

Alameda County Elections Commission Meeting Agenda

September 18, 2025

Agenda Packet Version 2 - Agenda Packet Updated 9/15/25

Time: 4:00 PM

Location: Via Zoom/In person

San Lorenzo Library

395 Paseo Grande

San Lorenzo CA 94580

Zoom Link for Meeting: <https://us02web.zoom.us/j/87981215132>

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

2 -- **Swearing In of New Commissioners** -- 5 minutes

Tiega Varlack

3 -- **Approval of Agenda** -- 2 min

Modifications to the agenda can be made here

4 -- **Approval of Minutes of July 2025** -- 5 minutes

See attachment.

5 -- **Announcements and Communications** -- 5 minutes

No discussion on these items.

a. From staff

b. From commissioners

President Lindsay - Attached is the report on Efficacy of a Combined ROV/CIO in Alameda County that was sent to the supervisors on July 14, 2025. Also attached is the ROV's response that was emailed to the commission.

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** -- 15 minutes, for discussion

8 -- Business Items – all items are for action

(a) Ongoing Items from Ad Hoc Committees – 20 minutes

The convener / lead for each subcommittee has an asterisk by their name.

(1) Voting Participation (A Moore*, Whitehurst, and Lindsay)

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.

(2) Improving Election Result Reporting (Dieter)

Background: The commission appointed Commissioner Dieter to work with staff on to include website reporting of the percent of voters participating in each contest and the share of voters supporting each candidate in plurality at-large contests.
See attachment.

(3) Nominations (Ramon and Seabrook)

Background: The Nominations Committee is trying to find a strong candidate for the “impacted community” seat, which the commission is responsible for nominating to the Board of Supervisors

(b) New Business

(1) Ballot Design – 15 minutes

[Postponed from the July meeting] The commission identified two ballot design issues in the post-2024 election assessment that needed improvement. (A) All candidates in one contest did not appear on the same computer touchscreen screen. (B) The placement of a Yes or No question was at the top of the same page as the choices of candidates for an at-large race.

Possible Action: Receive an update on improvements from the ROV or form an ad-hoc committee or appoint a commissioner to work with staff on it.

See attachment.

(2) ROV Partnerships on Voter Registration Events (Butter) – 15 minutes

Discuss whether the ROV partners with local organizations on voter registration events and, if so, what the process is to collaborate.

See attachment.

(3) Review of third-party contracts (Lindsay) – 15 minutes

Background: The Commission and interested members of the public should understand whom the ROV Office is contracted with, what those contracts cost, and what does the department and the citizens of Alameda County receive for that cost.

Initially, we expect a brief report of the 2 or 3 largest and most impactful contracts. After the November 2025 election, we are requesting a full list of all contracts be presented in writing to the Commission.

9 -- Special Report from the ROV – 20 minutes

A hands-on review of the Election Results web pages

Postponed from June 2025 meeting.

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

The next meeting will be Thursday, October 16, 2025, at the San Lorenzo Library.

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.

Absent

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 agendaizing 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: JLindsay.ACEC@gmail.com 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 Trump executive order that would shift some power over elections from the states to Washington. Courts have temporarily blocked 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 [social media post](#), 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 Tina Peters, 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.

FINAL REPORT

The Efficacy of a Combined ROV/ CIO in Alameda County

*Analysis of Whether the Decision to Combine Alameda County's Registrar of Voters and
An 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*

(July 2025)

CONTENTS

- I. Purpose and Overview (p. 3)
- 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, however, reveals numerous challenges in how critical election-related decisions are being made and executed, which 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 that the situation can be remedied comprehensively. We have sought to illuminate the type of interventions that are likely needed to enable the system to work better for voters. 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 is aware, the Alameda County Elections Commission is an all-volunteer body with no staff or budget to conduct 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 has relayed that they have not yet prepared 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 whenever possible. It would be advisable to allow this committee to respond to those comments when they are available, in case they misconstrue our process, as 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, and administers anywhere from 1 to 5 regular and special elections per year (with 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 the 2016 election.
- Despite the above workload, 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 reputation and credibility with the public.
- No other county in the state seems to be experiencing the volume of problems, or appearance thereof, that Alameda County has logged over the past few years, or of similar types of problems, including 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 the 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 election information on the ROV Office website, before, during and after elections
 - User-friendly ballot design
 - 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 verify results independently
 - Consideration of how to expedite the vote count immediately after elections
 - Good faith compliance with municipal and state laws and city charters related to election administration, or a 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 in population to the County of Sacramento, 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 is also 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.

