ALAMEDA COUNTY ELECTIONS COMMISSION Unapproved MEETING MINUTES

Date: Thursday, July 17, 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 July 17, 2025, convened at 4:02 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 (left early), Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, Zabre Valentine (arrived late), and Karl I. Seabrook.

City Clerk: Thai Nam Pham

Registrar of Voters: Tim Dupuis, Cynthia Cornejo, Noe Lucio, Shaheer Siddiqui, and Charles

Smithline.

County Counsel: Jason Allen.

<u>Absent</u>

Commission Members: Alissa Moore, Alexander Ramon, David Wagner, and Allie Whitehurst.

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 June 18, 2025

A motion to approve the minutes was made by Vice President Dieter, seconded by Commissioner Belcher, and passed unanimously (6-0).

- 5. Announcements and Communications
 - a. From staff

Registrar Dupuis noted that Registrar of Voters staff attended the annual CACEO (California Clerks and Elected Officials) conference and reported that it was a fruitful meeting.

b. From commissioners

- Commissioner Butter referred to a Washington Post article regarding the Trump Administration's efforts to gather voter data and inspect voting equipment. She requested this topic be added to the September agenda for discussion on its implications for Alameda County and California. (See Attachment A.)
- Ms. Belcher requested that the September agenda should include a discussion on changing the commission meeting start time to 3:30 p.m.
- Mr. Lindsay said that new requests will be added to the list. He reviewed the process for agendizing issues and gave an oral review of the current list.
- Mr. Lindsay also stated that beginning in September, ROV staff will post the agenda on the Friday preceding the meeting, so all agenda packet items are due to the clerk by Thursday.
- He provided the following email address for the public's alert list: <u>JLindsay.ACEC@gmail.com</u> until such time staff takes over the alert list.
- Mr. Lindsay reminded everyone that there is no August meeting and that the next meeting of the commission will be held on September 18, 2025.

6. Public Comment on Agenda Items

Public comments were made on the agenda items.

- 7. Monthly Update from Registrar of Voters Office
 - Registrar Dupuis reported that the office is currently in post-election clean-up mode while also preparing for the June 2026 election.
 - The Registrar's Office is awaiting a decision from the Washington Township Healthcare District's governing board regarding the date for a potential ballot measure election.
 - Ms. Butter requested that the Registrar provide an overview on current bills/state legislation that may impact the elections division.

8. Business Items

- (a) Ongoing Items from Committees
 - (1) Structure of the ROV position
 - Commissioner Valentine said the new ad hoc committee has submitted its final report to both the Board of Supervisors and the Registrar of Voters.
 - A motion to dissolve the ad hoc committee was made by Ms. Dieter, seconded by Ms. Belcher, and passed unanimously (7-0).

(2) Voting Participation

- Mr. Lindsay said the committee is not yet ready to present a report but shared that the County or cities might consider funding private, trusted organizations already working to increase voter participation. He suggested that such organizations could potentially be reimbursed for registering new voters. A discussion followed.
- Commissioner Valentine suggested modifying the state's voter registration affidavit to collect additional personal information that could be shared with interested community groups.

(3) Nominations

- Commissioner Seabrook said that the committee is getting access to the database to review the applicants.
- Deputy Registrar Cornejo provided the names of two applicants from the language access committees.

(b) New Business

- (1) Speed of Tallying Elections
 - Registrar Dupuis presented an overview of the logistics and practical process for receiving and tallying ballots. He highlighted the increased workload associated with processing vote-by-mail ballots—particularly since nearly half are received during the last two days of the election cycle.
 - He noted that many voters prefer not to vote early for various reasons.
 - Dupuis also explained that posting daily tally updates would require halting all tallying operations to compile the numbers, which may result in updates that show minimal change and appear insignificant.
 - The Registrar's Office plans to add adjudication stations to improve processing speed, while still meeting certification deadlines.
 - Mr. Lindsay did a time check to allow for public comment. A motion to open
 the floor for public comment was made by Ms. Dieter, seconded by Ms.
 Valentine, and passed unanimously (6-0). There was no public comment, and
 the discussion continued.
 - Ms. Dieter stated that the issue did not warrant forming a new ad hoc committee, but that the commission should get updates on improvements, particularly before the upcoming election. Ms. Butter agreed and encouraged the ROV to also ensure continued public transparency on letting the public what is being done to speed up the elections. Commissioner Henderson concurred. Mr. Lindsay proposed that the Commission issue a recommendation to the ROV and shared several ideas, including seeing some published metrics so that people know what to expect.
 - A motion was made by Ms. Dieter, seconded by Ms. Valentine, and passed unanimously (6-0), requesting that the Registrar of Voters provide to the commission:
 - 1. Ongoing updates on improvements to the ballot tallying process, and
 - 2. A brief formal plan—presented four months prior to the June 2026 election—incorporating the Commissioners' suggestions to enhance both the perceived and actual speed of tallying.

