

Alameda County Elections Commission Agenda

May 15, 2025

Meeting *Date*: Thursday, May 15, 2025
Time: 4:00 PM
Location: Via Zoom/In person
San Lorenzo Library
395 Paseo Grande, Greenhouse Room
San Lorenzo, CA 94580

Zoom Link for Meeting: <https://us02web.zoom.us/j/83468528480>
*The video recording of the meeting is normally posted 2-3 days after the meeting.
It can be found at:*

- 1 -- Call To Order / Roll Call at 4pm -- 2 minutes
- 2 -- Swearing In of New Commissioners -- 2 minutes
Thai Nam Pham - The commission membership includes an ex officio member representing the city clerks of the county. This ex officio member shall not have any voting rights, but shall be advisory to the commission.
- 3 -- Approval of Agenda -- 1 min
Modifications to the agenda can be made here
- 4 -- Approval of Minutes of April 2025 -- 5 minutes
See attached minutes
- 5 -- Announcements and Communications -- 5 minutes
No discussion on these items.
 - (a) From staff
 - (b) From commissioners
- 6 -- Public Comment on Agenda Items -- 15 minutes
If we have 5 or less commenters, then they will have up to 3 minutes each. 5-14 commenters will be limited to 2 minutes each. If we have 15 or more people then they will be limited to one minute each. We encourage and appreciate written comments to be emailed to the Commission at eoc@acgov.org.
- 7 -- Monthly Update from Registrar of Voters Office -- 10 minutes
Oakland election finished – final stats
See attachment

8 -- Business Items – all items are for action

(a) Old Business – April 15 Election Assessment - 20 minutes

Background: At the April meeting the commission started a discussion on the April 15 special election in Oakland. Commissioners may again provide input and any pertinent materials.

See “Election Information” at <https://acvote.alamedacountyca.gov/election-information/elections>.

Recommended action: Form an ad hoc committee or appoint a commissioner to draft a brief post-election assessment to return at the June meeting.

See attachment.

(b) Ongoing Items from Committees – 45 min

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

(1) 2024 Post-election Assessment (Belcher*, Butter) -- 5 minutes

Recommended action: Dissolve this committee

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

Background: This is the issue about having Alameda County Registrar's position being a standalone position, as opposed to managing multiple departments.

ROV will provide feedback on the draft report.

Possible actions: Accept the committee report, and/or send report and the staff response to the BOS, and/or send a separate proposal to the BOS, or send it back to the ad-hoc committee for incorporating ROV's response within the report and return with revised report in June.

See attachments

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

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

See attached update

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

Background: The Nominations Cmte has agreed to try to find a strong candidate for the District 2 supervisor. We also need to fill the “impacted community” seat that the commission is responsible for nominating to the Board of Supervisors.

8 -- Business Items – all items are for action

(c) New Business – all items are for action – 20 minutes

(1) Website reporting of plurality at-large election results and reporting of participation turnout per contest – 15 minutes

Background: The 2024 post-election assessment listed improvements needed on reporting Election Results on the website. Feedback is needed from the ROV.

Possible actions: (1) Formally endorse requested improvement, and ask the ROV Office to implement it in the next election. (2) Form an ad-hoc committee to work with staff on website changes.

See attachment.

(2) Speed of Tallying Elections – 5 minutes

Background: There is much concern from candidates, the press, and the public regarding the speed of tallying elections.

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

9 -- Special Report from the ROV – 15 minutes

A hands-on review of the Election Results web pages

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

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

11 -- Requests for Future Agenda Items

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

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

The next meeting will be Wednesday, June 18, 2025 in Oakland because of the Juneteenth holiday.
Address: Alameda County Training and Education Center, 125 12th St., Suite 400, Oakland 94612.

ATTACHMENT FOR AGENDA ITEM #4 -- Minutes from April 17, 2025 Meeting

DRAFT COUNTY OF ALAMEDA ELECTIONS COMMISSION

MEETING MINUTES

Meeting Date: Thursday, April 17, 2025

Time: 4:00 p.m.

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 meeting was called to order at 4:00 p.m. by President James R. Lindsay. Clerk Noe Lucio conducted a roll call.

Present:

Commission Members: Judy Belcher, Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, Alexander Ramon, Karl I. Seabrook, David Wagner, Allie Whitehurst, and Alissa Moore (remotely, late arrival).

Registrar of Voters (ROV) staff: *Tim Dupuis*, Noe Lucio, Shaheer Siddiqui, and Charles Smithline; County Counsel: Jason Allen (remotely).

Absent:

Commission Members: Zabrae Valentine

Registrar of Voters: Cynthia Cornejo

2. Swearing-In of New Commissioners

David Wagner was publicly sworn in as a new commissioner.

3. Approval of Agenda

A motion to approve the agenda without modifications was made by Commissioner Belcher, seconded by Commissioner Ramon, and passed unanimously by acclamation.

4. Approval of Minutes of March 20, 2025

A motion to approve the minutes of the March 20, 2025 meeting was made by Vice President Dieter, seconded by Commissioner Ramon, and passed with a vote of 9-0.

5. Announcements and Communications

(a) From staff:

- Registrar Tim Dupuis noted that the Deputy Registrar Cynthia Cornejo was currently working on the canvass and could not attend. He also mentioned that County Counsel Jason Allen was participating in the meeting online.

(b) From commissioners:

- Commissioner Belcher added three items to the Commission's request list. Mr. Lindsay reminded everyone that all requests are triaged, and commissioners can inquire anytime of the status.
- Commissioner Butter lauded the big digital billboard near the Oakland Coliseum saying to vote.

6. Public Comment on Agenda Items

Public comments were made on the agenda items.

7. Monthly Update from Registrar of Voters Office

Mr. Dupuis provided an overview of the work completed and to be completed for the April 15, 2025, City of Oakland Special Election. Questions and a discussion ensued.

8. Business Items

(a) Old Business

(1) Responsiveness and Communications

President Lindsay noted that, with the implementation of a public records request portal in 2024, the ROV's response times have improved. He also mentioned that city clerks can get responses within 24 hours and the media now have a single point of contact, enhancing communication. The commissioners discussed the possibility of creating an ad hoc committee on responsiveness and communications but ultimately decided not to form a new committee.

(2) Election Observation Issues

Mr. Lindsay noted that this item remains open. The commissioners discussed observation issues and ultimately decided not to form a new committee.

(3) Meeting schedule change

Mr. Lindsay explained that because of the Juneteenth holiday, the date and location of the June meeting needs to be changed from June 19 to June 18. The meeting would be held in Oakland where we used to meet but in a different room. A motion was made to change the June meeting date and location by Ms. Belcher, seconded by Mr. Ramon, and passed 10 to 0.

(b) Ongoing Items from Committees

(1) 2024 Post-election Assessment

Commissioners Belcher and Butter recommended that the Commission immediately submit its assessment to the Board of Supervisors. A motion was made by Ms. Butter, seconded by Ms. Dieter, to submit the assessment. Mr. Dupuis said he preferred waiting until the May meeting for the ROV to provide more comprehensive answers. After discussion, the motion passed with 8 votes in favor and 2 abstentions.

(2) Structure of the ROV position

Mr. Lindsay reported that this item is on hold.

(3) Voting Participation

Commission Moore reported that the committee is continuing to gather information.

(4) Nominations

Commissioner Ramon reported that the committee is currently seeking additional applications to fill District 2 and impacted community vacancies. Ms. Moore offered to provide potential sources, and other commissioners suggested looking into language access resources for the community.

(c) New Business

Ms. Dieter suggested that the Commission engage in a brainstorming session to start the conversation about the April 15 post-election assessment, and to decide whether there should be an ad hoc committee. Oakland-based commissioners shared their observations and feedback on the election process. The issue will be discussed further at the May meeting.

9. Special Report from the ROV

There was no special report from the Deputy Registrar of Voters this month.

10. Public Comment on Agenda or Non-Agenda Items

Public comments were made.

11. Requests for Future Agenda Items

No requests were made.

12. Adjournment

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

ATTACHMENT FOR AGENDA ITEM #7 -- ROV Report

ELECTION COMMISSION MEETING – May 15, 2025

Agenda Item #7 – Registrar of Voters Monthly Report

1. Election:

- a. April 15, 2025, City of Oakland Special Municipal Election
 - i. Certification – Friday, May 2, 2025
 - ii. Total Turnout

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

April 15, 2025 City of Oakland Special Municipal Election Certification Timeline

E - 0
April 15, 2025
Election Day



E + 7
April 22, 2025
Final Day for plus mail postmarked
on or before election day



Voters must be given a minimum
of eight days' notice of the deadline
to cure their ballot prior to
certification of the election.