Regarding the number of elections Alameda County administers per year, one might assume the ROV Office is typically responsible for primary and general elections in alternating years only, 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, also assumed the ROV role, taking on both positions as a cost-saving measure during the Great Recession. By 2012, the County needed a new ROV. 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 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 several 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 any concerns having been raised regarding the administration of elections in the 2014 election cycle. However, reports of inadequate provision of multilingual election material translations began to reappear in 2018, and additional concerns also surfaced.

LIST OF ELECTION-RELATED EXPERIENCES OF CONCERN, BY YEAR

We wish to offer, as an overarching comment relating to all that follows: As of the date of this report, a number of the following issues have been remedied or steps to do so are in progress. The purpose of this report however, requires the investigating committee to consider the frequency and volume of problems themselves that voters and others encounter, and to consider the significance of that finding on behalf of Alameda county voters and taxpayers.

2016 Election Cycle:

During the June 2016 election, there were reports of difficulties in using the audio features of voting machines, leading to extended waiting times for visually impaired voters.¹²

2018 Election Cycle:

1. According to reports by Asian Americans Advancing Justice (AAAJ), poll workers were not adequately informed of policies requiring the 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 that this would increase labor requirements. Others disputed this claim, since the RCV software could 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.¹³

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

¹² <https://apnews.com/us-news/california-san-francisco-vision-impairment-and-blindness-general-news-d24f6fdb38af70a92164cf69d482ed49>

¹³ <https://www.sfchronicle.com/bayarea/article/East-Bay-officials-push-for-more-transparency-in-13321986.php>

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.

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 as a result, 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 from voting rights organizations when they brought these concerns to the ROV’s attention, seeking explanations and plans for immediate remedy so they could help publicize this information to 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 contact the ROV Office for complete RCV results individually. Members of the public did that, yet were never given the final RCV results.

8. The Election Integrity Team of Alameda County, CA (EITACCA) 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 issue 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.¹⁴
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, resulting in the incorrect application of the 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 initially 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 had been certified (30 days post-election). At that time, a judge's order becomes necessary because ballots must be unsealed.
3. The Oaklandsiders 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.

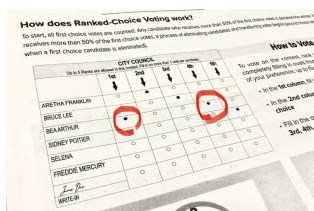
¹⁴ In fact, the Oakland Charter states the City Clerk may allow voters to rank the maximum number of choices permitted by the equipment in use, which for cities using Dominion equipment reportedly is 10. Since there were 10 candidates in the 2022 Oakland Mayoral election, this could have significantly changed the election experience for voters.

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 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.¹⁵

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

1. County Voter Guides arrived late, impeding voters' ability to take advantage of early voting and undermining confidence in local election administration.
2. The County Voter Guide included erroneous instructions for Ranked Choice voting.¹⁶



3. The ROV Office distributed to the public misleading information related to the 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 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 needs only to 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)¹⁷ 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 regularly, as recommended by the SOS. (There was a meeting prior to the 2024 election, but it took

¹⁵ American Civil Liberties Union Foundation of Northern California, et al. v. Dupuis, et al., Superior Court of California, County of Alameda, Case No. 22CV006389

¹⁶ <https://oaklandside.org/2024/11/22/7-at-large-city-council-candidates-demand-an-investigation-into-voting-touchscreens-before-the-election-is-certified/>