(2) Ballot Design

This item was postponed to the September meeting.

9. Special Report from the Registrar of Voters

Embedded this month into agenda 8b1 - Speed of Tallying Elections

10. Public comment on agenda or non-agenda item (Heard after item 8(b)(1))

There were no public comments.

11. Requests for Future Agenda Items

There were no requests for future agenda items.

12. Adjournment

A motion to adjourn was made by Ms. Butter, seconded by Ms. Valentine, and passed unanimously (7-0).

The meeting was adjourned at 6:37 p.m.

The next meeting will be held on Thursday, September 18, 2025, at the San Lorenzo Library.

EXCLUSIVE

DOJ hits states with broad requests for voter rolls, election data

Election clerks in both parties, already facing harassment and lawsuits over Trump's false 2020 election claims, worry about efforts to examine voting machines.

July 16, 2025

By Patrick Marley and Yvonne Wingett Sanchez

The Trump administration and its allies have launched a multipronged effort to gather data on voters and inspect voting equipment, sparking concern among local and state election officials about federal interference ahead of the 2026 midterms.

The most unusual activity is happening in Colorado — a state that then-candidate Donald Trump lost by 11 points — where a well-connected consultant who says he is working with the White House is asking county clerks whether they will allow the federal government or a third party to physically examine their election equipment. Federal agencies have long offered technical assistance and cybersecurity advice to election officials but have not examined their equipment because election laws tightly limit who has access.

Separately, the Justice Department has taken the unusual step of asking at least nine states for copies of their voter rolls, and at least two have turned them over, according to state officials.

In addition, two DOJ lawyers have asked states to share information about voters to implement a <u>Trump executive order</u> that would shift some power over elections from the states to Washington. <u>Courts have temporarily blocked</u> key provisions of that order, including changing mail ballot deadlines and requiring voters to provide proof of citizenship. The DOJ attorneys have asked to talk about a different provision, which has not been halted by the courts, focused on sharing information.

The administration's efforts, fueled by Trump's false claims that the 2020 election was stolen, have rattled state and local election officials from both parties who have spent years contending with threats, harassment and litigation.

Under the Constitution, states are responsible for running elections, and the federal government plays a limited role — such as by dictating when states must offer opportunities to register to vote — that must be spelled out by Congress. Election officials fear the administration could try to build a national file that includes personal information about voters or impose rules that would boot eligible voters from the rolls and make it harder to cast ballots.

"This is an extraordinary imposition of federal power over states' election processes that, if it is accepted by the states in this context, will be absolutely used by Democrats in another context," said David Becker, executive director of the nonprofit Center for Election Innovation and Research, who worked in the Justice Department's voting section under Presidents Bill Clinton and George W. Bush.

A Justice Department spokesperson declined to comment on the activities. The White House did not answer questions about whether it was working with Jeff Small, the operative who has been contacting Colorado clerks, but said the president is committed to helping states ensure voters on the rolls are citizens.

Republican election officials in Colorado fielded calls and messages last week from Small, a consultant who has worked for members of Congress, most recently serving as chief of staff to Rep. Lauren Boebert (R-Colorado). Small told more than half a dozen GOP county clerks by phone or text that he was working with the Trump administration to ensure the integrity of elections and to advance Trump's election agenda, county officials told The Washington Post.

"To me, it felt like they were wanting to intervene before 2026," said Justin Grantham, the Republican clerk in Fremont County.

Five other Republican clerks raised similar concerns.

"That's a hard stop for me," said Carly Koppes, a Republican clerk in Weld County, who said she rejected Small's overtures to allow a federal inspection. "Nobody gets access to my voting equipment, for security reasons."

More than 350 election officials from at least 33 states joined a conference call Monday to learn more from Becker's group and Democratic and Republican lawyers about the potential implications of the administration's moves. Election officials have long bristled at the notion of federal intrusion. In 2017, during Trump's first term, officials from both parties declined to give a presidential commission detailed information on voters, with Mississippi's GOP secretary of state telling the task force to "go jump in the Gulf of Mexico."

In a Saturday <u>social media post</u>, Trump made clear he remains focused on election policies and his 2020 falsehoods, writing that Attorney General Pam Bondi is looking into "The Rigged and Stolen Election of 2020." His administration's latest push for voting data comes a year and a half before the midterms, when Democrats hope to take control of the House, chip away at the Republican majority in the Senate and win more governorships.

"President Trump and his allies are trying to lay the groundwork to interfere with a free and fair election in 2026," said Samantha Tarazi, CEO of the nonpartisan Voting Rights Lab.