E + 15
April 30, 2025
Deadline for voters to
cure their VBM ballots



Curing deadline must be
two days prior to the
certification of the election.

E + 17
May 2, 2025
Certification of Election

ATTACHMENT FOR AGENDA ITEM #8a -- April 15 post-election assessment

Post-election assessments as described in the county ordinance:

2.134.020 - Duties and powers. The commission's duties shall include, but not be limited to, reviewing written plans prior to each election, submitted by the registrar of voters, detailing the policies and procedures that will be used to conduct the election as well as a post-election assessment in collaboration with registrar of voters staff as to how well the plans succeeded in carrying out a free, fair, and functional election. The commission shall play an oversight role for the registrar of voters and an advisory role for the Board of Supervisors with respect to: ... [¶] E. Reviewing election plans drafted by the registrar of voters **and conducting a post-election assessment**, which will then be reported to the Board of Supervisors.

https://library.municode.com/ca/alameda_county/codes/administrative_code?nodeId=TIT2AD_C H2.134ELCO and <https://www.acgov.org/bnc/#/board/a0U6T00000XmqABUAZ>

Input gathered from April meeting - The election appeared to run smoothly and improvements were noticeable and appreciated.

Notable improvements from November 2024 include:

- The new ranked-choice voting graphic and instructions got positive feedback. The new instructions may have contributed to the small number of overvotes.
- The website page “Ballot Processing Activities” included explanatory language of the types of activities that can be observed, e.g., ballot scanning, adjudication, etc. <https://acvote.alamedacountyca.gov/obs>. The ROV has a daily alert system and live-streaming, which is beyond what is required by law.
- The illustrated topics on the website were easily accessible.

Concerns raised and considered:

- Frequency of results being posted - The website notes that results would be updated each Friday. Some concerns were raised about why result updates are posted on only Fridays.

The ROV explained that it mainly has to do with managing workflow and wanting the postings to include a significant number.

- Ballots being counted with missing postmarks.

The ROV explained that when ballots arrive within seven days of the election with indiscernible postmarks, the ROV is required to err in favor of the voter and count it.

- The website notation of 100% of “Precincts Reported” continues to be confusing. Since the last election the words “from Vote Centers” was added. However, it does not explain the 100% that the results are preliminary and it includes the vote-by-mail ballots.

The ROV is considering removing the 100% notation altogether.

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

The Elections Commission Committee Assessment Report on the November 2024 Election was submitted to the Board of Supervisors. One response was received from Supervisor Fortunato Bas, who said she looked forward to reading it.

We recommend dissolving this Committee.

Chair, Commissioner Belcher

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

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

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

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

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

Plan of Action:

- Gather information about Alameda County and comparable counties.
 - *How are IT and election departments organized?*
 - *How much responsibility for operations and time-critical response lies with the head of each department, and how much is delegated?*
 - *What conditions, challenges or obstacles is the Alameda ROV experiencing, and are there opportunities for those circumstances to be managed differently? What do ROV staff recommend?*
- Present to the Commission at least two options, if the research supports this.

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

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

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

Update (5/15/25)

The Commission agreed at the February 2025 meeting to bring its Report back in May after hopefully having had an opportunity to hear ROV staff reactions prior to making any final decisions of what the Commission considers productive recommendations to the Alameda County Board of Supervisors.

The Committee members met via Zoom with ROV staff on Tuesday, May 6. In that meeting, ROV staff said that due to the demands of the April Special Election in Oakland, they had not yet had a chance to review the report, but hoped to have any comments prepared in time for the meeting on the 15th. The unfortunate result of this is that we will not have the benefit of their feedback in time to consider in preparation for the May meeting. Therefore, the report we are submitting for the May meeting includes copy edits to the February version made by committee members only, and nothing reflecting input from the ROV.

If it becomes the case that this step is significantly delaying the Commission's ability to present our findings to the Board of Supervisors, then the Commission should probably consider whether there is anything the ROV would say that could be expected to materially change our recommendations. If not, then the Commission should perhaps go ahead and submit the report and recommendations to the Board of Supervisors with the knowledge that they are free to speak to the ROV and vice versa at any time, and so an allowance for this exchange need not further delay our responsibility.

The reality is that the information informing our recommendations is essentially a compendium of reports by newspapers and numerous voting rights and election oversight organizations of things that *have happened*. While the ROV's office may be able to provide additional information explaining the circumstances in each case, it won't change the fact that they did occur – and it is their occurrence that has been the problem. Additionally, a high level review of the performance of other counties indicates these occurrences and their frequency are anomalous. The volume of problematic events indicates inadequate capacity by some definition, and the specific nature of several of the incidents reported in the report are evidence of problematic decision making related to public communications management.

We've already delayed forwarding this report to the BOS for three months. Unless the ROV raised something that would require us to collect additional information or substantially change our conclusions, we recommend the Commission strive to agree on what it wishes to submit to the BOS at this May meeting and then, unless a better way forward is determined at the meeting, we would ask the Commission to authorize the Committee to finalize the report with any identified edits and submit it with the Commission-approved recommendation to the Board of Supervisors prior to the June Elections Commission meeting.

At our February meeting, Commissioners agreed on several edits to the original recommendation; These modifications are reflected in the attached updated version, which we've re-submitted to the Commission this month.

RECOMMENDATION:

The Ad Hoc Committee formed for the purpose of considering whether the decision to combine Alameda County's ROV and CIO into one position is producing good results for the Alameda County public has submitted our final report, and now wishes to submit to the full Commission the below recommendation:

In light of the findings in the recently submitted Ad Hoc Committee report related to the efficacy of a combined ROV/CIO in Alameda County, which confirm the presence of abundant evidence that the Alameda County Registrar of Voters (ROV) Office lacks the capacity to adequately serve the county population, the Committee recommends that the Board of Supervisors take the necessary steps within the next 12 months to implement the following interventions:

A. Reconsider and Reallocate ROV Leadership Duties

- a. Restore the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments **OR** continue to pair the ROV responsibilities with a second set of duties, but change the second role to one that is significantly less demanding than County Chief of Information Technology, in alignment with best practices observed in other counties of similar size and complexity.

B. Enhance Public Communication and Transparency

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

C. Engage the Elections Center, or other qualified organization, in an Assessment of ROV Office 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.

FINAL REPORT

The Efficacy of A Combined ROV/ CIO in Alameda County

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

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

(February 2025)

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

APPENDICES (*Appendices are hyperlinked*)

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

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

I. Purpose and Overview

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

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

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

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

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

This document has not yet been shared with the Alameda County ROV Office. It obviously is essential that key Elections Staff have a chance to respond to this material, as they will be able to provide critical context and insight. We look forward to their additions to this analysis.

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

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

KEY TAKE-AWAYS

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

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

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

BACKGROUND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LIST OF ELECTION-RELATED EXPERIENCES OF CONCERN, BY YEAR

2016 Election Cycle:

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

2018 Election Cycle:

1. According to reports by Asian Americans Advancing Justice (AAAJ), poll workers were not adequately informed of policies requiring availability of facsimile ballots in multiple languages. (As noted above, The Justice Department had sued the prior ROV for failing to provide language-access materials to Spanish- and Chinese-speaking voters.)
2. Berkeley and Oakland leaders and voting rights advocates pressed the ROV Office to count all votes in RCV elections down to the final two candidates (as was and is the practice in other counties running RCV elections), to show the full level of support for the ultimate winner, rather than stopping as soon as an individual clears a majority of 50+1 percent. The ROV Office maintained this would increase labor requirements. Others disputed this claim, since the RCV software had the capability to do this automatically, while also arguing the benefits, including knowing the strength of the winner's mandate, would outweigh any possible costs, which they claimed would be at most minor.¹³

2020 Election Cycle:

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

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

¹² <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>

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

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

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

2022 Election Cycle:

1. The County Election website incorrectly stated voters could choose to rank only three instead of the legally allowed five candidates in possible races.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, causing the use of the wrong vote tally procedure. As a result, all RCV elections in Berkeley, Oakland and San Leandro were counted inaccurately. This error was discovered when the nonprofit group FairVote was able to take the publicly released Cast Vote Record report and tally the ballots using the correct tally procedure. FairVote found that in one race for an Oakland school board seat in District 4, the ROV error resulted in the wrong candidate being announced as the winner. This led to two lawsuits: one from the originally announced winner and another from the eventual winner. The failure of the ROV to identify the error before certifying the election results was a result of the ROV's Cast Vote Record (CVR) policy, which included not releasing text CVRs until after an election has been certified (30 days post-election), at which time a judge's order becomes necessary because ballots must be unsealed.
3. The 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.