¹⁷ <https://elections.cdn.sos.ca.gov/laac/guide-create-local-laac.pdf>

place only 5 days before the election, and ALC was notified only one day in advance.) (See [Appendix D.](#))

5. Electronic Ballot Design Issues: The placement of recall questions on electronic voting machines created confusion, and the presentation of at-large Oakland City Council candidates favored some candidates over others by having their names appear on a second page, which was reportedly not easily accessible to some voters.
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 finalized, turnout per contest, etc.) was presented in a confusing manner 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 did not 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. *(As of June 2025, the ROV has reported that they intend to implement this provision starting with the anticipated special election of November 2025 as a pilot project.)*
9. After having learned in 2022 that failing to release Cast Vote Records early enough in an election 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. 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 in a 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. Election observers who wish to monitor equipment testing and ballot processing have encountered significant obstacles to activities they understand to be protected under state laws designed to ensure election 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.¹⁸ Alameda County is the only county of which we are aware that does not provide this information in a timely and actionable

¹⁸ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=15104

manner, according to civic organizations. The current ROV Office notifications arrive 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 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 does not 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 does not provide information that would enable election observers to observe and verify the delivery of ballots from DHL, UPS, FedEx, etc.
 - d. The ROV Office does not 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 utilizes 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, excluding the actual signature verification process. 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.¹⁹ 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 that the signatures are "wet."
 - g. Observers find it impossible to meaningfully verify the 1% manual tally²⁰ due to a 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 taken years to implement a number of city and state election laws, with little to no public explanation for these delays when they occur:
- a. California Law, as noted on pages 6 and 7 of this report, requires facsimile ballots in languages other than English be visibly posted in all in person voting locations. The availability of facsimile ballots was a problem in the 2020 and 2018 elections and prior (language access groups have confirmed it has not been a problem since the 2022 election cycle).
 - b. As noted on page 9, to the knowledge of the Asian Law Caucus (ALC) and the Disability Rights California (DRC), until 2024 Alameda County was the only Bay Area VCA county that did not

¹⁹ <https://www.sos.ca.gov/administration/regulations/current-regulations/elections/signature-verification-ballot-processing-and-ballot-counting-emergency-regulations#20960>

²⁰ 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>

have an established Language Accessibility Advisory Committee (LAAC) and Voting Accessibility Advisory Committee (VAAC) holding regular meetings, as required by law and recommended to all county elections offices by the California Secretary of State.

- 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 have lingered for years regarding ROV implementation of Oakland, Berkeley, San Leandro and Albany city charters and/or election-related laws. (Implementation of these provisions is typically not legally required, but it has been a concern for civic groups).
3. The ROV Office has repeatedly acted in ways that deny certain voters a well-informed, responsive and transparent voting 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 flawed understanding of how to communicate effectively with its 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 with 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

male 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 manual interactions required to process a vote-by-mail ballot (for example, the signature verification process), which is significant and is typically 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 judgment of how to do so is well-informed.

The reason stated by the ROV for not implementing this law was that the language 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 informed 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 comprehend how voting in person twice in this time frame would be possible.

The ROV has provided the public with no explanation for declining to embrace this opportunity for a faster ballot count, reduced costs, 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, 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 is no 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). In LA, the role is combined with that of County Clerk-Recorder.

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 of the 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

Regarding the printed ballot language requirements in the comparison group...

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

Regarding 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.²¹

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.²² (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 is also among the most diverse, with residents speaking many languages commonly 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 appears to lack the capacity to respond effectively to concerns when they are brought to its attention.

There may be benefits to combining the ROV with the CIO role in terms of expertise, but this qualification also could 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, we have shown here that elections in Alameda county do *not* have "off-years", and even in cases where that is relevant the shared 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.

²¹ San Francisco uses the title Director of Elections rather than Registrar of Voters.

²² 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.

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 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 may also result in the role being more reactive in the short term than is actually 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 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. It stated that when particular problems emerged at specific sites, the ROV moved quickly to address them. As this discussion may initially appear to conflict with the Grand Jury's findings, we would like 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 focus of this analysis is not on whether problems have been remedied, but the volume of problems that *required* remedy, their impact on voters, and whether they, or their frequency, are unique to Alameda County, and whether it is reasonable to conclude changes within the Office of the ROV could substantially reduce them. Third, the findings themselves suggest the Grand Jury's sources included parties other than those informing this analysis.

