisors engage the Elections Center or other qualified organization to assess the advantages and disadvantages of whether to bifurcate the department and hire a dedicated County Registrar of Voters was made by Mr. Wagner, seconded by Ms. Dieter. Following discussion, the motion passed 7-0, with one abstention by Ms. Belcher.
- A motion was made by Commissioner Valentine to approve substituting the recommendation in the current report with the language prepared by President Lindsay regarding enhancing public communication and transparency (Item B); to adopt the language currently described in the report as Recommendation C—engaging the Elections Center or other qualified organization in assessing ROV

office productivity and efficiency (including subsections A through F); and to approve the full committee report after accepting amendments submitted by members of the commission. The motion was not seconded.

- Mr. Lindsay moved to approve only item B from his handout dealing with the public information officer, with deleting the word “either.” Ms. Valentine seconded. It passed 5-2, with one abstention by Ms. Henderson. Commissioners Wagner and Dieter voted no.
- Further discussion was deferred to the next meeting.

(3) Voting Participation Moore, Whitehurst, Lindsay
This item was deferred to the next meeting.

(4) Nominations Ramon and Seabrook
This item was deferred to the next meeting.

c. New Business

(5) Website reporting of plurality at-large election results and reporting of participation turnout per contest
Item was deferred to the next meeting.

(6) Speed of Tallying Elections
Item was deferred to the next meeting.

9. Special Report from the ROV
Item was deferred to the next meeting.

10. Public Comment on Agenda or Non-Agenda Items
Public comments were made on the agenda and non-agenda items.

11. Requests for Future Agenda Items
Item was deferred to the next meeting.

12. Adjournment
The meeting was adjourned at 7:00 p.m.

The next meeting will be held Wednesday, June 18, 2025, at the Alameda County Law Library, Oakland Room, 125 12th Street, Oakland.

ATTACHMENT A

Motion by Jim Lindsay

WHEREAS:

- (a) In almost all large counties in California – defined as populations of 1,500,000 people or more – the ROV Position is a standalone position.
- (b) Alameda County is the only county that is supporting youth voting.
- (c) Alameda County is the only county that is supporting multiple cities using RCV, and one of the cities is using the proportional form for RCV.
- (d) Alameda County has a very large number of contests in general elections – in November 2024 there were over 200 different types of ballots for just that election.
- (e) Alameda County has a large number of special elections – 6 in 2024 alone, and already 1 in 2025.
- (f) Alameda County fully supports 5 languages by law, and virtually everything on the web-site and in writing must be translated into all 5 languages. It also supports more than 10 other languages via written materials and telephone support and interpreters in those other languages
- (g) Alameda County has a smaller staff than all of the other large counties.
- (h) Alameda County does not have a Public Information Officer, as almost all the other large counties have.
- (i) Therefore, we conclude that Alameda County is clearly one of the most complex and difficult counties to administrate elections.

THE ALAMEDA COUNTY ELECTIONS COMMISSION RESPECTFULLY RECOMMENDS:

Reconsider and Reallocate ROV Leadership Duties

- A. Restore the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments.
In addition, give the CAO and BOS some leeway in how the ROV salary is calculated. It would be unfortunate, but fairly likely, that it will be very hard to find someone qualified to be the ROV in Alameda County – an extremely difficult job – for a relatively low salary. For example, using the average pay of the ROVs of the 8 large counties (population over 1,500,000) is one possibility.
- B. Enhance Public Communication and Transparency
 - a. Allocate resources to hire either a Public Information Officer
 - b. Designate a team of subject-matter professionals to improve public and media access to election-relevant information and ROV decision making of public interest/relevance.
 - b. Establish a policy requiring acknowledgment of public and press inquiries within 48 hours and substantive responses within a reasonable timeframe.
- C. Engage the Elections Center, or other qualified organization, in an assessment of ROV Office process and resource use to identify and implement additional improvements and efficiencies for the ROV Office.

Attachment B

May 13, 2025 email correspondence from Preston Jordan, Albany City Councilmember
Re: Item 8(c)(1) Results reporting

Hello-

Following are comments on your voter participation and plurality at large result reporting agenda items. While I write to you as a City Councilmember, my history with each of these goes back to my time on the Board of the League of Women Voters of Berkeley Albany Emeryville in the latter part of last decade. I presented these matters to the Board. It resolved they should be addressed. As county-wide matters, the Board directed me to bring them to the County Council of Leagues. The Council voted unanimously in support of each of these reporting improvements.

Thank you for taking them up. Please recommend posting voter participation in the results for each contest on the web and reporting the share of participating voters supporting each candidate in the results of plurality at large contests on the web. More information on each below.

Preston Jordan
Albany City Councilmember

Voter Participation

The County's website reports countywide turnout. It does not report turnout per jurisdiction.

Turnout per electoral district is reported in the statement of vote. While important to having a complete record of election results, almost no one looks at the statement.

Further, "turnout," as used, refers to the share of registered voters that submit a ballot. However, a voter does not have to mark the ballot for any specific election. For instance, in the 2024 election, voter turnout in Albany was 81.15%. Not much room for improvement. However only 67.47% of voters marked their ballot in Albany's Council election, and so participated in the election. Substantial room for improvement.

In order to provide an accurate understanding of democratic engagement in each jurisdiction, the share of voters participating in each contest on the ballot should be posted in the results for that contest on the web.

Plurality At Large Reporting

One of the types of elections held in our county is plurality at large. Also referred to as vote for N and block voting. In this method, each voter can vote for up to as many candidates as seats to be filled. Last election this method was used to elect members to five of the fourteen city councils in the county, seven of the school districts, three special district boards, and one city's rent stabilization board (listed below).

Plurality at large results reported on the web include the percent of total votes received by each candidate. However, because each voter has more than one vote available to them in these elections, this percent is not the percent of voters that supported each candidate. The percent of all votes received by a candidate is not as meaningful as the percent of voters that supported a candidate. For instance, was a winning candidate supported by a majority of voters or only a small fraction? This informs everyone of the strength of mandate for their positions for instance. It informs potential future candidates about what the electorate desires.

The difference between these two is the value by which the number of votes a candidate receives is divided. In that case of what is currently reported, the value is all votes. To rather calculate the percent of voters that supported a candidate, the votes they received needs to be divided by the number of ballots marked by voters in their election. The Registrar's office can calculate this value. Such as from unredacted CVRs.

Here is the list of bodies in our County with members elected by plurality at large last election.

Alameda City Council
Emeryville City Council
Hayward City Council
Newark City Council
Piedmont City Council
Alameda Unified School District Board
Berkeley Unified School District Board
Emery Unified School District Board
Hayward Unified School District Board
Livermore Valley Joint Unified School District Board
Newark Unified School District Board
Piedmont Unified School District Board
Berkeley Rent Stabilization Board
Hayward Area Recreation and Park District Board
Livermore Area Recreation and Park District Board
Oro Loma Sanitary District Board

ELECTIONS COMMISSION MEETING – June 18, 2025

Agenda Item #7 – Registrar of Voters Monthly Report

1. Potential November 2025 Election:
 - a. Washington Township Health Care District
 - i. Ballot Measure (Initiative – Medical Emergency and Life Saving Care Funding Act)
 - ii. Initiative verified by the ROV and contained the required number of valid signatures
 - iii. Current Registration Total – 192,604
 - iv. District covers Southern Alameda County

ATTACHMENT FOR AGENDA ITEM #8(a)(1) - ROV Position Committee.