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

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.

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 Co. Elections Commission):

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



3. The ROV Office distributed to the public misleading information related to restoration of voting rights for formerly incarcerated people. The mailer stated, “If you are either on parole or are no longer serving a state or federal prison term for the conviction of a felony, you may be able to have your voting rights restored. If you have questions please....” The ACLU expressed concern that this language suggested that in order to regain the right to vote after prison, individuals must actively seek to have their voting rights restored, and that such restoration is not ensured. However, under current law any otherwise-eligible voter automatically regains the right to vote upon the completion of a prison term and need only reregister. (See [Appendix F.](#))
4. Despite that Voters Choice Act counties are required to hold at least one Language Accessibility Advisory Committee (LAAC) and Voting Accessibility Advisory Committee (VAAC) meeting under California Elections Code § 4005(a), and that the California Secretary of State publishes an LAAC toolkit recommending quarterly LAAC meeting(s)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 on a regular basis, as recommended by the SOS. (There was a meeting prior to the 2024 election, but it took place only 5 days before the election, and ALC was notified only one day in advance.) (See [Appendix D.](#))
5. Ballot design issues: the placement of recall questions created confusion, and the presentation of at-large Oakland city council candidates favored some candidates over others by having their names

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>

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

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

Issues Spanning Multiple Years:

1. The ROV Office creates significant obstacles to observers who wish to monitor equipment testing and ballot processing and counting, and in some cases may be in violation of laws enacted specifically to ensure public access and process transparency:
 - a. The California Elections Code requires that the public receive 48-hour advance notice of the date, time, and place for vote-by-mail (VBM) ballot processing.¹⁸ Alameda County is the only county of which we are aware that fails to provide this information in a timely and actionable manner. The current ROV Office notifications come in less than 48 hours and do not specify times for various activities, which impairs the public's ability to know when they can observe, especially when it requires traveling to the ballot counting facilities in person. The only way observers can determine whether election activities are open for observing is by checking the

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

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

- b. The ROV Office appears to fail to provide information that would enable election observers to observe and verify equipment testing, including Logic and Accuracy testing; observers have repeatedly asked for better and more timely information, to no avail.
 - c. The ROV Office appears to fail to provide information that would enable election observers to observe and verify the delivery of ballots from DHL, UPS, FedEx, etc.
 - d. The ROV Office has failed to provide the information necessary to enable election observers to observe and verify the ballot chain of custody.
 - e. The California Elections Code also states, “vote-by-mail observers shall be allowed sufficiently close access to enable them to observe the vote-by-mail ballot return envelopes and the signatures thereon...” Alameda County uses an Automatic Signature Recognition (ASR) machine to review and verify vote-by-mail signatures, and provides a video feed of this room and the process of feeding mail into the machine only. It is our understanding that there is no way for observers to observe signature checks.
 - f. Verifying signatures on vote-by-mail ballot return envelopes should involve comparing the ballot signatures to voter registration signatures.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 the signatures are “wet.”
 - g. Observers find it impossible to meaningfully verify the 1% manual tally²⁰ due to lack of audio access during observation (audio was available for the 2020 Logic and Accuracy testing, so it’s known to be possible).
2. The ROV Office seems to show a pattern of concluding that it need not comply with various city and state election laws, and as far as we can tell typically provides little to no public explanation for these decisions.
- a. California law, as noted on pages 6 and 7, requires facsimile ballots be visibly posted in all in-person voting locations. The Alameda County ROV Office has repeatedly failed to ensure poll workers post these reference documents.
 - b. As noted on page 9, to the knowledge of the Asian Law Caucus (ALC) and the Disability Rights California (DRC), Alameda County is the only Bay Area VCA county that does not have an established Language Accessibility Advisory Committee (LAAC) and Voting Accessibility Advisory Committee (VAAC) that hold meetings regularly, as required by law and recommended to all county elections offices by the California Secretary of State.

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>

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

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

- b. Another example was the decision against implementing Elections Code Section 3016.5 to allow vote-by-mail ballots to be dropped off and counted at vote centers with the “regular” ballots. The purpose of this law was to expedite the vote counting process and decrease election staff workload by eliminating all of the manual interaction required to process a vote-by-mail ballot (for example the signature verification process) which is significant, and typically is identified as the cause of California's slowest-in-the-nation ballot count. These effects typically also translate into cost savings for taxpayers. Given bill-author Assemblywoman Pellerin's background (as a

former Registrar of Voters herself), it seems fair to conclude that her intent is to help ROVs across the state, and her judgement of how to do so should be well-informed.

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

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

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

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

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

Number of Counties with ...

A dedicated Registrar of Voters (ROV)	21
ROV + Clerk-Recorder	22
ROV + Clerk-Recorder and Assessor	7
ROV + Clerk-Recorder and Auditor	4
ROV + Clerk-Recorder and Clerk of the Board of Supervisors	2
<i>ROV + Chief Information/Technology Officer (Alameda and Solano Counties)</i>	2

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

Alameda County has 14 cities, which is not unusually high compared to other counties of similar size. Nine counties have more cities, including Fresno, Contra Costa and San Mateo, which all have significantly lower

total populations. Nineteen counties have more school districts than Alameda County (which has 18), including 13 with significantly lower total populations.

TOP TEN COUNTIES BY POPULATION

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

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

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

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

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

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

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

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

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

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 also is among the most diverse, with residents communicating in many languages that are spoken throughout the County. And, the County is among the most complex in terms of required electoral methods and procedures.

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

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

Additionally, the ROV Office does not seem to feel bound by state and city laws that should be shaping its practices. The Commission has been told on multiple occasions that the ROV Office is merely following the advice of the County's legal counsel. We strongly recommend that the Board of Supervisors examine why County legal counsel is giving starkly divergent advice from every other county in the state on a number of issues, with what appears to be an inadequate level of concern or sense of obligation to comply with municipal or state laws or accountability to the public.

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

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.

help the public understand a situation and actually make the ROV's job easier, we'd recommend installing a Public Information Officer that can effectively provide critical information to the public and the press in a timely way. The other counties we've reviewed do substantially more in this area and show noticeably more robust commitments to effective and timely communication with the public.

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

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

RECOMMENDATIONS

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

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

A. Reconsider and Reallocate ROV Leadership Duties

- a. Restore the ROV position to that of a single, dedicated County Registrar of Voters with no additional commitments **OR** continue to pair the ROV responsibilities with a second set of duties, but change the second role to one that is significantly less demanding than County Chief of Information Technology, in alignment with best practices observed in other counties of similar size and complexity.

B. Enhance Public Communication and Transparency

- a. Allocate resources to hire either a Public Information Officer **OR** designate a team of subject-matter professionals to improve public and media access to election-relevant information and ROV decision making of public interest/relevance.

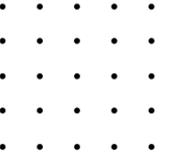
- b. Establish a policy requiring acknowledgment of public and press inquiries within 48 hours and substantive responses within a reasonable timeframe.