RECOMMENDATION

We believe this report presents clear and compelling evidence that the current structure of the Alameda County ROV Office—where the Chief Information Technology Officer also serves as the Registrar of Voters—places significant and competing demands on one individual. While this observation is not a reflection on the capabilities or commitment of the person serving in both roles, the dual-duty arrangement in a county of this size and complexity appears to limit the Office's ability to consistently deliver the level of election service and responsiveness that Alameda County voters and taxpayers should expect.

The Committee recommends that the Board of Supervisors take the necessary steps within the next six to eight 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 restoring the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments and advise the Board of Supervisors on appropriate action in the best interest of Alameda County voters.
- 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, press, and government staff 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 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 representatives. 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 services.

ATTACHMENTS FOR AGENDA ITEM #5b -- Commissioner Communication

Attachment B - ROV response to Ad Hoc Committee

July 15, 2025

Dear Commissioner Lindsay, Commissioner Valentine, and Commissioner Pham:

We appreciate the time and effort that the Ad Hoc Subcommittee has devoted to reviewing the operations of the Registrar of Voters (ROV) Office. We share the overarching goal of ensuring that Alameda County elections are transparent, accessible, efficient, and trustworthy. While our Office welcomes constructive oversight, such oversight must be informed, fair, and contextually accurate—but this report is not. Accordingly, we must reiterate certain concerns about the report.

First, the report fails to show any relationship between operational concerns raised and its conclusions about the structure of the ROV. Put another way, the report provides no evidence to suggest that the current, dual-role structure contributed to any of the operational challenges mentioned in the report. The report itself identifies that most of the registrars in the state of California also hold a second role, and, in 4 of the 10 largest counties by population (including Alameda County), the registrars operate under a dual-role structure. The report also makes no effort to identify or acknowledge the benefits created by ROV's close relationship with the IT Department.

Second, the report lacks balance in both tone and treatment of key facts. While purporting to acknowledge the dedication of ROV staff, the report largely minimizes or omits significant improvements, misrepresents the intent behind ROV decisions, and fails to recognize the Office's legal and operational realities.

We highlight a few of the report's factual mischaracterizations below. This is not an exhaustive list. We have focused on misstatements significant enough that we would expect that the Ad Hoc Subcommittee will want to correct them before submitting the report to the Board of Supervisors on behalf of the full Commission.

The Report Mischaracterizes the ROV's Engagement with this Process

On page 3, the report asserts that the ROV did not respond in writing to the draft report and suggests that the final report had to be delayed as a result. This is not accurate.

After working on this report for more than a year (though it did not seek input from the ROV during that time) the subcommittee that prepared the report presented its initial draft at the February Elections Commission meeting. This came shortly after the recent presidential election and right in the middle of our Office's preparations for an April 15 special election. At that meeting, the full Commission agreed that, given the demands of those elections, the ROV would provide a report in response to that initial draft at the May 2025 Election Commission meeting, which we did. Consistent with the full Commission's instructions, the ROV responded to the report's preliminary findings in a public presentation—including more than 20 slides with written material—at the May 2025 Elections Commission meeting.

Following that presentation, Commissioner Valentine requested a written response. But that request came only after the presentation requested by the full Commission, and in the midst of the full Commission's ongoing discussion—including some vigorous disagreements—about significant portions of the report. In other words, one Commissioner asked for a written response, and did so before the substance of the report was finalized.

The report mischaracterizes these events to suggest that the ROV failed to respond or cooperate with the Commission, and that this delayed efforts to finalize the report. What's more, despite claiming that the authors "intended to delay finalizing the report until [they] could include the ROV's comments," the report fails even to mention—let alone incorporate or respond to—the ROV's presentation at the Elections Commission's May meeting.