At the May meeting, the commission approved the following:

The Elections Commissions recommends that the Board of Supervisors

1. Engage the Elections Center or other qualified organization to assess the advantages and disadvantages of bifurcating the current ROV/IT position and having a dedicated Registrar of Voters.
2. Enhance Public Communication and Transparency
 - a. Allocate resources to hire a Public Information Officer
 - b. Designate a team of subject matter professionals to improve public and media access to election-relevant information and ROV decision making of public interest/relevance.
 - c. Establish a policy requiring acknowledgment of public and press inquiries within 48 hours and substantive responses within a reasonable timeframe.

FINAL REPORT

The Efficacy of A Combined ROV/ CIO in Alameda County

An Analysis of Whether the Decision to Combine Alameda County's Registrar of Voters and Chief Information/Technology Officer into One Position is Producing Good Results for Alameda County's Residents, Voters and Taxpayers

Prepared by: The Alameda County Elections Commission's Ad Hoc Committee formed for the purpose of considering this question.¹

(June 2025)

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- II. A Summary of the Experiences That Prompted the Formation of This Committee, And Others That Have Emerged Since (i.e. During the 2024 Election Cycle) (p. 5)
- III. What's Happening In Other Counties? A Comparison of the Alameda County Registrar of Voters Office to Other Relevant County Offices, to Assess Whether Issues Observed in Alameda County Also Occur Elsewhere (p. 13)
- IV. Discussion & Recommendation (p. 15)

APPENDICES (*Appendices are hyperlinked*)

- A. [Alameda County Regular and Special Elections, By Year](#)
- B. [Nov 12, 2020 Letter from ACLU and 14 Other Voting Rights Groups](#)
- C. [April 14, 2021 Letter to Alameda BOS re Nov 2020 election \(Includes Nov 12, 2020 Letter from ACLU and Other Voting Rights Groups\)](#)
- D. [Oct 6, 2022 Letter from Asian Americans Advancing Justice, Disability, Rights California, League of Women Voters of California on Language Access](#)
- E. [Oct 26, 2023 Letter from Democratic Clubs calling for ROV position to be full time](#)
- F. [Jan 31, 2024 Incorrect parole voting information](#)
- G. [News Coverage of Elections Irregularities Throughout Bay Area \(2018 - 2024\)](#)
- H. [California County Comparison Data](#)

¹ Committee members: Commissioners Judy Belcher, Zabrae Valentine, and Allie Whitehurst.

I. Purpose and Overview

One of the first actions the Alameda County Elections Commission took in early 2024 was the formation of an ad hoc committee to explore whether combining the roles of the Alameda County Register of Voters and the Alameda County Chief Information Officer² in 2012 has contributed to a series of developments that appear to be compromising voter access and undermining confidence in the electoral process in Alameda County, as reported by numerous voting rights and civic watchdog groups in the County.

From February to December 2024, the Ad Hoc Committee was in communication with the Alameda County Registrar of Voters and Registrar's Office staff on a range of issues including many referenced in this report. Throughout that period, the Ad Hoc Committee members were impressed by the commitment and dedication of the ROV and all staff with whom we interacted.

The information we have compiled does however show numerous challenges with how critical elections-related decisions are being made and executed, that threaten voter confidence, and fall short of comparable performance in surrounding counties. Presuming, as we do, that ROV Office staff are doing their best with the resources they have, the logical explanation for the circumstances documented herein is that staff lack the capacity to perform at the level required to earn and sustain voter trust and confidence in our local electoral process.

If the Board of Supervisors (BOS) agrees with the findings summarized here, we urge you to consider the underlying causes, so the situation can be remedied in a comprehensive manner. We have sought to illuminate what sort of interventions are likely needed in order to enable the system to work better for voters. We hope this can help the BOS determine what changes can produce better results, so that you can act expeditiously to institute them, ideally before the 2026 election cycle.

As the Board of Supervisors knows, the Alameda County Elections Commission is an all-volunteer body with no staff or budget to do in-depth research or analysis. Fortunately we were able to receive assistance from U.C. Berkeley Goldman School fellow Darlene Azarmi, who helped compile a substantial quantity of data over the summer of 2024, conducted interviews with staff from other counties and voting rights groups, and helped organize and synthesize the data that informed this analysis.³ We also have drawn heavily on robust reporting by local news outlets (such as The Oaklandside and The Mercury News), as well as interviews and correspondence with voting rights advocates and elections observers (see signatures on the letters in the appendices). This report would have been impossible to compile without the considerable and much appreciated contributions of each of these parties, and we thank them all.

This document was shared with the Alameda County ROV Office in February 2025. The authors had intended to delay finalizing the report until we could include the ROV's comments as well. However, as of June 2025 the ROV reports they have not yet had the capacity to prepare comments in writing, and so in the interest of time we are finalizing the report in its current form. We encourage the ROV to share written comments when they can. It will be advisable to allow this committee to respond to those comments when they are available, in the event they misconstrue our process, which occurred at the Commission's May meeting.

² In Alameda County the individual serving as the director of digital technology has the title of Chief Information Officer.

³ Thanks to California Common Cause for making this fellowship possible.

KEY TAKE-AWAYS

- The ROV and ROV Office staff are dedicated public servants, and appear to operate in good faith.
- Alameda County is the only county in the state running Ranked Choice Voting elections in multiple cities and now the only county running elections that include 16 and 17 year olds for one set of races only, in two cities (Berkeley and Oakland).⁴
- Alameda County is the 7th most populous county in the state, manages elections for 14 cities, administers anywhere from 1 to 5 regular and special elections per year, and an average of 3 elections per year – often with different elections in different cities. The number of voters has increased by approximately 175,112 since 2016.
- Despite the above work load, Alameda County is one of only two counties with a dual ROV-CIO (Chief of Information Technology) role, and the other (Solano County) arguably is not comparable in terms of size, number of cities, or election complexity.
- Communication by the Alameda County ROV Office with the public can be ineffective and plays an outsized role in undermining the Office’s own reputation and credibility with the public. There seems to be a misunderstanding on the part of the ROV Office of the actions that would translate into effective public transparency that again would likely improve public trust, confidence and credibility.
- No other county in the state seems to be experiencing anywhere near the volume of problems, or appearance thereof, that Alameda County has logged over the past few years, or of similar types of problems, to include in the following areas:
 - Language access, including reliable availability of facsimile ballots
 - Public access to observe electoral processes
 - Comprehensive and thorough poll worker training, including on use of ballot marking devices (BMDs)
 - Compliance with poll worker labor laws
 - Adequate availability of ballot drop boxes
 - Rapid access to accurate information from ROV Office staff during elections for workers and observers on the front lines
 - Timely availability of voter guides
 - User-friendly and relevant elections information on the ROV Office website, before, during and after elections
 - User-friendly ballot design (consider human-centered design approach)
 - User-friendly information on how and when to vote, on Ranked Choice Voting and how to avoid voter errors (such as an ‘overvoting’), and on voting rights for formerly incarcerated individuals
 - Ballot count accuracy (Example: 2022 Oakland School Board race)
 - Cast Vote Record access prior to election certification in a format that can be used to independently verify results
 - Consideration of how to expedite the vote count immediately after elections
 - Good faith compliance with municipal and state laws and city charters related to elections administration, or full publicly available explanation for not doing so

⁴ San Francisco County/City also runs RCV elections for all major offices, and Redondo Beach in LA County will do so starting in 2025, as will Eureka in Humboldt County starting in 2026.