C. Engage the Elections Center, or other qualified organization, in an Assessment of ROV Office Productivity and Efficiency, including:

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

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

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



A L A M E D A C O U N T Y

Registrar of Voters

Tim Dupuis



Shared Commitment to Democracy

- Thank you to the Elections Commission for its review
- Shared goal: Transparent, accessible, and fair elections
- Overview of key successes, clarifications, and improvements

Mission Statement

- Seek better ways to provide services to encourage all eligible residents to exercise the right to vote
- Conduct elections in a fair, accurate and efficient manner that inspires public confidence in the County elections process
- Maintain a continuous professional level of service to the public
- Develop new techniques to improve outreach services, which acknowledge the diversity of Alameda County

Mandated Services

All services provided by the Registrar of Voters' Office are mandated by the California Elections Code, the California Government Code, and the California Constitution and include:

1. Voter Registration
2. Vote by Mail
3. Voter Outreach
4. Candidate Services
5. Election Services

Voting Complexity & Logistics



- **Regular Voting**

- Single Winner
- Multiple Winner
- Yes/No Measures/Props
- Yes/No Recall Questions

- **Ranked-Choice Voting (RCV)**

- *Single Winner RCV*
 - City of Berkeley
 - City of Oakland
- *Proportional RCV*
 - City of Albany
 - Albany USD

- **Youth Voting**

- Berkeley USD
- Oakland USD

- **ROV Locations**

- Rene C. Davidson Courthouse
- Susan S. Muranishi Admin Building
- 7 Training Facilities
- Warehouse

- **Fleet Management**

- Over 80 Vehicles
 - Drop Box Retrieval
 - Rovers
 - Troubleshooters
 - Emergency Deployment
 - ACVOTE On-the-GO

- **Vote Centers**

- Accessibility Surveying
- Voting Equipment Distribution
- Signage and Facsimile Ballots in 14 languages

- **Election Workers**

- Over 700
- 1,631 Hours of training
- 77 In-person Classes

- **Election Results**

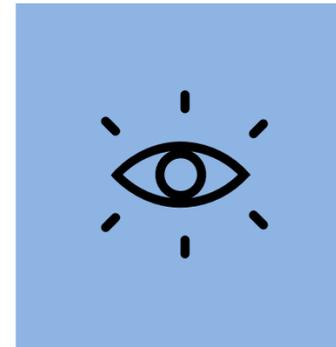
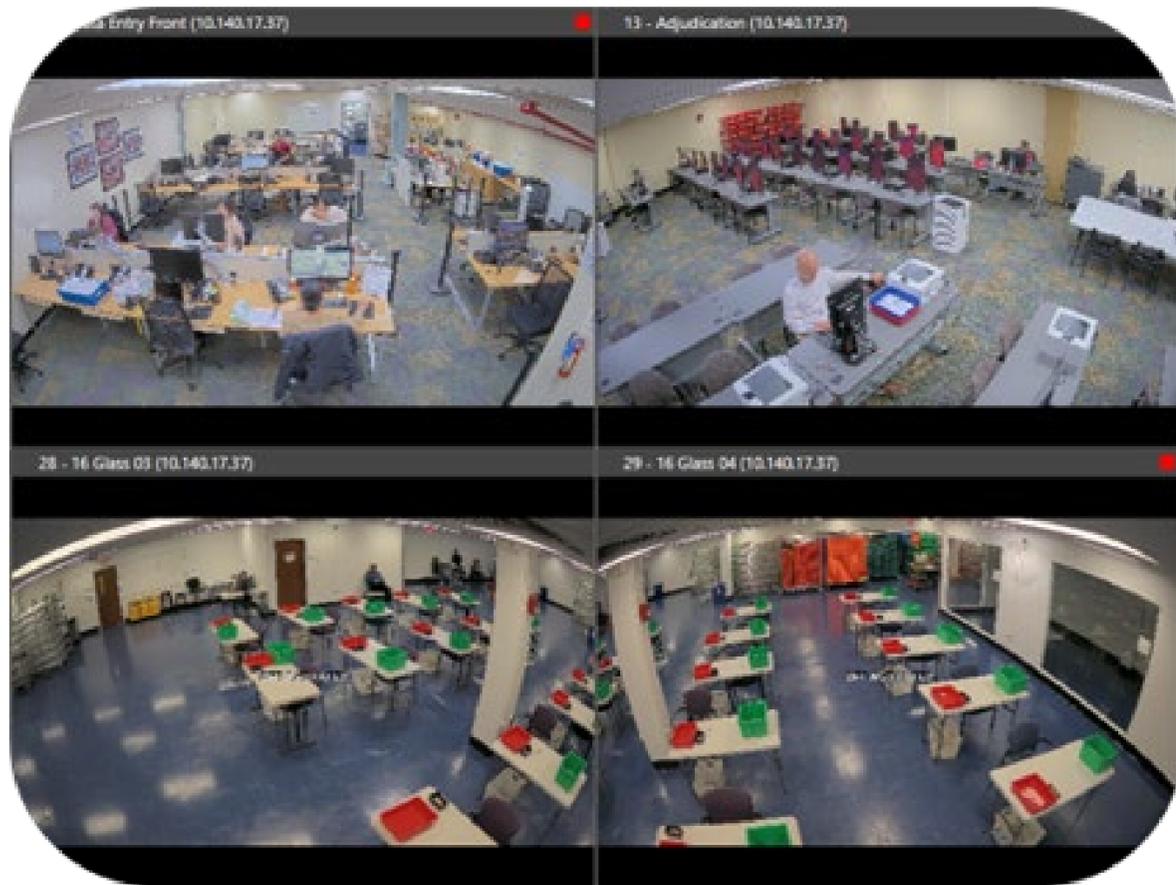
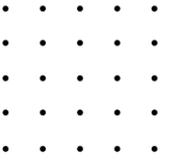
- 7-Day Plus Mail
- Cured Voters (8-Days)

- **Language Support**

- Signage and Facsimile Ballots in 14 languages
- Official Ballots and Voter Information Guides in 5 languages



Improvements Implemented



Observation Area

Enhanced observation that exceeds mandates includes: video streaming, push notification of processes, and a custom observation room.

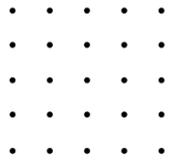


Cast Vote Records

Cast Vote Records were released with every update, starting on election night until we certified.



Ranked-Choice Voting (RCV)



HOW RANKED-CHOICE VOTING CONTESTS ARE COUNTED

We begin by counting all first-choice votes.

The candidate who received a majority of votes (50%+1) wins.

Example: If in the election between Candidate A and Candidate B, Candidate A received a majority of votes (50%+1).

Need assistance? We're happy to help!

For more information about Ranked-Choice Voting, visit acvote.AlamedaCountyCA.gov

Need to Request a New Ballot?

If you make a mistake while marking your ballot, you can request a new ballot by calling (925) 872-6973, or visiting an Election Worksite at a Voter Center.

ALAMEDA COUNTY RANKED-CHOICE VOTING

Alameda County Registrar of Voters
Rene C. Davidson, Courthouse
1225 Fallon Street, Rm. G1
Oakland, CA 94612

Email: rcv@acgov.org
Phone: 1 (800) 834-6454

For voters in Berkeley, Oakland, and San Leandro

Ranked-Choice Voting (RCV) allows voters to rank candidates in order of preference.

acvote.AlamedaCountyCA.gov

RCV Brochure

A new RCV Brochure was designed in 14 languages.

MARKING YOUR RANKED-CHOICE VOTING BALLOT

Ranking candidates in order of preference.

Marking the ballot correctly.

Marking the ballot incorrectly.

HOW RANKED-CHOICE VOTING CONTESTS ARE COUNTED

Counting the number of first-choice votes.

If any candidate receives a majority of votes (50%+1), that candidate wins.

INSTRUCTIONS TO VOTERS: / INSTRUCCIONES PARA LOS VOTANTES:

- USE BLACK OR BLUE INK TO MARK YOUR BALLOT. NO RED INK.
- To vote, rank your first choice by completely filling in the oval in the first column, your second choice in the second column, and so on. Continue ranking as many candidates as you wish.
- Do not fill in more than one oval in the same column or row. If there are fewer candidates than available rankings, leave the remaining columns blank.
- To vote for a qualified write-in candidate, write their name in the write-in space and completely fill in the oval for the rank.
- To vote on a measure, completely fill in the oval next to the word "Yes" or "No".
- If you make a mistake, you may request a new ballot.

USE TINTA NEGRA O AZUL PARA MARCAR SU BOLETA. NO TINTA ROJA.

Para votar, clasifique su primera opción llenando completamente el óvalo en la primera columna, su segunda opción en la segunda columna, y así sucesivamente. Continúe clasificando tantos candidatos como desee.

No llene más de un óvalo en la misma columna o fila. Si hay menos candidatos que clasificaciones disponibles, deje las columnas restantes en blanco.

Para votar por un candidato calificado por escrito, escriba el nombre del candidato en el espacio de escritura y llene completamente el óvalo para la clasificación.

Para votar en una medida, llene completamente el óvalo al lado de la palabra "Sí" o "No".