The Report Ignores Several Court Rulings Validating That ROV Observation Practices Comply with the Law

In the discussion of public observation processes, the report incorrectly claims that the ROV Office fails to comply with California law on public observation rights. In doing so, the report studiously ignores that our observation policies and practices have faced four separate legal challenges, and in each case, the courts have held that our practices comply with the law. In response to public questioning during Elections Commission meetings, we have previously explained that our observation processes and procedures have repeatedly withstood judicial scrutiny. Omitting this from a section purporting to evaluate observation access misleads readers into believing our approach is either rogue or untested, when, in fact, the opposite is true.

The Report's Discussion of the ROV's Treatment of Cast Vote Records Is Incomplete and Misleading

In criticizing the ROV's handling of Cast Vote Records (CVR), the report argues—without evidence—that the ROV's treatment of CVR stems from either "a flawed understanding of how to communicate effectively with its constituents" or being "so overwhelmed that it just can't do it." In making this argument, the report ignores relevant changes to the law in September 2024 and the ROV's obligations to comply with state election laws and voter privacy protections.

Relatedly, the report also ignores guidance issued on October 18, 2024 by the California Secretary of State—the agency charged with enforcing Election Law in California—stating, in effect, that the September 2024 changes to the Elections Code prohibited publicly releasing CVR unless specific criteria were met. As we have discussed during multiple Elections Commission meetings, in the short time between that guidance and the November 2024 election, our Office worked with the Secretary of State's Office to secure permission to release CVR during the canvassing period for the 2024 presidential election and after we certified that election. Our Office repeated that process to ensure that we could release CVR for the City of Oakland's April 15, 2025 special election.

The report fails to mention any of this. By leaving such important facts and context out of its discussion, the report creates the false impression that our Office resists transparency, when, instead, we have worked diligently to do it right, and in compliance with the law.

Again, the ROV Office remains committed to improving election administration in Alameda County and welcomes thoughtful and accurate input. Reports that inform public opinion and influence policy decisions must be factually accurate and contextually complete. As it stands, the Ad Hoc Subcommittee's report falls short . At a minimum, we hope that this Ad Hoc Subcommittee will either remove the portions of the report highlighted above or substantially revise them to avoid misleading the Board of Supervisors and members of the public. We also hope that this discussion invites a more balanced and collaborative path forward.

Sincerely,

Tim Dupuis
Registrar of Voter

ELECTION COMMISSION MEETING – SEPTEMBER 18, 2025

Agenda Item #7 – Registrar of Voters Monthly Report

1. Election:

- a. November 4, 2025, Statewide Special Election
 - i. On the ballot – Proposition 50(Authorizes Temporary Changes To Congressional District Maps In Response To Texas' Partisan Redistricting) (50%+1), Measure B (Washington Township Health Care District) (Parcel Tax) (50%+1)
 - ii. Vote Centers – 20 will be open starting Saturday, October 25, 2025, 18 additional Voter Centers will be open starting Saturday, November 1, 2025
 - iii. Official 24-Hour Drop Boxes – will be open starting, Monday, October 6, 2025
 - iv. Important Dates
 - 1. Voter Information Guide Mailing Period – Thursday, September 25, 2025 (E-40) – Tuesday, October 14, 2025 (E-21)
 - 2. First Day of Mailing Vote by Mail Ballots – Monday, October 6, 2025 (E-29)
 - 3. Last Day to Register to Vote – Monday, October 20, 2025 (E-15)

UPDATE ON IMPROVING ELECTION RESULT REPORTING

Meeting Date: September 18, 2025

From: Commissioner Irene Dieter

On June 18, 2025, the Elections Commission appointed me to work with Registrar of Voters staff to improve the reporting of election results by adding the percent of voters participating in each contest and the share of voters supporting each candidate in plurality at-large contests, as identified in the 2024 post-election assessment.

DEFINITION OF TERMS

“Election” and “Contest” -- As a refresher, what is colloquially referred to as an election is technically a consolidated election. This means that two or more elections are occurring at the same time, using the same ballot. To avoid confusion, each election on the ballot is referred to as a "contest."