II. A Summary of the Experiences That Prompted the Formation of This Committee, And Others That Have Emerged Since (i.e. During the 2024 Election Cycle)

BACKGROUND

Alameda County is the 7th largest county in the state by population and has 14 cities and 18 school districts.⁵ It is closest to the County of Sacramento in population, followed by the County of Santa Clara. Only six counties are larger than Alameda County,⁶ and since January 2016, the number of voters in the County has increased by approximately 175,112.⁷

Alameda and San Francisco Counties currently are the only counties running Ranked Choice Voting (RCV) elections, and Alameda County is the only county running RCV elections for more than one city (Berkeley, Oakland, and San Leandro, all since 2010, and Albany since 2022).⁸

Alameda County also is now the only county in the state to oversee elections allowing 16- and 17-year-olds to vote in school board elections (only), following the approval of Measure Y1 in Berkeley in 2016 and Measure QQ in Oakland in 2020. This policy was implemented for the first time in November 2024.

With regard to the number of elections Alameda County administers per year, one might assume the ROV Office is responsible typically for primary and general elections in alternating years, with significant downtime in between except for intermittent special elections to fill an unexpected open seat. In fact, since 2012, there have been a total of 16 primary and general elections in even-numbered years, and 25 special elections over that time, in every year but three (2012, 2016 and 2020), including 1 - 5 elections per year and an average of 3 per year. (See [Appendix A](#), also linked from p. 1 of this document.)

Before 2009, Alameda County's Registrar of Voters and its Chief Technology Officer (CTO) were separate roles. When ROV Elaine Ginnold left the position in 2009, Alameda County's Chief Technology Officer Dave Macdonald became the ROV as well, assuming both positions, as a cost-savings measure during the Great Recession. By 2012, the County needed a new ROV, and because it was still suffering a budget deficit, the Board of Supervisors again opted to add the responsibility for administering elections to then Tim Dupuis's CIO duties (at some point this title changed from CTO to CIO; presumably the key terms are information and technology) rather than appointing a new dedicated Registrar of Voters (ROV). CIO Tim Dupuis assumed this increased responsibility in December 2012 in an interim capacity, and became the full-time ROV and CIO in 2013.⁹

Also during this time (late 2011) although not necessarily related to the above, the Justice Department sued ROV Macdonald for failing to provide language-access materials to Spanish- and Chinese-speaking voters.¹⁰ The lawsuit resulted in a Consent Decree to ensure compliance with the Voting Rights Act.

⁵ See p. 13 for more information on other counties.

⁶ https://dof.ca.gov/wp-content/uploads/sites/352/Forecasting/Demographics/Documents/E-4_2023_InternetVersion.xlsx

⁷ https://alamedacountyca.gov/rov_app/edata?page=registration&h=1

⁸ San Francisco County/City also runs RCV elections for all major offices, and Redondo Beach in LA County will do so starting in 2025, as will Eureka in Humboldt County starting starting in 2026.

⁹ <https://www.acgov.org/news/pressreleases/pr2013-12-19DupuisAppointment.pdf>

¹⁰ <https://www.justice.gov/crt/case-document/file/1176851/dl?inline>

Over the next several years, Mr. Dupuis made a number of upgrades to County digital systems according to reporting in The Oaklandside, including creating a new permit portal, an election results map viewer, and the modernization of a 30-year-old criminal justice portal for document case access.¹¹

We are not aware of concerns having been raised in relation to the administration of elections in the 2014 election cycle. However, reports of inadequate provision of multilingual election material translations started to reappear in 2018, and additional concerns began surfacing as well.

LIST OF ELECTION-RELATED EXPERIENCES OF CONCERN, BY YEAR¹²

2016 Election Cycle:

During the June 2016 election, there were reports of difficulties in using audio features of voting machines, leading to extended waiting times for visually impaired voters.¹³

2018 Election Cycle:

1. According to reports by Asian Americans Advancing Justice (AAAJ), poll workers were not adequately informed of policies requiring availability of facsimile ballots in multiple languages. (As noted above, The Justice Department had sued the prior ROV for failing to provide language-access materials to Spanish- and Chinese-speaking voters.)
2. Berkeley and Oakland leaders and voting rights advocates pressed the ROV Office to count all votes in RCV elections down to the final two candidates (as was and is the practice in other counties running RCV elections), to show the full level of support for the ultimate winner, rather than stopping as soon as an individual clears a majority of 50+1 percent. The ROV Office maintained this would increase labor requirements. Others disputed this claim, since the RCV software had the capability to do this automatically, while also arguing the benefits, including knowing the strength of the winner's mandate, would outweigh any possible costs, which they claimed would be at most minor.¹⁴

2020 Election Cycle:

In 2020, the Alameda County ROV Office was preparing for its first election as a "Voter's Choice Act" county. This meant moving from 820 small polling places to 100 large voting centers. The County was also transitioning to a new voting system: a paper-based system intended to increase security through voter ballot-verification.

¹¹ <https://oaklandside.org/2024/11/04/why-are-people-always-getting-mad-at-the-alameda-county-registrar-of-voters/>

¹² While efforts made to remedy the problems listed herein are important, the point of this particular report is the volume of problems that voters and others are encountering in the first place, and whether that condition should be considered subject to influence. The matter of remedies is addressed by the Commission elsewhere, such as in its post-election assessments.

¹³ <https://apnews.com/us-news/california-san-francisco-vision-impairment-and-blindness-general-news-d24f6fdb38af70a92164cf69d482ed49>

¹⁴ <https://www.sfchronicle.com/bayarea/article/East-Bay-officials-push-for-more-transparency-in-13321986.php>

Issues in this election cycle reported by voting rights groups (see [Appendix B](#)) and [the news media](#):

1. According to voting-access advocates, as reported by The Oaklandside, the California Secretary of State's official Voter Guide was not explicit about the location changes for voting sites, and the Alameda County ROV Office failed to post signs notifying people of the closures at the roughly 700 older County polling places.
2. The ROV Office did not install the required drop boxes in a timely manner (they were required to have 63 ballot drop boxes in place by Oct 6, 2022; as of Oct 7 they only had 25, and didn't fully meet the requirement until Oct 29, for a Nov. 3 election.
3. Poll workers were not adequately informed of policies requiring the availability of facsimile ballots in multiple languages, and so in numerous cases these were not provided to voters, potentially jeopardizing the voting experiences of thousands of limited English proficient voters. (According to Oaklandside reporting, more than 100,000 County residents qualified for this service.)
4. Asian Law Caucus election observers reported that conspicuously posted facsimile ballots were missing from at least 29 Accessible Voting Locations (AVLs). Hotline staff continued to require election observers to call in each specific incident of missing facsimile ballots rather than quickly communicating with all election voting sites to remedy the issue. This issue was resolved after three days of intensive communication from election observers to multiple ROV Office staff.
5. Poll workers, chief judges, bi-partisan captains and elections support staff were not trained in the proper use of Ballot Marking Devices (BMDs) at Mills College (and possibly elsewhere) and ROV Office staff provided erroneous instructions to these poll workers and voters. Additionally, there were no copies of the 100-page Registrar of Voters(ROV) election manual available at the vote site nor clear instructions in the digital version of the manual, which was the only version the poll workers could access (on their phones), about how to handle the printed ballots (or if it was there it was not findable). As a result – even after multiple requests directly to the ROV main office by Mills College poll workers as well as multiple election observers – 100 to 200 voters were sent home with their official ballots in hand, having been repeatedly informed they were merely receipts, from Oct 31 - midday on Election Day, Nov 2, 2020.
6. The ROV did not respond to explicit requests by voting rights organizations when they brought these concerns to the attention of the ROV to provide explanations, and or plans for immediate remedy so they could help publicize this information with the public.
7. The ROV Office did not release updates on the ROV website with any RCV tallies or final voting results. Instead, it provided only the total number of first rankings, and then instructed members of the public to individually contact the ROV Office for complete RCV results. Members of the public did that, yet were never given final RCV results.
8. Election Integrity group EITACCA (The Election Integrity Team of Alameda County, CA) reported that the increased number of in-person voting days under the Voters Choice Act resulted in some poll worker payments exceeding the threshold for Social Security and FICA withholdings, and that this was unaddressed by the ROV office.