Si comete un error, puede solicitar una nueva boleta.

RCV VBM Instructions

RCV VBM Instructions were included in the Vote by Mail packet mailed to all registered voters in Oakland.

INSTRUCTIONS TO VOTERS: / INSTRUCCIONES PARA LOS VOTANTES:

- USE BLACK OR BLUE INK TO MARK YOUR BALLOT. NO RED INK.
- To vote, rank your first choice by completely filling in the oval in the first column, your second choice in the second column, and so on. Continue ranking as many candidates as you wish.
- Do not fill in more than one oval in the same column or row. If there are fewer candidates than available rankings, leave the remaining columns blank.
- To vote for a qualified write-in candidate, write their name in the write-in space and completely fill in the oval for the rank.
- To vote on a measure, completely fill in the oval next to the word "Yes" or "No".
- If you make a mistake, you may request a new ballot.

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Para votar en una medida, llene completamente el óvalo al lado de la palabra "Sí" o "No".

Si comete un error, puede solicitar una nueva boleta.

RCV Voting Instructions

Designed with input from the Elections Commission.

RCV Practice Ballot

A Ranked-Choice Voting Practice Ballot Tool to help voters familiarize themselves with RCV.

Ranked-Choice Voting Practice Ballot

INSTRUCTIONS TO VOTERS

- THIS PRACTICE BALLOT IS INTERACTIVE; SCROLL DOWN TO MAKE YOUR SELECTIONS.
- To vote, rank your first choice by completely filling in the oval in the first column, your second choice in the second column, and so on. Continue ranking as many candidates as you wish.
- Do not fill in more than one oval in the same column or row. If there are fewer candidates than available rankings, leave the remaining columns blank.

Image 1: Correct Choice - A correctly marked ballot on which the voter has indicated a first, second, third, fourth, and fifth choice.

Image 2: Wrong Choice - This is a duplicate ranking. On this ballot, the same candidate is marked for the first and second choice.

Image 3: Wrong Choice - This ranking is an overvote. On this ballot, two candidates are marked for the first choice.



Ad Hoc Committee Recommendations

Rec. #1: Reconsider and Reallocate Leadership Duties

- a. A single, dedicated County Registrar of Voters with no other commitments, or
- b. Pairing the ROV responsibilities with a second set of commitments that is less demanding than the present arrangement, as all other California counties of comparable size and complexity do.

It is important to note that the points raised in the report do not support the conclusion to separate the position. Furthermore, our county is not alone in facing these challenges. Other counties throughout the state are experiencing the same types of issues, including printing errors, voter roll maintenance problems, mailing delays or inconsistencies, unscanned ballot errors, and incorrect ballot types. These are not isolated occurrences, but rather common complications that reflect the increasing complexity of administering modern elections. As election systems become more technologically advanced and operationally demanding, counties of all sizes are encountering shared challenges that require coordinated, statewide solutions rather than structural separation at the local level.

Ad Hoc Committee Recommendations

Rec. #2: Enhance Public Communication and Transparency

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

Significant steps have already been taken to improve public communication and transparency:

- A Public Records Act (PRA) Portal was implemented in September 2024 to streamline and track requests. Since its launch, over 140 PRA requests have been submitted and successfully completed, demonstrating our commitment to timely and transparent information sharing.
- A Media Point Person was designated for both the November 2024 and April 2025 Elections, providing the public and media with a clear and accessible point of contact for election-related inquiries.

Ad Hoc Committee Recommendations

- I. Rec. #3: Engage the Elections Center In an Assessment of ROV Office Productivity and Efficiency
 - I. Engage The Elections Center in conducting a thorough evaluation of the ROV Office, including:
 - I. Analysis of office spending to identify potential resource reallocation for increased staffing within the current budget.
 - II. Improvements in the use of digital platforms and technology.
 - III. Identification and resolution of any areas where the county is out of compliance with state and municipal laws.
 - IV. Benchmarking Alameda County's practices against those of other counties to enhance budget allocations, staffing, and public engagement.
 - V. Assessment of voter roll quality control and transparency in process management.
 - VI. Exploration of ways to expedite the vote count without increasing costs

The Registrar of Voters is continually seeking ways to improve. As part of this commitment, the office will contact the Elections Center to explore best practices and identify opportunities for implementation in Alameda County

Addressing Challenges and Demonstrating Progress

The Alameda County ROV Office has faced a range of complex challenges in recent election cycles, including accessibility barriers, language access needs, ballot design concerns, and vote count transparency. In each case, the office has taken steps to identify issues, implement solutions, and improve operations.

These actions have resulted in tangible reforms and procedural improvements. In recent election cycles, several advocacy organizations that had previously raised concerns have acknowledged the office's progress and improvements, particularly in areas like accessibility and transparency. While continued collaboration is essential, this feedback reflects a positive shift in public trust and engagement from community partners.

2022 Alameda County Civil Grand Jury Report

ALAMEDA COUNTY VOTERS CAN COUNT ON ELECTION INTEGRITY

Based on its investigation, the Grand Jury finds that the ROV, in 2020 and 2021, maintained the integrity of Alameda County's election procedures and processes in the face of historic challenges. There was no evidence of unresolved problems in the election processes under the ROV's jurisdiction. And when particular problems emerged at specific sites, the ROV moved quickly to address them in a manner that ensured all votes cast were counted.

Voters in Alameda County can count on the ROV's dedication and effort to fulfill its basic mandates—to ensure every registered voter within the county counts, and all votes cast by the county's registered voters are properly counted.

The management and implementation of the 2020 General Election in Alameda County (as well as statewide and nationally) confronted election officials with unprecedented challenges. Foremost was that it was held in the midst of a global pandemic, which created new needs and issues for voters and election workers alike.

ALAMEDA COUNTY VOTERS CAN COUNT ON ELECTION INTEGRITY

EXECUTIVE SUMMARY

November 2020 represented the confluence of two historic events: the worst world-wide pandemic in over 100 years, at a time when **COVID-19 vaccines weren't yet widely available**, and a tightly contested U.S. national/presidential election held in a deeply divided and highly charged political atmosphere.

Either event by itself would have presented significant challenges for local election managers and processes. Distancing requirements and COVID-19 fears limited in-person voting and made it less attractive to voters. Therefore, absentee voting soared, and local governments enacted COVID-19-related regulations and restrictions, forcing local election officials to adapt and change plans rapidly to meet COVID-19 safety requirements. Meanwhile, voter interest, engagement, and turnout were high. And, after a presidential election that produced results that are still being challenged in certain circles, there were widespread allegations of election fraud in the U.S.

Serving in the wake of these events, with pandemic waves and election doubts still washing over the U.S., the Grand Jury investigated the election processes and procedures of its local election management agency, the Alameda County Registrar of Voters (ROV).

The Grand Jury focused on two key questions:

1. **Did the ROV maintain the integrity of Alameda County's election procedures and processes in the face of these historic challenges?**
2. **Can voters in Alameda County count on the ROV to carry out its basic mandates—to ensure every registered voter within the county counts, and all votes cast by the county's registered voters are properly counted?**

The management and implementation of the 2020 General Election in Alameda County (as well as statewide and nationally) confronted election officials with unprecedented challenges. Foremost was that it was held in the midst of a global pandemic, which created new needs and issues for voters and election workers alike.

The Grand Jury found **sufficient evidence to answer “yes” to both questions. And the Grand Jury wishes to share those answers with the people of Alameda County, to provide reassurance that the county’s election processes and procedures are functioning properly at a time when many are casting doubt on the proficiency and integrity of election processes and officials.**

BACKGROUND

Voting for government officials and/or laws, through the election process, is one of the cornerstones of democracy. It provides citizens with the power to determine who represents them and what laws govern them. Therefore, maintaining the integrity of the election process—including voter registration, ballot accessibility, polling place accessibility, and vote counting—is essential to facilitating government representation by and for the people.

Voting Management at the County and State Levels

At the county level in California, election processes and procedures are primarily managed by the county office of the registrar of voters. All services provided by the ROV are mandated by the California Elections Code, the California Government Code, and the California Constitution. These mandated services include voter registration, voter outreach, candidate services, and vote-by-mail services.