“Turnout” and “Participation” -- Turnout is reported on the web for the consolidated election (meaning turnout for the entire county) and in the Statement of Vote for each contest (meaning turnout for each electoral jurisdiction). However, turnout is the share of registered voters who submitted a ballot in a jurisdiction, whether or not that ballot was marked for a particular contest. As such, turnout does not report the share of registered voters who cast a vote in a particular contest. In order to avoid confusion, the share of the voters who marked their ballot in a particular contest is referred to as "participation."

BACKGROUND

Voter participation in some contests is substantially less than voter turnout. For instance, *turnout* in the last District 5 Supervisor contest was 77.79%, almost four of every five registered voters. However, because 23,281 ballots were left blank for this contest, voter *participation* was 66.83%. This means that the report of turnout could have misled readers into thinking that four of five registered voters participated in deciding this contest, when it was actually two of three. This illustrates the need for reporting of participation to provide an accurate understanding of election results, particularly considering that this contest was won by just 425 out of the 141,989 valid votes cast.

For multiseat contests decided by a plurality at large, which is the case for a number of city councils, school boards and some other bodies in the county, voter participation and the share of voters supporting each candidate cannot be calculated because the number of ballots marked is not available.

The one exception was in 2004. The Statement of Vote for the general election that year reported the number of ballots left blank in each contest. For example, this allowed calculating that in the at-large contest for Alameda City Council that election where two seats were to be filled, participation was 68.97% vs. reported turnout of 79.02%. It also allows calculating that the two candidates who won Alameda City Council seats were supported by 39.98% and 32.44% of voters (noting that the same voters could have supported both candidates due to plurality at-large voting). This compares to the website reporting they received 23.11% and 18.78% of the vote, respectively, which is misleading when compared to the share of voters who supported each.

THE PROBLEMS

Turnout per electoral jurisdiction (e.g., county, city, school district) is currently reported. However, the value that is reported is the percent of registered voters who turned in a ballot, even if that ballot was left blank for particular contests. This means that if a voter left a contest blank, that voter did not participate in deciding the outcome of that contest. As such, turnout is not an accurate measure of voter engagement in most contests.

Voter participation in contests where each voter has one vote (which includes contests by ranked choice) can be calculated. It is simply the sum of the votes cast plus ballots overvoted divided by the number of registered voters. However, this value is not currently reported.

For contests by plurality at large, where each voter has the option of voting for more than one candidate, the situation is worse. The share of voters participating cannot be calculated from the data currently reported because the number of voters marking a ballot is not tabulated. Further, because the number of ballots with valid votes is not available, the share of voters who supported each candidate in these contests is not reported and cannot be calculated. This basic information is important for the functioning of a democracy.

In sum, simply reporting the percentage of voters who turned in a ballot is not an accurate measure of civic engagement because often a voter leaves some contests on their ballot blank. Thus, people are not aware of the share of registered voters involved in deciding such contests. And the share/percent of voters who supported each candidate in plurality at-large contests is not reported. Thus, people and candidates are not aware of how much support each candidate in a contest, particularly those that won, received.

STATUS UPDATE

In an effort to close these reporting gaps, the Registrar of Voters and Information Technology Department (ROV/ITD) asked a representative from Dominion Voting Systems, the county's voting machine and software vendor, if its software could provide the percentage of registered voters who had participated in each contest on the ballot and the percentage of voters who had supported each candidate in plurality at-large contests.

The Dominion representative replied that these statistics are not currently available in the certified system, and that the company is not willing at this time to modify their system to produce these statistics because they are currently focusing all their technical resources on certification of the next release of their product.

In addition, the ROV/ITD is not comfortable writing its own code outside of the certified system. There are liability issues, and to obtain certification, these systems go through rigorous testing at both the federal and state level.

The ROV/ITD will continue to meet with Dominion Voting Systems to see if their software can be upgraded to provide the reporting we desire. Dominion has agreed to do some more research and will report back with the results. I have asked the ROV/ITD to pursue hosting a meeting with Dominion, Albany City Councilmember Preston Jordan who is a proponent of these reporting enhancements, and me.