9. In a 2021 Board of Supervisors meeting, the ROV said the ROV Office was working to ensure the errors in the 2020 election wouldn't happen again. However, the office continued to resist advocates' pressure to release documents or explain how they would operationalize this commitment.

2022 Election Cycle:

1. The County Election website incorrectly stated voters could choose to rank only three instead of the legally allowed five candidates in possible races.¹⁵
2. During the vote processing weeks after the election, the ROV Office announced that ROV personnel had made an error in their use of the Dominion voting equipment, causing the use of the wrong vote tally procedure. As a result, all RCV elections in Berkeley, Oakland and San Leandro were counted inaccurately. This error was discovered when the nonprofit group FairVote was able to take the publicly released Cast Vote Record report and tally the ballots using the correct tally procedure. FairVote found that in one race for an Oakland school board seat in District 4, the ROV error resulted in the wrong candidate being announced as the winner. This led to two lawsuits: one from the originally announced winner and another from the eventual winner. The failure of the ROV to identify the error before certifying the election results was a result of the ROV's Cast Vote Record (CVR) policy, which included not releasing text CVRs until after an election has been certified (30 days post-election), at which time a judge's order becomes necessary because ballots must be unsealed.
3. The Oaklandside sued the ROV to force him to produce public records of his decision-making. (The current status of this lawsuit is unknown.)
4. The contest for Governing Board Member, Trustee Area 2 was inadvertently omitted from the Official Ballot in the San Leandro Unified School District, for the November 8, 2022 General Election. Voters in Trustee Area 2 received a Supplemental Ballot in the mail.
5. Voting rights groups reported that election results were not consistently published during or after the election, returning the County to older issues of seemingly random publication of voting results.
6. EITACCA reported that again some poll worker payments exceeded the threshold for Social Security and FICA withholdings. After a whistleblower complained and the BOS intervened, the ROV hired a third-party vendor (Tryfacta) to coordinate payroll requirements for over 100 workers to complete the Nov. 8 general election. According to EITACCA, the ROV subsequently misinformed the Board of Supervisors about what had transpired.

2023 (Off-Year):

1. A coalition of voting rights and Democratic groups in the Bay Area, including the East Bay Young Democrats, the Wellstone Democratic Renewal Club, and the Coalition for Police Accountability, released an open letter contending the ROV had disenfranchised younger voters (by failing to implement Measures QQ and Y1) and made other significant errors, and asked that the County BOS

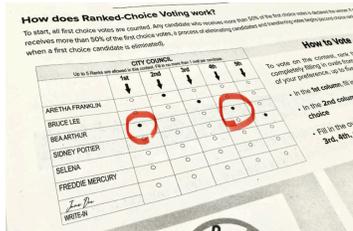
¹⁵ In fact, the Oakland Charter states the City Clerk may allow voters to rank the maximum number of choices permitted by the equipment in use, which for cities using Dominion equipment reportedly is 10. Since there were 10 candidates in the 2022 Oakland Mayoral election, this could have significantly changed the election experience for voters.

remove the current ROV from his “secondary position as Registrar” and immediately move to hire a “full-time Registrar”. (See [Appendix E](#))

2. The ACLU of Northern California and AAAJ filed a lawsuit expressing growing concern about Alameda County election administration.¹⁶

2024 Election Cycle (i.e. since the formation of the Alameda Co. Elections Commission):

1. County Voter Guides arrived late, impeding the ability of voters to take advantage of early voting and undermining confidence in local elections administration.
2. The County Voter Guide included erroneous instructions for Ranked Choice voting.¹⁷



3. The ROV Office distributed to the public misleading information related to restoration of voting rights for formerly incarcerated people. The mailer stated, “If you are either on parole or are no longer serving a state or federal prison term for the conviction of a felony, you may be able to have your voting rights restored. If you have questions please....” The ACLU expressed concern that this language suggested that in order to regain the right to vote after prison, individuals must actively seek to have their voting rights restored, and that such restoration is not ensured. However, under current law any otherwise-eligible voter automatically regains the right to vote upon the completion of a prison term and need only reregister. (See [Appendix F.](#))
4. Despite that Voters Choice Act counties are required to hold at least one Language Accessibility Advisory Committee (LAAC) and Voting Accessibility Advisory Committee (VAAC) meeting under California Elections Code § 4005(a), and that the California Secretary of State publishes an LAAC toolkit recommending quarterly LAAC meeting(s)¹⁸ in general and more frequent meetings in election years, the ROV Office never responded to multiple emails from the Asian Law Caucus (ALC) and Disability Rights California (DRC) requesting to attend meetings. To the knowledge of ALC and DRC, Alameda County is the only Bay Area VCA county that does not appear to hold these meetings on a regular basis, as recommended by the SOS. (There was a meeting prior to the 2024 election, but it took place only 5 days before the election, and ALC was notified only one day in advance.) (See [Appendix D.](#))
5. Ballot design issues: the placement of recall questions created confusion, and the presentation of at-large Oakland city council candidates favored some candidates over others by having their names

¹⁶ American Civil Liberties Union Foundation of Northern California, et al. v. Dupuis, et al., Superior Court of California, County of Alameda, Case No. 22CV006389

¹⁷ <https://oaklandside.org/2024/11/22/7-at-large-city-council-candidates-demand-an-investigation-into-voting-touchscreens-before-the-election-is-certified/>

¹⁸ <https://elections.cdn.sos.ca.gov/laac/guide-create-local-laac.pdf>

appear on a second page that was not easily found. It seems these design failures should have been avoidable and could have been corrected.

6. The election data reported on the ROV website during the canvass (including voting by precinct, overall turnout, counted/uncounted ballots, when election results will be final, turnout per contest, etc.) was confusingly presented and could be significantly more user-friendly.
7. While state law does not impose time limits on poll watchers so long as they do not disrupt the process, Alameda County's March 2024 Poll Worker Guide limited poll watchers to 15 minutes of observation time.
8. The ROV Office chose not to implement Elections Code Section 3016.5 (previously AB 626 Pellerin), which authorizes voters to return their vote-by-mail ballot in-person at their designated, home precinct or a vote center, and requires ballots cast in this manner to be processed and counted like a non-provisional ballot cast in-person at the polling place; implementing this in time for the 2024 election, as other counties did, likely would have simplified the ballot counting process for election workers, expedited the count and saved taxpayer dollars.
9. After having learned in 2022 that failing to publicly release Cast Vote Records early enough in the elections canvass to allow an independent verification of election outcomes before certification can in fact lead to serious election errors, the Elections Commission recommended in May 2024 (five months before the General Election) that the ROV release text-based Cast Vote Records (CVRs) for all elections and all races early in the elections canvass, commencing with the November Election. The San Francisco County Director of Elections has done this in every election since 2015 and planned to again in 2024. Nonetheless, the Alameda County ROV argued that doing so could run afoul of various election and privacy laws and so rejected this recommendation. The BOS eventually mandated that the ROV Office release the CVRs, and in a file format that would be useful to independent monitors, but only after several weeks of intense and extremely time consuming wrangling that pushed the decision and necessary preparations until it was too late to manage the issue most effectively.