The ROV’s full responsibilities are detailed on its [website](#). Highlights and other key points include the following:

ROV’s Mission Statement

To seek better ways to provide services to encourage all eligible residents to exercise their right to vote; conduct elections in a fair, accurate and efficient manner; maintain a continuous professional level of service to the public; and develop new techniques to improve outreach services which acknowledge the diversity of Alameda County.

ROV’s Reporting Relationships with County and State Government

The ROV reports to the Alameda County Administrator, who in turn reports to the County Board of Supervisors. Though the ROV has significant control and oversight of all elections conducted within the county, particularly county and other local elections, it shares its **oversight role with the California Secretary of State’s Elections Division (State Elections Division)** for federal and state elections and is accountable to the State Elections Division on election matters.

The State Elections Division manages and coordinates election responsibilities on a statewide **basis with the ROVs in all of the state’s 58 counties. It also manages voter registration** statewide and tests and approves all voting equipment for security, accuracy, reliability, and accessibility to ensure that every vote is counted as it was cast. More information about the **State Elections Division’s roles and responsibilities are detailed on its [website](#).**

The 2020 General Election

The management and implementation of the 2020 General Election in Alameda County (as well as statewide and nationally) confronted election officials with unprecedented challenges. Foremost was that it was held in the midst of a global pandemic, which created new needs and issues for voters and election workers alike. Public health guidelines changed rapidly as new information and data were released about the evolving pandemic. Accordingly, the ROV had to respond to new needs with tight deadlines. Compounding these conditions was that it was a presidential election year, which resulted in record voter registrations and turnout.

Adding to the election year challenges were increased mail voting levels and new mandates for increased locations for mailed ballots to be deposited (if they were not mailed). New state laws and regulations required the number of drop box locations to be greatly expanded. The prior election required the ROV to have 28 drop box locations. Because of a new state law, Senate Bill 423, passed just three months prior to the November 2020 election (August 6, 2020), the number of required drop box locations more than doubled to 66 (per Section 2 of SB 423). Because of the dramatic increase in demand, there was a short supply of drop boxes that could be purchased and that met state law requirements. At the same time, these drop box locations had to be secure and strategically placed to meet new state requirements.

*The Grand Jury determined that it was a matter of public interest to assess and report the performance of the ROV during this “**crisis management**” situation. An added factor was concerns that were raised nationally about the management and integrity of the 2020 election.*

INVESTIGATION

Because of the aforementioned background factors, the Grand Jury determined that it was important to assess and determine if the ROV managed the implementation of the 2020 General Election in a manner that met all federal, state, and local legal requirements. In addition, the Grand Jury determined that it was a matter of public interest to assess and **report the performance of the ROV during this “crisis management” situation. An added factor was concerns that were raised nationally about the management and integrity of the**

2020 election. Because of these factors, the Grand Jury concluded that the citizens of Alameda County deserved to have an unbiased assessment performed on their behalf.

In conducting the investigation, the Grand Jury interviewed ROV staff and submitted written questions to and received written answers from the ROV. In addition, the Grand Jury submitted written questions to and received written responses from the State Elections Division. The Grand Jury consulted with the State Elections Division to obtain a broader statewide regulatory perspective and **an additional “check and balance” on the work performed by the ROV and the Grand Jury.**

During the course of its investigation, the Grand Jury asked the following questions and compiled evidence that produced the following corresponding mostly affirmative answers:

Q1: Did the ROV comply with all federal, state, and local laws governing the election process?

A1: Yes, the ROV complied with all legal requirements from local, state, and federal election laws. There were no complaints filed with the ROV or the State Elections Division that indicated otherwise.

Q2: Did the ROV take appropriate steps to prepare for the November 2020 election?

A2: Yes, the ROV took appropriate steps to prepare for the November 2020 election. These steps included conducting required and appropriate training for election workers. In preparation for the November 2020 election, the ROV conducted 133 in-person training classes held at eight separate locations within the county. In addition, each training location provided one-on-one training at its labs before and after class hours for election workers. A total of 2,349 election workers were trained on voting technology and procedures with hands-on, **in-person learning experiences, and “online” training. Topics covered included all aspects of the voting process, touchscreen voting, on-demand printers, E-Poll books (roster book), curbside voting, COVID-19 precautions and protocols, and new procedures based upon recently passed legislation prior to the election.**

Q3: Did the ROV take appropriate actions to comply with emergency conditions caused by the COVID-19 pandemic?

A3: Yes, the ROV took appropriate steps to respond to emergency conditions caused by the COVID-19 pandemic. The ROV took appropriate steps to comply with COVID-19-related election laws and regulations issued in the immediate months before the election. When problems emerged, the ROV responded quickly to resolve them in a time-sensitive manner **to protect the successful implementation of the election process. The ROV offered a “help desk” for the public to call as well as for election workers to use for problem-solving purposes.**

Q4: Did the ROV conduct training for election workers, both full-time and temporary?

A4: Yes, the ROV, under challenging conditions, conducted training for all election workers in preparation for the November 2020 election. This included both full-time employees and temporary workers hired for the election. This included testing procedures to confirm the knowledge and capability of workers to the areas of responsibility where they were assigned. If a worker did not pass the test they were transferred to an area where their skills were compatible. The ROV also conducted extensive cross-training for election workers, seeking to have workers possess a full understanding of the entire election process. For permanent employees, there was an orientation for the program area within the ROV where they were hired. They were also cross-trained in other areas to maximize their knowledge and capabilities. Similar training was provided to temporary workers, which is updated after each election.

Q5: Did the ROV meet mandated requirements for providing alternative language ballots for voters upon request? If a problem emerged, was it quickly addressed to ensure that as many alternate language voters as possible could vote, and that their votes were counted?

A5: Yes, the ROV provided ballots (some on demand) in 14 different languages. The main five **languages, based on the county's population, were English, Chinese, Spanish, Vietnamese, and Tagalog.** These voters had printed bilingual voter guides and ballots available for them. Voters in the other nine languages could vote with facsimile/reference ballots in their language at 100 locations. The ROV posted notices at all voting locations in all 14 languages informing voters that they could request a facsimile/reference ballot on demand in any of these languages. Every election site had the capability of producing these ballots upon request. If a problem occurred at a voting location, there were established methods resolve the problem.

Q6: Did the ROV meet mandated requirements for the placement of election drop boxes for the November 2020 election? If not, were they corrected on a timely basis? Did the ROV meet all requirements at on-site "Accessible Voting Locations?"

A6: Prevailing conditions made this a difficult mandate to fulfill. New requirements were placed on the ROV (and other county ROVs across the state) as a result of legislation that was passed by the State Legislature and became effective August 6, 2020. A brief time frame of two months was provided to obtain and place the required number of drop boxes in strategically determined locations. In the preceding election, the ROV had 28 drop boxes in place. The new law required a total of 66 to be obtained, prepared, and established within two months. The ROV ordered 38 new drop boxes from its vendor on July 22, 2020 – two weeks before the new requirement became effective. The vendor and supplier had issues satisfying the sudden increase in demand because multiple counties needed them at the same time. Because there are limited vendors that can make these drop boxes to meet legal

requirements, the sudden demand made it impossible for the vendors to satisfy the demand before the deadlines. The ROV took immediate steps to address this shortage as soon as possible. The ROV also dedicated resources to working with city managers and city clerks to identify strategic locations to place the required drop boxes in the communities where they were needed. During this time frame, the ROV also communicated with community-based organizations, faith-based organizations, the League of Women Voters, local school districts, and the State Elections Division to prioritize placement of these boxes. The ROV decided that it was best to proceed with the deployment of these boxes as they came into their possession from the vendor rather than seek a waiver from the State Elections Division. This was done to maximize the number of boxes in designated locations to maximize their availability to voters as soon as possible.

Q7: Did the ROV demonstrate its ability to resolve problems if/when they occur?

A7: Yes. For example, when a problem emerged at the Mills College voting site in Oakland, it was resolved. It involved confusion about proper ballot filing after voting, which resulted in some voters taking their ballots home instead of placing them in the proper trolley to be counted. Upon learning of the problem, the ROV took immediate steps to resolve the mistake. The ROV reached out by phone, email, and regular mail to every Mills College voter who might have been affected. This action enabled the ROV to collect 34 ballots from these voters. The ROV also obtained a court order allowing it to count any touchscreen ballots received from these voters. This incident was an isolated one and is not reflective of any systemic problem. To prevent a reoccurrence the ROV has increased the size of the header on the ballot **that states “THIS IS A BALLOT.”** The Grand Jury believes the ROV handled this problem in a rapid and correct manner and has taken proper steps to prevent a reoccurrence.