The Justice Department's outreach has differed from state to state, according to agency letters and emails. In Colorado, it made a sweeping request for "all records" related to its election. In Alaska, it questioned why no voters had been removed from the rolls for mental incompetence. In several states, it asked detailed questions about the process to remove noncitizens and other ineligible voters from the rolls.

Grantham, the Fremont County clerk, said Small asked him if he would allow a third party to review whether his voting machines complied with federal law. Grantham declined the request, he said, citing state laws that restrict access to voting machines.

Election officials have been on edge in Colorado since 2020, partly because of <u>Tina Peters</u>, a former Mesa County clerk who was sentenced to nine years in prison last year over a scheme to let an outsider into secure areas of her office to copy election data. This spring, the Justice Department made an unusual move to assist Peters with her appeal, further worrying election officials.

And last week, Small contacted clerks, claiming to have ties to Trump. "I am reaching out on a timely election integrity project I'm working with the White House on and was hoping to chat," read one text message from Small to a county clerk. A message to another clerk said the outreach "is from Stephen Miller," the White House deputy chief of staff.

Steve Schleiker, the Republican clerk of El Paso County, said Small told him he was working with the Justice and Homeland Security departments to team up with clerks on election security. Soon after their conversation, Schleiker said, he got a call from a Homeland Security official who wanted to review his election equipment.

"We would like to test the voting equipment to see if there's any gaps," the official said, according to Schleiker.

Schleiker said the administration had no authority to "try to infiltrate a state's or a county's election equipment."

Colorado Secretary of State Jena Griswold (D) likened the efforts to Trump's unsuccessful push to reverse the 2020 election, which ended with his supporters rioting at the U.S. Capitol on Jan. 6, 2021.

"This is the 2020 playbook on steroids," Griswold said.

"This all is part of a bigger ploy to further undermine our voting in this country," she said. "They are actively in a power grab."

Matt Crane, a Republican and the executive director of the Colorado County Clerks Association, said election officials from both parties resist attempts to examine their equipment. "Anybody who is asking for access to the voting machines outside of the law ... that automatically raises red flags in terms of their intent," he said.

Small hung up on a Post reporter Tuesday and did not respond to messages seeking comment. After this article published, Small said in a text message Wednesday that he had been asked to contact county clerks by "officials working on the President's executive order." He did not name the officials or provide other details about his work.

A spokesman for Boebert declined to comment on the outreach to clerks by her former chief of staff. A Homeland Security spokesperson said that the agency works closely with others on election security but that "we don't disclose every single conversation we have with them."

Separately, the Justice Department has recently asked some states for copies of their voter lists. Those inquiries went to a mix of Republican- and Democratic-controlled states, including Alaska, Colorado, Florida, Minnesota, Nevada, New Hampshire, New York, Oklahoma and Wisconsin, according to copies of the letters and information from state election officials.

Some information contained in voter rolls — such as names of voters and elections in which they have participated — is commonly available. Other information, such as the last four digits of voters' Social Security numbers, is not. Colorado and Florida have provided the Justice Department with information from their lists that is generally available to the public, while most other states said they were reviewing the requests.

Federal law gives the Justice Department the ability to ensure states have procedures in place to remove ineligible voters and otherwise properly maintain their rolls. It does not expressly give the agency the authority to review the voter rolls themselves.

States routinely check their rolls to identify people who are ineligible because they are not citizens, have moved to another voting jurisdiction, have been convicted of a felony or have died. The administration could do its own checks with copies of the voter rolls, but it would need versions with dates of birth and other identifying information to properly match data with citizenship, death and court records, according to experts.

Ann Jacobs, chairwoman of the Wisconsin Elections Commission, said she worries the federal government could try to use the information to justify new rules that would make it harder to cast ballots.

The sloppy use of data can result in inaccurate matches that give election skeptics opportunities to tout exaggerated claims of ineligible voters appearing on the rolls, Jacobs said. Voters deserve answers about why the administration wants information about them and what it plans to do with it, she said, particularly when federal laws are supposed to protect Social Security numbers and other private information.

"Is this a backdoor way to get access to the data that the statutes have said [they're] not entitled to have?" said Jacobs, a Democrat.

The Justice Department's voting section last month sued Orange County, California, to obtain driver's license numbers and signature images of people who had been taken off the county's rolls because they were not citizens. The lawsuit has worried election officials elsewhere because it signals the department wants access to personal information that is usually protected.

Justin Levitt, a Loyola Law School professor who advised the Biden White House on voting rights, called the requests for voter rolls "exceptionally unusual" and said they probably violate federal privacy law because the administration has not given fuller public explanations for why it wanted them. He also worries about the security risks of the federal government housing sensitive data on 174 million registered voters in a centralized system, he said.

"It's one thing if a county's voter file gets hacked," he said. "It's a much bigger problem if the federal government is amassing a national voter file that gets hacked."

Razzan Nakhlawi contributed to this report.