Issues Spanning Multiple Years:

1. The ROV Office creates significant obstacles to observers who wish to monitor equipment testing and ballot processing and counting, and in some cases may be in violation of laws enacted specifically to ensure public access and process transparency:
 - a. The California Elections Code requires that the public receive 48-hour advance notice of the date, time, and place for vote-by-mail (VBM) ballot processing.¹⁹ Alameda County is the only county of which we are aware that fails to provide this information in a timely and actionable manner. The current ROV Office notifications come in less than 48 hours and do not specify times for various activities, which impairs the public's ability to know when they can observe, especially when it requires traveling to the ballot counting facilities in person. The only way observers can determine whether election activities are open for observing is by checking the

¹⁹ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=15104

website to see if links are “live”, by which time they have already started. Alameda County is the only county of which we are aware that makes observation this difficult.

- b. The ROV Office appears to fail to provide information that would enable election observers to observe and verify equipment testing, including Logic and Accuracy testing; observers have repeatedly asked for better and more timely information, to no avail.
 - c. The ROV Office appears to fail to provide information that would enable election observers to observe and verify the delivery of ballots from DHL, UPS, FedEx, etc.
 - d. The ROV Office has failed to provide the information necessary to enable election observers to observe and verify the ballot chain of custody.
 - e. The California Elections Code also states, “vote-by-mail observers shall be allowed sufficiently close access to enable them to observe the vote-by-mail ballot return envelopes and the signatures thereon...” Alameda County uses an Automatic Signature Recognition (ASR) machine to review and verify vote-by-mail signatures, and provides a video feed of this room and the process of feeding mail into the machine only. It is our understanding that there is no way for observers to observe signature checks.
 - f. Verifying signatures on vote-by-mail ballot return envelopes should involve comparing the ballot signatures to voter registration signatures.²⁰ Observers report that election workers are reviewing low resolution scanned images of signatures on envelopes via a computer program and screen monitor instead of verifying signatures against registrations and verifying the signatures are “wet.”
 - g. Observers find it impossible to meaningfully verify the 1% manual tally²¹ due to lack of audio access during observation (audio was available for the 2020 Logic and Accuracy testing, so it’s known to be possible).
2. The ROV Office has a record of not complying with various city and state election laws, and appears to provide little to no public explanation for these decisions when they occur.
 - a. California law, as noted on pages 6 and 7, requires facsimile ballots be visibly posted in all in-person voting locations. The Alameda County ROV Office has repeatedly failed to ensure poll workers post these reference documents.
 - b. As noted on page 9, to the knowledge of the Asian Law Caucus (ALC) and the Disability Rights California (DRC), Alameda County is the only Bay Area VCA county that does not have an established Language Accessibility Advisory Committee (LAAC) and Voting Accessibility Advisory Committee (VAAC) that hold meetings regularly, as required by law and recommended to all county elections offices by the California Secretary of State.

²⁰ <https://www.sos.ca.gov/administration/regulations/current-regulations/elections/signature-verification-ballot-processing-and-ballot-counting-emergency-regulations#20960>

²¹ Under Elections Code section 15360(f), counties are required to report to the Secretary of State the results of a 1% manual tally conducted after each election for the purpose identifying any discrepancies between the voter verified paper audit trail and the electronic record. <https://www.sos.ca.gov/elections/ovsta/frequently-requested-information/county-1-manual-tally>

- c. It took eight years to implement Measure Y1 in Berkeley, and four years in Oakland; it was enacted in 2016 in Berkeley and in 2020 in Oakland and went into practice just this fall (Nov. 2024), and only after the Board of Supervisors named it as a priority for the County.
 - d. Questions repeatedly arise regarding questionable compliance with Oakland, Berkeley, San Leandro and Albany charters and/or election-related laws.
3. The ROV Office has repeatedly acted in ways that deny voters a well-informed, satisfying, responsive and transparent voting experience, for reasons that do not seem to have precedent elsewhere, and that no other county we've been able to identify views as a justification for denying voters a positive experience.
- a. One example is the Cast Vote Record case. The fact that Alameda County called an election for the wrong candidate in 2022 is a serious performance failure in the eyes of voters – and the Commission would expect ROV Office staff to do everything possible to ensure it doesn't happen again, and inform the public about what's going to be different and how they will know. That never happened, and it's not a good sign. Either the ROV Office has a truly inadequate understanding of how to communicate effectively with their constituents, or it is simply so overwhelmed that it just can't do it. To be clear, publicly releasing text CVR reports during the canvass and prior to certification would allow the following:
 - It would help election workers who provide voter information and accessibility support to identify geographic areas where communities may benefit from greater voter education and outreach, thereby improving participation and representation;
 - It would provide researchers extremely helpful and rich data with which to study the impact of elections on various diverse communities and determine whether certain areas would benefit from increased education and outreach;
 - It could reduce the number of election results-related public records requests that have consumed so much Alameda County ROV staff time;
 - It would signal to the public a commitment to transparency and accountability at a time when this is of particular importance; and
 - It would enable the ROV and independent monitors to ensure the accuracy of the election results – especially in RCV races.

The ROV Office has failed to clearly communicate to the Elections Commission or the public why they believe it is in the interest of Alameda County voters to forgo these potential benefits.

- b. Another example was the decision against implementing Elections Code Section 3016.5 to allow vote-by-mail ballots to be dropped off and counted at vote centers with the “regular” ballots, which requires County elections officials to process and count vote by mail ballots in the same manner as non-provisional ballots cast in person at vote centers, if the county election official...
 - a) can and has verified that the voter has not yet returned a vote by mail ballot for that election;
 - b) changes the status of the voter in the election management system from a vote by mail voter to an in person voter;
 - c) collects from the voter their name address and signature;

and d) follows established procedures to ensure the voter does not submit more than one vote by mail ballot without an identification envelope.

The purpose of this law was to expedite the vote counting process and decrease election staff workload by eliminating all of the manual interaction required to process a vote-by-mail ballot (for example the signature verification process) which is significant, and typically is identified as the cause of California’s slowest-in-the-nation ballot count. These effects typically also translate into cost savings for taxpayers. Given bill-author Assemblywoman Pellerin’s background (as a former long-time Registrar of Voters herself), it seems fair to conclude that her intent is to help ROVs across the state, and her judgement of how to do so is well-informed.

Nonetheless, the ROV opted not to comply. The reason stated by the ROV is that the language in the new law requires the precinct or vote center to have “real time” access to the County elections officials election management system, to, among other things, “verify that the voter has not returned a vote-by-mail ballot for that election.” We have been told by County staff that Alameda County’s software has a 5 to 10 minute delay. However, unless someone had voted elsewhere within 5 to 10 minutes of trying to vote a second time this delay would be immaterial, and we fail to imagine how voting in person twice in this time frame would be possible.

The ROV has provided the public no explanation for declining to embrace this opportunity for a faster ballot count, reduction in cost and a more efficient process overall.

III. What’s Happening In Other Counties? A Comparison of the Alameda County Registrar of Voters Office to Other Relevant County Offices, to Assess Whether Issues Observed in Alameda County Also Occur Elsewhere

The Ad Hoc Committee conducted a high-level comparison of Alameda County to nine other counties in the area or those with relevant comparable features such as similar population, in order to assess whether other counties encounter similar challenges, which would be highly relevant in considering possible remedies as well as managing expectations of what is realistic given current budget and staffing constraints, etc. Specifically, we reviewed available data and sought staff interviews for Contra Costa, San Mateo, San Francisco, Santa Clara, Solano, Sacramento, Fresno, San Diego, and Orange Counties. (See [Appendix H.](#))

With regard to professional duties, many Registrars of Voters (ROVs) have one or two job titles in addition to ROV, but only Solano County’s ROV is also a CIO (Chief Information/Technology Officer) although it’s notable that Solano County’s population (449,218) is less than a third of Alameda’s (1,636,194), and it doesn’t have the same complexity as Alameda by multiple measures. In this sense, there isn’t really a comparable county with the same pairing of shared roles.

