

Voter Rights Task Force
Minutes of CA Vote Counting Observations
June 21, 2016 5 pm Pacific
Most of the 58 County Team Leaders Attended

Issues Found Before Count Observations:

1. Poll workers were poorly trained or were given the incorrect instructions about crossover ballots in many areas.
2. In at least a few counties, the printers of the materials didn't send voter info out until very late when voters complained.
3. Martin & Chapman delayed printing. Voters didn't get ballot until day before the deadline for registration updates.
4. A letter was sent to at least once county saying the 1% selection was to happen before the election, in secret.
5. Many people said they were switched to mail in ballots without their consent.
6. Some ballots were not received in time for the beginning of early voting.

Issues Found During Observations:

7. NPP voters weren't given the proper NPP/Dem CROSSOVER ballot, but rather a Dem ballot, which caused it to be "snagged." At that point, it was sent to be "remade," (so it can enter the machine to be tabulated) and during this "remake process", a new NPP ballot was made to match their registration, but which REMOVES the presidential race. Effectively, their presidential vote was canceled, DESPITE their clear intention to vote in the presidential race, which they are entitled to do. The observer never saw an example of an actual crossover ballot. NPP voters who were given regular Dem ballots, not Dem crossover ballots, would not have been counted if the observers hadn't questioned this. There was a promise made by the state to count these types of ballots.
8. Some of the registrations received before the May 23rd deadline were not processed before counting started.
9. Some counties are resisting oversight protocols. They are making observers stand too far away where observation is not truly possible. Some counties restricted observing to 10-22 feet away.
10. Many ballots were not counted; Tim Dupree will not release information on what happened to 29,000 "missing" ballots.
11. Some counties want observers to stand behind a barrier, not take notes, and/or refuse to allow chairs.
12. Some counties won't tell people when they are counting ballots.
13. Some counties are using temporary help to count ballots.
14. Managers contradict each other on rules. They may not know rules. County officials may be making up rules that are not correct.
15. In one county, 10% of polling areas are mail in only and don't have polling places. About 50% of these areas were selected in the "random" 1% hand count. That isn't random.
16. One county changed the rules part way through before provisional ballots were to be counted. Limited to 1 observer per party, no chairs, want to know which campaign the observer represented.

17. In one county, one area of vote counting was off limits to observations. The area was called "cage 4", where employees carry 20+ ballots in pink envelopes and called out sequential numbers.
18. Sometimes observation must be done on the other side of a glass window.
19. In at least one county, officials don't check original registration card to see if the database was changed after the card was issued. They said they felt confident that the database was "accurate".
20. When a voter's vote is shown as "Counted" on the county's website, this doesn't mean the presidential ballot was counted. This is misleading to voters.
21. Some observers couldn't see voter registration numbers.
22. Provisionals aren't allowed to be viewed when opened due to "voter's private information" being "protected". Open provisional ballots can only be viewed through a window.
23. One county refuses to provide updates until final.
24. Computer was used to select "random" precincts.
25. Checks & balances weren't in place for remaking ballots or darkening lighter marks.
26. One clerk said officials can ask observers to leave. Not true.
27. In some counties, provisional de-duping (pink ballots) can't be seen well.
28. 1% check was done behind a glass window, so wasn't transparent.
29. Central tabulator hacks around the 1% rule meant to audit the process.
30. Can't always see screens when checking signatures.
31. One county's observers were not allowed to observe envelope opening at night.
32. Write in NPPs – not sure these are being counted.
33. Some people saw photocopied ballots being counted.
34. Did the Secretary of State provide "random" precincts for the 1% check 1-2 months before the election? Contradictory statements were made by vote counting person.
35. In Fresno, observers were sent home as the vote counting was supposed to be done for the day. When observers went back to get final vote counts for the day, workers were doing the 1% verification.

Suggestions Moving Forward:

36. Officials shouldn't ask which candidate you are representing.
37. Observers' rights are in Subsection 2300. 9. a. and b., election code 15104, and 2194. Make sure vote counting officials are trained on these.
38. Talk to the county's lawyers about rules, if observer and the official disagree.
39. Should be able to see everything including envelopes when observing.
40. If a voter thinks they were incorrectly switched to mail in, they can request to see the proof of the signed request to switch. Allow this to be done via email.
41. If the 1% doesn't match, don't rescan the ballot. This includes provisional ballots.
42. The random pull of precincts data should be published and observed publically. Let a real person pull random precincts and observe all precincts are included. Don't let computer do this.
43. Voting machines can be hacked. Let officials know we prefer they don't use them.
44. Is there a public report from the voter election monitors? There should be, if not.
45. Find out what happens when signatures aren't matching. Best if relooked at again, so less legitimate ballots are thrown out.
46. We need public eyes on voter registrars throughout the whole process, before and after elections.