FINDING

Based on its investigation, the Grand Jury finds that the ROV, in 2020 and 2021, maintained **the integrity of Alameda County’s election procedures and processes in the face of historic challenges.** There was no evidence of unresolved problems in the election processes under **the ROV’s jurisdiction. And when particular problems emerged at specific sites, the ROV** moved quickly to address them in a manner that ensured all votes cast were counted.

Voters in Alameda County can count on the ROV’s dedication and effort to fulfill its basic mandates—to ensure every registered voter within the county counts, and all votes cast by the county’s registered voters are properly counted.

FINDINGS	<i>None</i>
RECOMMENDATIONS	<i>None</i>
RESPONSES REQUIRED	<i>None</i>

A. County A

- Election workers left a key in lock of ballot drop box. November 5, 2024.
 - Summary: Ballot box was left unsecured after election workers tasked with collecting ballots from the boxes left the key in the lock.
- Error sent wrong ballots to hundreds of voters. November 5, 2024.
 - Summary: An update to County's voter registration database resulted in almost 300 voters being sent incorrect vote-by-mail ballots after they were assigned into the wrong precincts for the Nov. 5 general election.

B. County B

- County may have the nation's slowest elections department. November 5, 2024.
 - Summary: County has an under-resourced elections budget that contributes to the slow pace at which they count votes, which sparks conspiracy-fueled speculation and outrage.

C. County C

- Printing error omits 118,000 names from voting rosters in County. June 5, 2018
 - Summary: A 'printing error' omitted over a hundred thousand names from voting rosters in County.
- Votes Being Cast From Grave Year After Year. May 2016.
 - Summary: CBS2 compared millions of voting records from the California Secretary of State's office with death records from the Social Security Administration and found hundreds of so-called dead voters; a vast majority of them, 215, in County alone. This subsequently spurred County supervisors for a full investigation.
- Duplicates And Dead People: Hundreds Of Thousands Of Questionable Ballots Sent Out To County Voters. November 3, 2020.
 - Summary: More than 4,800 duplicate ballots mailed to the same person, and 728 ballots mailed to people who likely have died. Following their 2016 investigation that found hundreds of dead voters still registered, there are more four years later.

- Cascade of failures upended County’s 2020 primary, report finds. November 3, 2020.
 - Summary: Kaleidoscope of issues affecting the County’s 2020 primary election, such as: missed key deadlines, failed to properly manage a vendor that supplied faulty equipment, and hired inexperienced call center staff to help election workers deal with the breakdowns.

D. County D

- State investigating unprecedented county-wide ballot mailing error for County voters. March 5, 2024 .
 - Summary: Everyone in the county got a Republican ballot for the 1st Supervisorial District in the mail, regardless of whether they registered Democrat or Independent or if they actually lived in a different district altogether. Even for the Republicans who did correctly live in the 1st District, their ballots contained errors.

E. County E

- County Registrar's Office knew of ballot issue May 27, didn't tell public until Election Day. June 7, 2022.
 - Summary: County Registrar of Voters identified that there was a problem scanning ballots due to blurry barcodes by May 27, but the information wasn't released publicly until Election Day at the county Board of Supervisors meeting.
- 102-year-old WWII veteran mistaken for dead, voter registration canceled. March 5, 2025.
 - Summary: 102-year-old World War II veteran was incorrectly presumed dead and had his voter registration cancelled.

F. County F

- More than 20 previously uncounted ballots discovered during Congressional District recount; County now charging more to count ballots. March 5, 2025.
 - Summary: More than 20 ballots excluded from the original count for the Congressional District race were uncovered in County.

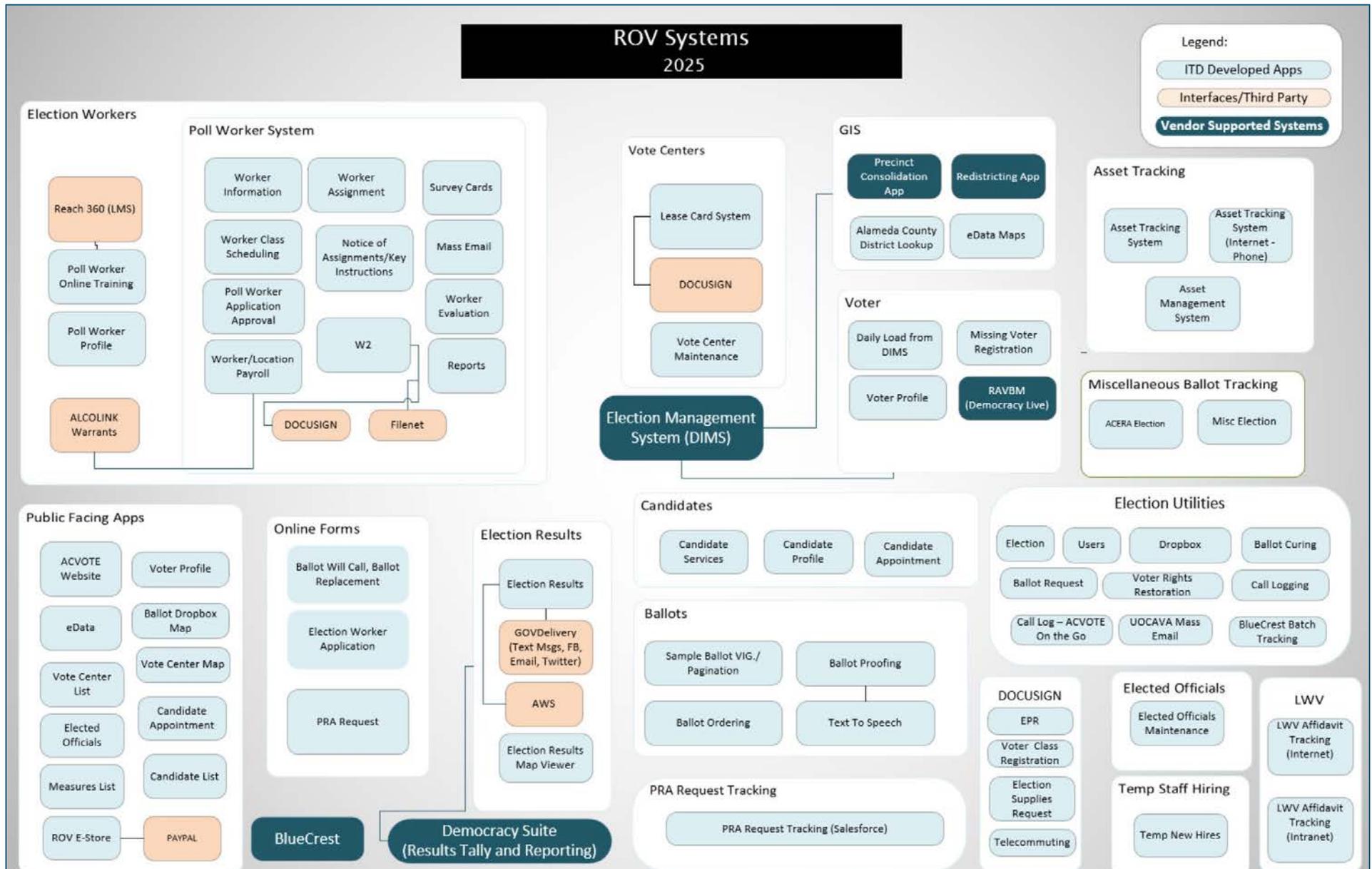
G. County G

- County ballot errors impact more than 1,100 voters. November 5, 2024.
 - Summary: County elections office left a key ballot measure off the ballot and, separately, voters were given wrong voting instructions; these issues reportedly impacted more than 1,100 ballots.
- State audit exposes costly mistakes by County election office. November 8, 2016.
 - Summary: An audit found the election office in County made numerous errors over the past decade; such as staff error that resulted in up to a quarter million cost to reprint/inform voters about corrections, incorrect mapping for district boundaries resulting in wrong ballots, etc.