Number of Counties with...

A dedicated Registrar of Voters (ROV)	21
ROV + Clerk-Recorder	22
ROV + Clerk-Recorder and Assessor	7
ROV + Clerk-Recorder and Auditor	4

ROV + Clerk-Recorder and Clerk of the Board of Supervisors	2
ROV + Chief Information/Technology Officer (Alameda and Solano Counties)	2

Of California’s counties with more than 1.5 million people, all but Los Angeles and Alameda have dedicated ROVs (i.e. no other responsibilities), and in LA the role is combined with County Clerk-recorder only.

Alameda County has 14 cities, which is not unusually high compared to other counties of similar size. Nine counties have more cities, including Fresno, Contra Costa and San Mateo, which all have significantly lower total populations. Nineteen counties have more school districts than Alameda County (which has 18), including 13 with significantly lower total populations.

TOP TEN COUNTIES BY POPULATION

COUNTY	POPULATION	CITIES	# ROLES	ROLE(S)
Los Angeles	9,761,210	88	2	Clerk-Recorder/ROV
San Diego	3,269,755	18	1	ROV
Orange	3,137,164	34	1	ROV
Riverside	2,439,234	28	1	ROV
San Bernardino	2,182,056	24	1	ROV
Santa Clara	1,886,079	15	1	ROV
Alameda	1,636,194	14	2	Chief Information Officer/ROV
Sacramento	1,572,453	7	1	ROV
Contra Costa	1,147,653	19	2	Clerk-Recorder/ROV
Fresno	1,011,499	15	2	Clerk/ROV

Most Counties that we used as comparisons for this report are Voter's Choice Act Counties:

- Voters Choice Act Counties (7): Orange, Santa Clara, Alameda, Sacramento, San Diego, Fresno, San Mateo
- Non-Voters Choice Act Counties (3): San Francisco, Contra Costa, and Solano

With regard to printed ballot language requirements in the comparison group...

- 3 counties print ballots in five languages
- 4 counties (including Alameda Co.) print ballots in 4 languages
- 3 counties print ballots in 3, 2, and 1 language or languages respectively

With regard to facsimile ballots required in additional languages...

- 5 counties must produce facsimile ballots in 8 - 10 additional languages (including Alameda County)
- 4 counties must produce facsimile ballots in 4 - 5 additional languages
- 4 counties must produce facsimile ballots in 2 - 4 additional languages

Of California's 22 Counties with populations of at least 400,000, 55% appoint their ROVs, and 45% elect them. Of the top 10 counties by population, the allocation is similarly split. However, around the Bay, most ROVs are elected – including Contra Costa, Santa Clara, San Mateo and Marin.²²

The final comparison we'd make to other California counties is that no other county appears to have been in the news for performance-related deficiencies with anywhere near the frequency of Alameda County. If the issues described in the prior pages of this report were unavoidable, or par for the course among county elections offices statewide, then we'd expect this to be reflected in local and state newspaper coverage of those counties. However, this data point suggests Alameda County is an outlier in this regard.²³ (See [Appendix G](#) for news relevant coverage in the Bay Area from 2018 - 2024.)

IV. Discussion & Recommendations

DISCUSSION

As noted earlier in this document, all of our interactions with the Alameda County Registrar of Voters staff have informed our view that these are dedicated public servants who seek to produce high quality work in the best interest of the people of Alameda County. We sincerely appreciate their service.

Furthermore, we have highlighted that in addition to being among the most populous counties in the state, Alameda County also is among the most diverse, with residents communicating in many languages that are spoken throughout the County. And, the County is among the most complex in terms of required electoral methods and procedures.

Alameda County unfortunately is also unusual in the sheer volume of complaints registered against it, by voting rights organizations and other public observers, pertaining to performance-related deficiencies or errors, as well as the appearance of extreme delays in response times, explanations or remedies. In addition to decision making and practices that, directly or indirectly, are generating problems, the ROV Office clearly lacks the capacity by some definition to respond effectively to concerns when they are brought to its attention. In addition to the performance and accountability issues, this additionally undermines public trust and confidence in our electoral process.

There may be benefits to combining the ROV with the CIO role in terms of expertise, but it seems this qualification could just as well be achieved by including that knowledge as a requirement for the ROV position. While it is common for ROVs to hold at least one other role in light of the seasonality of elections, the other role is typically County Clerk and Recorder rather than the Director of Information Technology for a county of 1.6 million people. The performance of the office taken as a whole since the roles were combined suggests that the dual responsibility is on balance a negative rather than a positive, measured by ultimate results.

²² San Francisco uses the title Director of Elections rather than Registrar of Voters.

²³ We found one case in 2020 of San Diego County distributing "[Dozens of wrong ballots](#)" at the polls; however only a few dozen voters were affected, and all were immediately notified and provided with correct ballots in time for them to vote.

Additionally, the ROV Office shows a pattern of concluding the office is not bound by state and municipal election-related laws, including in cases where this results in reduced service to Alameda County voters. The Commission has been told on multiple occasions that the ROV Office is merely following the advice of the County's legal counsel. We recommend that the Board of Supervisors examine why County legal counsel advice repeatedly diverges from many (at a minimum, perhaps all) other counties in the state with regard to compliance with these laws.

With regard to the County's inability to respond to requests for information or to feedback from the public when something is wrong and can be and should be remedied, or inquiries from the press that both could help the public understand a situation and actually make the ROV's job easier, we'd recommend installing a Public Information Officer that can effectively provide critical information to the public and the press in a timely way. The other counties we've reviewed do substantially more in this area and show noticeably more robust commitments to effective and timely communication with the public.

Another option that may be considered is converting the Registrar of Voters role to an elected position, as numerous other counties have done. Our impression, based on the information we've reviewed to date is that this step would come with pros and cons. There may be more direct accountability, but it also may result in the role being more reactive in the short run than is in fact in the public interest. The elected office also could become politicized in ways that detract from public confidence. If it continues in an appointed capacity however, then the Board of Supervisors should expect to allocate more time and attention to assertive, proactive oversight of the role, in coordination with its appointed Elections Commission, especially given the ROV Office's high level of direct contact with the public before, during and immediately after elections.

In addition to the above steps, we urge the Board of Supervisors to familiarize itself with the methods other counties use to avoid the pitfalls that repeatedly plague our own county, and consider whether there are alternative approaches worth adopting. In our interviews with staff from neighboring counties we also encountered smart, thoughtful public servants who were deeply committed to the voters in their own regions and who clearly embraced opportunities to generate creative solutions to challenges when they arose; Alameda County can probably learn from them.

Before concluding this discussion, we want to recognize that the Alameda County Civil Grand Jury issued a 2022 report entitled, "Alameda County Voters can Count on Election Integrity". The Grand Jury reported finding no evidence of unresolved problems in the election processes under the ROV's jurisdiction, and stated that when particular problems emerged at specific sites, the ROV moved quickly to address them.

Because this discussion may appear initially to conflict with the Grand Jury's findings, we want to address the distinctions. First, the Grand Jury report reviewed events surrounding the 2020 and 2022 election cycles only. This analysis spans the election cycles of 2018 - 2024. Second and as noted elsewhere, the purpose of this report is not to comment on whether problems were remedied, but the volume of problems that *require* remedy, their impact on voters, and whether they, or their frequency, are unique to Alameda County. Third, some of the Grand Jury findings themselves are contradicted by firsthand reporting by groups working with voters as documented herein. We don't know what information the Grand Jury had available

to them at the time of their review, but their conclusions suggest they were not in contact with the same experts and practitioners who informed this document.