MOCKUP WEB REPORT

The number and percent of voters that participated in the contest is added at the top. The added column ("percent of voters") provides the share of voters supporting each candidate in a multiseat plurality at-large election.

Members, City Council - Alameda				—
12 of 12 Precincts Reported(100.00%)		Ballots marked 34,968 (66.65% of registered voters participated)		Vote for no more than Two (2)
Contest	Votes	Percent of votes	Percent of voters	
Michele Pryor	16,396	26.55 %	46.92%	
Greg Boller	14,208	23.01 %	40.65%	
Thushan Amarasiriwardena	13,049	21.13 %	37.35%	
Trish Herrera Spencer	12,086	19.57 %	34.57%	
Steve Slauson	6,013	9.74 %	17.20%	

ATTACHMENT FOR AGENDA ITEM #8(b)(1)

BALLOT DESIGN

A. Computer Touchscreen – All candidates in one contest did not appear on the same computer touchscreen screen so some voters may not have known to scroll for more candidates. For example, Oakland’s at-large council race had 10 candidates, but touchscreens show only the first eight candidates when initially opening that screen, forcing voters to scroll down to a second page to find the final two candidates. *Remedies to Consider: (1) Provide clear written instructions to view all candidates before moving on. (2) Ensure all candidates are on one screen.*

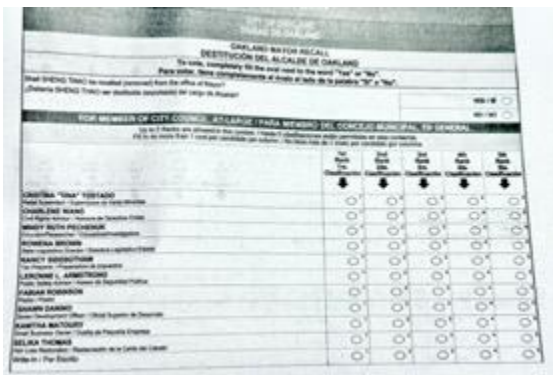


Photo Credit: Jose Feroso, Oaklandside

B. Placement of Candidate and Ballot Questions on the Ballot – The placement of a Yes or No question was at the top of the same page as the choices of candidates for an at-large race. This might have caused some people to miss the question. *Remedy to Consider: Ensure yes or no questions are not on the same page as candidates.*

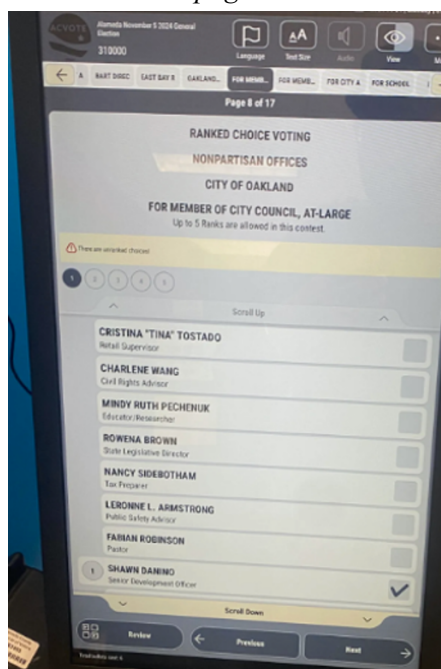


Photo credit: Shawn Danino, Oaklandside

ROV Partnerships on voter registration events

Background:

Local civics and county-wide education organizations are partnering to promote voter registration and pre-registration for high school students. There is a Youth Outreach Committee in the Alameda League of Women Voters, consisting of high school students, who are promoting registration and pre-registration. The groups and leaders have tried unsuccessfully to partner with the ROV on registration events. Meanwhile, the ROV held its own voter registration event.

The league's committee would like to set up a system similar to the [Marin County Student Election Ambassador Program](#).

Discussion:

Does the ROV partner with local organizations on voter registration events and, if so, what is the process?