H. County H

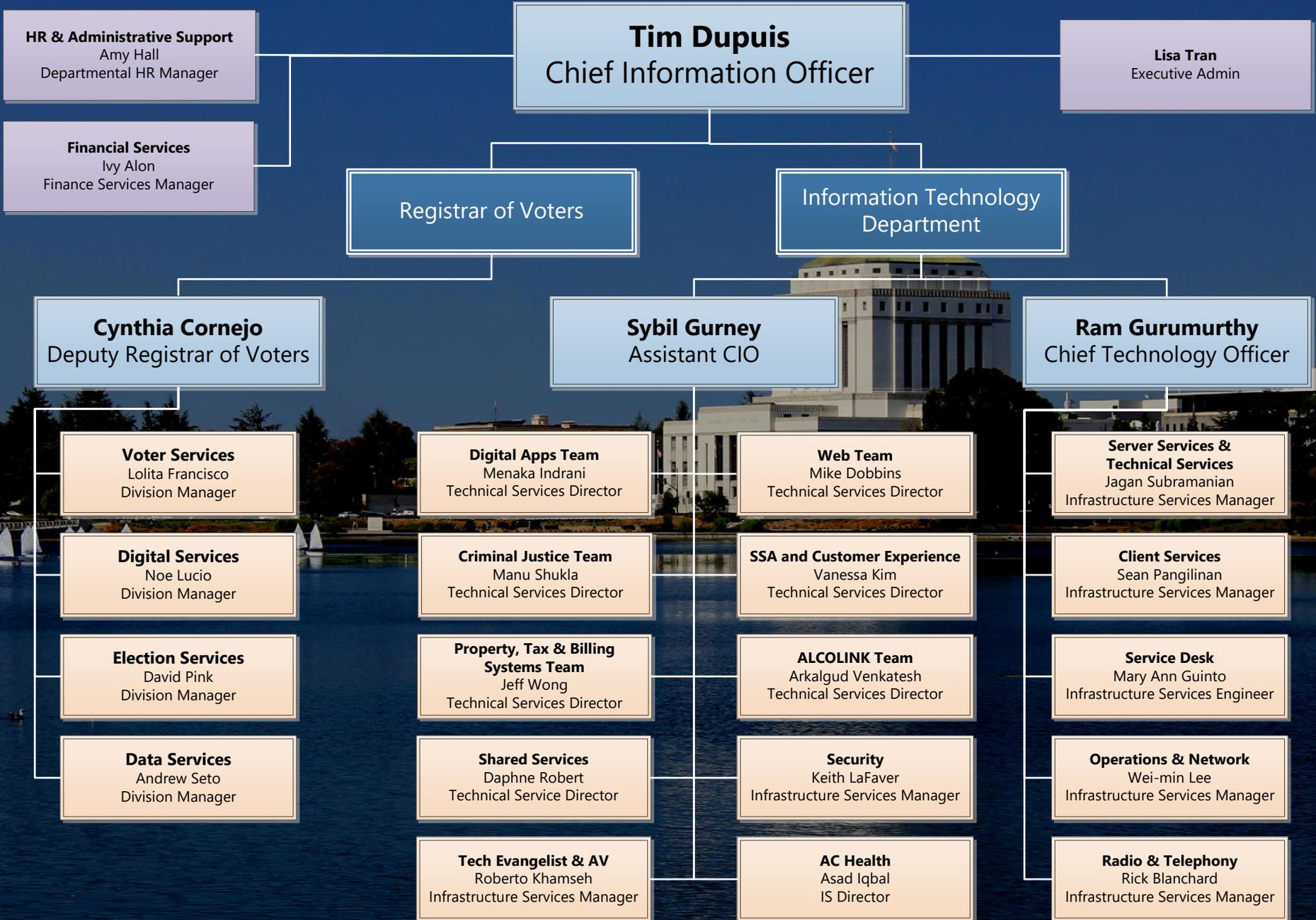
- County in California's far north picked a novice to run its elections. November 5, 2024.
 - Summary: An ultra-conservative majority on County's board of supervisors in June selected a former prosecutor who had never worked in elections and vowed to change the office culture, improve public confidence, and "clean up" voter rolls.
- County elections office reports ink problem while processing ballots. November 5, 2024.
 - Summary: County elections office reported it was having difficulty counting some of its ballots due an issue with ink overspray that is preventing election equipment from processing those ballots.
- County lawsuit alleges election mismanagement and violations. November 5, 2024
 - Summary: Lawsuit accused the county's Registrar of Voters of multiple election law violations during the November 5, 2024, general election (including failure to maintain voter rolls, obstruction of public observation, ballot security and chain of custody issues, voting system errors and suspected security breaches, unexplained ballot discrepancies, and failure to release public election records).

Diagram of ITD Developed Systems and Vendor-Supported



Overview of ITD Teams' Election Support

Digital Apps ROV Team <ul style="list-style-type: none">• Public Facing Apps• Internal Apps• Batch Jobs	Shared Services <ul style="list-style-type: none">• DIMS/DXI• DIMS PollBook Integration• DIMS BlueCrest Integration• GIS• Database	Web Team <ul style="list-style-type: none">• ACVOTE• Gov Delivery• ACGOV Updates• Monitor Fake Election Websites	Server Services <ul style="list-style-type: none">• JBOSS/.NET Servers• ACVOTE• DIMS	Network Services <ul style="list-style-type: none">• Network
Security <ul style="list-style-type: none">• Election Cybersecurity• Account Provisioning• Monitor deep fake videos and fake websites	Client Services <ul style="list-style-type: none">• ROV Desktop Support• Video Conferencing (Standby)	Telephony <ul style="list-style-type: none">• ROV Telephony Dashboard• Circuits and Lines• ACD Tests• IVR	Help Desk <ul style="list-style-type: none">• ROV Support	OPS <ul style="list-style-type: none">• Monitor Fake Election Websites• Ensure Election Websites are working



ATTACHMENT FOR AGENDA ITEM #8(b)(3) – Voting Participation Committee

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

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

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

ATTACHMENT FOR AGENDA ITEM #8(c)(1) - Election Results

(1) Reporting Plurality At-Large Election Results

Background: It is the percentage of voters that matters to understand the results. For example, out of all the combined votes, how many of those people supported each candidate? Below is an image of a result. Following is a mockup of the result with additional information (an extra column), which would be helpful to interpret elections where voters can choose one or more candidates. The commission recommended two considerations: (1) Report the share of voters supporting each candidate; and (2) Eliminate “percent of votes” as those numbers are relatively meaningless. Feedback is needed from the ROV.

Recommended action: Endorse this request, and ask the ROV Office to implement it in the next election.

Images are from a multi-seat plurality election

Current practice provides the percent of votes, but not percent of voters:

Members, City Council - Alameda			
12 of 12 Precincts Reported(100.00%)		Vote for no more than Two (2)	
Contest	Votes	Percentage	
Michele Pryor	16,381	26.55 %	
Greg Boller	14,193	23.01 %	
Thushan Amarasiriwardena	13,041	21.14 %	
Trish Herrera Spencer	12,071	19.57 %	
Steve Slauson	6,004	9.73 %	

Proposal to provide the percent of voters:

Members, City Council - Alameda			
12 of 12 Precincts Reported(100.00%)		Total ballots cast 34,887 (Percent turnout 69.22%)	
		Vote for no more than Two (2)	
Contest	Votes	Percent of votes	Percent of voters
Michele Pryor	16,381	26.55 %	46.95%
Greg Boller	14,193	23.01 %	40.68%
Thushan Amarasiriwardena	13,041	21.14 %	37.38%
Trish Herrera Spencer	12,071	19.57 %	34.60%
Steve Slauson	6,004	9.73 %	17.21%

(2) Reporting Participation Turnout Per Contest.

Background: Turnout is currently reported for the consolidated election, but not for each contest. Participation turnout in a contest is often substantially lower than turnout in a consolidated election, particularly for local elections. A participation-turnout report by each contest is a more accurate measure of civic engagement as it will show if people skipped voting in certain contests. The mockup **above** includes participation in the reporting of results for an election. Report participation turnout by each contest. Feedback is needed from the ROV.

Recommended action: Endorse this request, and ask the ROV Office to implement it in the next election.

ATTACHMENT FOR AGENDA ITEM #8(c)(3) - **Pace of Count**

As explained in the 2024 post-election assessment, some voters complain about the pace of the counting. If the final count meets the certified deadline, it is unclear whether speed is a shortcoming that needs to be addressed. If a faster count is desired, items identified for consideration include:

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

Feedback from the ROV is needed.