RECOMMENDATION

We believe this report confirms the presence of abundant and incontrovertible evidence that the Alameda County ROV Office lacks the capacity to adequately serve the population of Alameda County. Expecting one individual to perform two obviously extremely demanding roles, in this large and complex county, at a time when there is a perpetual demand for local or state election administration, is not producing an acceptable level of public service to Alameda County voters and taxpayers.

The Committee recommends that the Board of Supervisors take the necessary steps within the next 12 months to implement the following interventions:

- A. Reconsider Scope of ROV Leadership Duties:** Engage The Elections Center (or another similarly qualified organization) to assess the advantages and disadvantages of the following options and advise the Board of Supervisors on appropriate action in the best interest of Alameda County voters:
 1. Restore the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments, or
 2. Continue to pair the ROV responsibilities with a second set of duties, but change the second role to one that is significantly less demanding than County Chief of Information Technology, in alignment with best practices observed in other counties of similar size and complexity.

- B. Enhance Public Communication and Transparency**
 - a. Allocate resources to hire a Public Information Officer, designate a team of subject-matter professionals to improve public and media access to election-relevant information and ROV decision making of public interest/relevance, or some combination of both.
 - b. Establish a policy requiring acknowledgment of public and press inquiries within 48 hours and substantive responses within a reasonable timeframe.

- C. Engage the Elections Center, or other qualified organization, in an Assessment of ROV Office Productivity and Efficiency, including:**
 - a. Analysis of office spending to identify potential resource reallocation options that may enable increased staffing within the current budget;
 - b. Improvements in the use of digital platforms and technology;
 - c. Identification and resolution of any areas where Alameda County is out of compliance with state and municipal laws;
 - d. Benchmarking Alameda County's practices against those of other counties to enhance budget allocations, staffing, and public engagement;
 - e. Assessment of voter roll quality control and transparency in process management; and
 - f. Exploration of ways to expedite the vote count without increasing costs.

We urge the Board of Supervisors to take decisive action on these recommendations to ensure the Alameda County ROV Office can effectively and efficiently serve voters while maintaining public trust and transparency.

Democracy Takes a Village. As members of the Alameda County community ourselves, we appreciate the Alameda County Board of Supervisors making this assessment possible through the formation of this Commission. As the Alameda County Supervisors know, the Elections Commission is a legally established body charged with playing “an oversight role for the Registrar of Voters” and “an advisory role for the Board of Supervisors”. The power to act on these issues, however, rests with our elected County Supervisors. We hope this report is useful in the Supervisors’ ongoing work to ensure taxpayer dollars are spent wisely, that elections are run competently and with maximum transparency and accountability, and that all eligible voters continue to have access to the relevant information needed to ensure public confidence in the delivery of these functions and service.

Alameda Elections Commission Ad Hoc Committee
to Consider Whether the ROV Should Be a Full Time Position
Monthly Reports: March 2024 - May 2025

Issue: Numerous concerns have been raised regarding the Alameda County Registrar of Voters' (ROV) interpretation of legal requirements related to oversight of elections, as well as the responsiveness of the Alameda Co. ROV to the public. Examples include:

- Incorrect tabulation in the 2022 election, leading to certification of the wrong candidate for a school board seat and a recount of the Oakland mayoral contest¹
- Disenfranchisement of over 100 voters in 2020²
- Lack of transparency and responsiveness³
- Public complaints to the Alameda Co. Elections Commission (EC) about election observation access
- Public complaints to the EC about slow response to public records requests

Public trust in elections is a cornerstone of democracy, and in a democracy, foundational to productive civic cooperation, collaboration and comity. Specifically, robust public engagement and trust and confidence in democratic institutions such as the electoral process translates directly into legitimacy of elected officers, civic institutions and government itself.

Possible Solutions: One way to address the above concerns may be to make the Alameda Co. Registrar of Voters a full time position rather than shared with another department. While our primary objective is to determine whether this step seems likely to help address the issues signaled above, we also will keep an open mind to the likelihood that there are other interventions that could be as or more helpful, and if those come up we will share that information with the Commission as well. We want to acknowledge here that we have full confidence in the intentions of ROV staff to deliver the highest possible service to the residents of Alameda Co, and look forward to identifying steps that better enable them to do so.

Update (6/18/25)

The Ad Hoc Committee agreed at the February 2025 meeting to bring its Draft Final Report back for consideration in May in order to provide ROV staff members time to submit their own perspective prior to making any final decisions of what the Commission would consider useful recommendations to the Alameda County Board of Supervisors.

Prior to the May Commission meeting, ROV Dupuis said that due to the demands of the April 15 Special Election in Oakland, the office had not yet had a chance to review the Committee's report, but hoped to have comments prepared in time for the Commission meeting on May 15th.

¹<https://oaklandside.org/2022/12/28/alameda-county-registrar-miscounted-ballots-oakland-election-2022/>

²<https://oaklandside.org/2020/11/18/alameda-countys-election-was-marred-by-systemic-problems-say-voting-rights-groups/>

³<https://oaklandside.org/2023/01/10/alameda-supervisors-approve-recount-oakland-mayor-ousd-district-4-ranked-choice/>

ROV Dupuis submitted a very brief written presentation for the May 15 Elections Commission meeting, but then also presented at the meeting itself lengthy oral remarks that went far beyond the submitted material.

The Committee appreciates that during that presentation, ROV Dupuis expressed support for the second and third Ad Hoc Committee recommendations (#2 dealt with increasing capacity to communicate with the public and #3 recommended an independent review of ROV policies and practices culminating in recommended changes if deemed appropriate; please see the last page of this document for the full text), while, not surprisingly, taking issue with the first recommendation (related to the capacity of the ROV).

We also want to note that there were a number of statements made during the presentation that reflected misunderstandings of the Ad Hoc Committee's work, which the Committee looks forward to correcting.

Because the Ad Hoc Committee members did not have access to the ROV's extensive presentation ahead of time, there was no way to provide a thorough response during the May meeting, nor any way to reflect the comments in the Committee report itself after the fact, which was one of the reasons the input had been sought.

The Committee responded at that time to clarify that the comments would be needed in writing in order to respond to them adequately and reflect them in the report. In response to a follow up email approximately one week ago from the Committee to the ROV again seeking their comments in writing in time for this June 18 meeting, Committee members were told that ROV does not have the capacity to provide their comments in writing at this time, as follows:

"At this time, we want to respectfully share that we do not have the capacity to prepare a written response that adequately and comprehensively reflects the Registrar of Voters' position by the June 11 deadline. In order to ensure that all matters are addressed with the necessary attention and resources, we will be following the Commission's established process of placing this item on the formal request list and prioritizing it accordingly. We remain committed to supporting the Commission's work and appreciate your understanding as we work to balance this request with the broader demands on our team."

Also at the May 16, 2025 Commission meeting, our fellow Commissioners requested some of the language in the report be modified, which we have done.

Additionally, we have added a reference to the 2022 Alameda County Grand Jury Report on the 2020 and 2022 elections.

And last, we have updated the recommendations specifically to comport with the May meeting discussion of recommendation #1 (or A).

Next Steps

This Ad Hoc Committee was formed over a year ago specifically to evaluate whether the Alameda County ROV should be a full-time position (as it was prior to 2009), rather than the current arrangement that effectively adds the ROV duties to the County CIO role.

The Committee has spent considerable time over the past year reviewing firsthand observations and experiences with groups who work with voters, reviewing the relevant experience and record of surrounding and comparable counties, and reviewing the specific characteristics of Alameda County itself –which, as is noted in the report, are distinctive in numerous ways, all to understand not only what has been happening that has attracted the attention and concern of *numerous* voting rights, election integrity, and disability rights organizations, as well as the press, but also to understand whether these circumstances are anomalous, or typical of other comparable counties in the state, and finally whether they are the sort of things that the recommendation we'd specifically been asked to consider, or other practical interventions, could be expected to prevent.

We presented our final draft analysis and report to our fellow Commissioners and ROV staff in February of this year, and solicited at that time comments from the ROV that we hoped could be reflected in the final report prior to submission to the Board of Supervisors. At this time however, four months later, ROV staff indicate, as noted above, that they are unable to predict when their comments will be available (*ironically due to inadequate capacity, which we'd highlight is the primary finding of our report: the office has inadequate capacity to do the job at the level required and that voters count on in a county as large and complex as Alameda County*).

In light of these circumstances, and assuming Commissioners can reach agreement on the report's recommendations at our June meeting, it may be most efficient to go ahead and provide the Ad Hoc Committee report to the County Board of Supervisors in its current form, with a memo highlighting that a written response by the ROV should be forthcoming.

We look forward to today's discussion.

RECOMMENDATION

We believe this report confirms the presence of abundant and incontrovertible evidence that the Alameda County ROV Office lacks the capacity to adequately serve the population of Alameda County. Expecting one individual to perform two obviously extremely demanding roles, in this large and complex county, at a time when there is a perpetual demand for local or state election administration, is not producing an acceptable level of public service to Alameda County voters and taxpayers.

The Committee recommends that the Board of Supervisors take the necessary steps within the next 12 months to implement the following interventions:

- A. Reconsider Scope of ROV Leadership Duties:** Engage The Elections Center (or another similarly qualified organization) to assess the advantages and disadvantages of the following options and advise the Board of Supervisors on appropriate action in the best interest of Alameda County voters:
 1. Restore the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments, or
 2. Continue to pair the ROV responsibilities with a second set of duties, *but change the second role to one that is significantly less demanding than County Chief of Information Technology*, in alignment with best practices observed in other counties of similar size and complexity.

- B. Enhance Public Communication and Transparency**
 - a. Allocate resources to hire a Public Information Officer, designate a team of subject-matter professionals to improve public and media access to election-relevant information and ROV decision making of public interest/relevance, or some combination of both.
 - b. Establish a policy requiring acknowledgment of public and press inquiries within 48 hours and substantive responses within a reasonable timeframe.

- C. Engage the Elections Center, or other qualified organization, in an Assessment of ROV Office Productivity and Efficiency, including:**
 - a. Analysis of office spending to identify potential resource reallocation options that may enable increased staffing within the current budget;
 - b. Improvements in the use of digital platforms and technology;
 - c. Identification and resolution of any areas where Alameda County is out of compliance with state and municipal laws;
 - d. Benchmarking Alameda County's practices against those of other counties to enhance budget allocations, staffing, and public engagement;
 - e. Assessment of voter roll quality control and transparency in process management; and
 - f. Exploration of ways to expedite the vote count without increasing costs.

We urge the Board of Supervisors to take decisive action on these recommendations to ensure the Alameda County ROV Office can effectively and efficiently serve voters while maintaining public trust and transparency.

ATTACHMENT FOR AGENDA ITEM #8(a)(2) – Voting Participation Committee

The Voting Participation Committee is meeting twice a month. We are looking to learn exactly what the ROV Office outreach budget and priorities are, relationships with community organizations, any available metrics on current outreach efforts, etc. We hope to collaborate with staff that do community outreach.

Improving voting participation is a very complex and deep subject, and so we also plan to see if there are any academics or national and state organizations that are working on this and see what they recommend as best practices.

We have no recommendations at this time, they will come later as we learn more and consult with more stakeholders and workers in this area.

ATTACHMENT FOR AGENDA ITEM #8(a)(3) – Nominations

Alameda Election Commission – Nominations Committee Report June 18, 2025

The nominations committee has revived the database of prior applicants to the commission. It is reviewing that pool of applicants and will be contacting the Language Accessibility Advisory Committee for potential candidates.

**Alameda County Elections Oversight Commission
Report on April 15, 2025 Special Election
Submitted on June 18, 2025**

Overview

The April 15, 2025 special election in Alameda County proceeded smoothly, with several improvements noted in comparison to the November 2024 election. This report summarizes the observations, improvements, and ongoing concerns discussed during the April commission meeting.

Notable Improvements

- **Ranked-Choice Voting Instructions:** A new graphic and updated instructions for ranked-choice voting were implemented. These enhancements received positive feedback and may have contributed to the lower incidence of overvotes.
- **Website Enhancements:** The "Ballot Processing Activities" page provided accessible and clear explanations of observable activities such as ballot scanning and adjudication. The Registrar of Voters (ROV) maintained a daily alert system and live-streamed ballot processing activities, exceeding legal requirements.
- **Website Accessibility:** Illustrated election-related topics on the website were easily navigable and accessible to the public.

Concerns and Responses

- **Results Posting Frequency:** The current schedule of posting results only on Fridays raised concerns. The ROV explained that this schedule is intended to manage workflow effectively and ensure that each update reflects a significant batch of results.
- **Ballots with Missing Postmarks:** Concerns were raised regarding the counting of ballots that arrived within seven days of the election without discernible postmarks. The ROV clarified that, under existing guidelines, such ballots are counted in favor of the voter.
- **"100% of Precincts Reported" Notation:** The phrase continues to cause confusion. Although "from Vote Centers" was added since the last election, it does not clarify that the results are preliminary and include vote-by-mail ballots. The ROV is considering removing the 100% notation entirely to avoid misinterpretation.

Registration & Turnout		
108 of 108 Precincts Reported from Vote Centers (100.00%)		Total Registration:250800
	Turnout	Percentage
Election Day Reporting Turnout	4,543	1.81 %
Vote by Mail Reporting Turnout	90,503	36.09 %
Total Ballots Cast	95,046	37.90 %

- **Electronic Voting Display for Ranked-Choice Voting:** The electronic interface for ranked-choice voting differs significantly from the paper ballot layout and is not explained in advance. As a result, voters encounter this unfamiliar interface for the first time at the polling place. It would be beneficial to provide information about this interface ahead of time, ideally in the voter pamphlet. Additionally, on-site instructions that voters can review before using the device would enhance clarity and reduce voter confusion.

Additional Notes

- **Voter Eligibility FAQ:** The FAQ page clarifies that ex-felons may register and vote, provided they are not currently incarcerated for a felony conviction.

Conclusion

The April 15 special election demonstrated operational improvements and enhanced transparency. While certain areas still require attention, particularly around public communication and result reporting, the ROV's efforts reflect a commitment to continuous improvement.

ATTACHMENT FOR AGENDA ITEM #8(b)(2) - Pace of Count

As noted in the 2024 post-election assessment, some voters complain about the pace of the counting. If the final count meets the certified deadline, it is unclear whether speed is a shortcoming that needs to be addressed. Feedback from the ROV was provided at the May 15 meeting. If a faster count is desired, items identified for consideration include:

1. Purchase more machines and hire more staff.
2. Open another vote-counting location.
3. Learn from other counties about speeding up the count.
4. Provide voter, press, and candidate education to set realistic expectations and how voting by mail at the last minute may delay the results.