

MEETING DATE: April 13, 2015

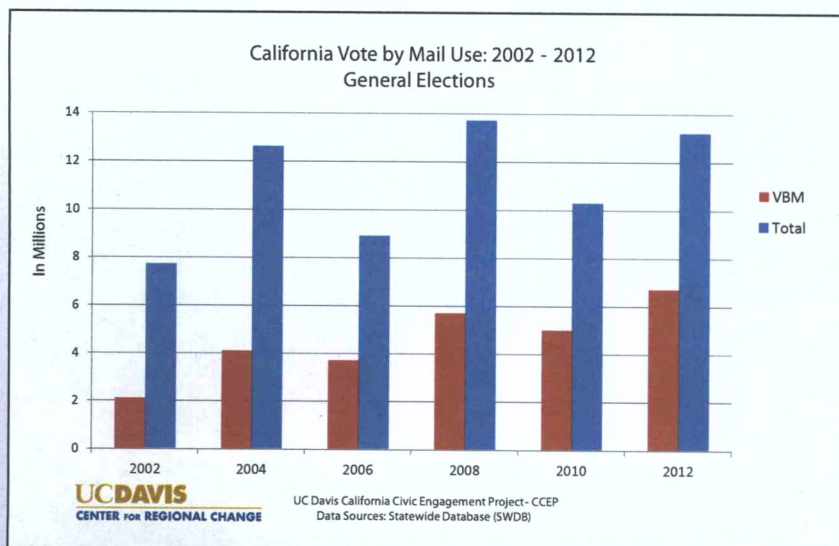
AGENDA ITEM: Discussion of Authorizing the Conduct of Municipal (City) Elections Wholly by Mail.

ATTACHMENTS

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Disparities in California's Vote-by-Mail Use Changing Demographic Composition: 2002-2012

Increasing Proportions of Vote-by-Mail Ballots



California has steadily increased its use of vote-by-mail (VBM) ballots over the past decade. Aided by the expansion of the state's permanent vote-by-mail option and outreach by many county registrars, more Californians are choosing to cast VBM ballots. According to the California Secretary of State's Office, just over fifty percent (6.7 million ballots) of the state's total ballots cast were vote-by-mail (VBM ballots cast by mail or dropped off at an official location), up from 27% in 2002. Within this high rate of VBM use is a great degree of variation in the use of this method by age, race/ethnicity and political party affiliation. Understanding disparities in VBM use is critical to assessing its impact on California's electorate to date, and in the future. Through the California Civic Engagement Project's analysis of Statewide Database Data, this brief identifies disparities in: (1) VBM use rates by sub-group and (2) the overall make-up of the state's VBM and poll voter populations.¹

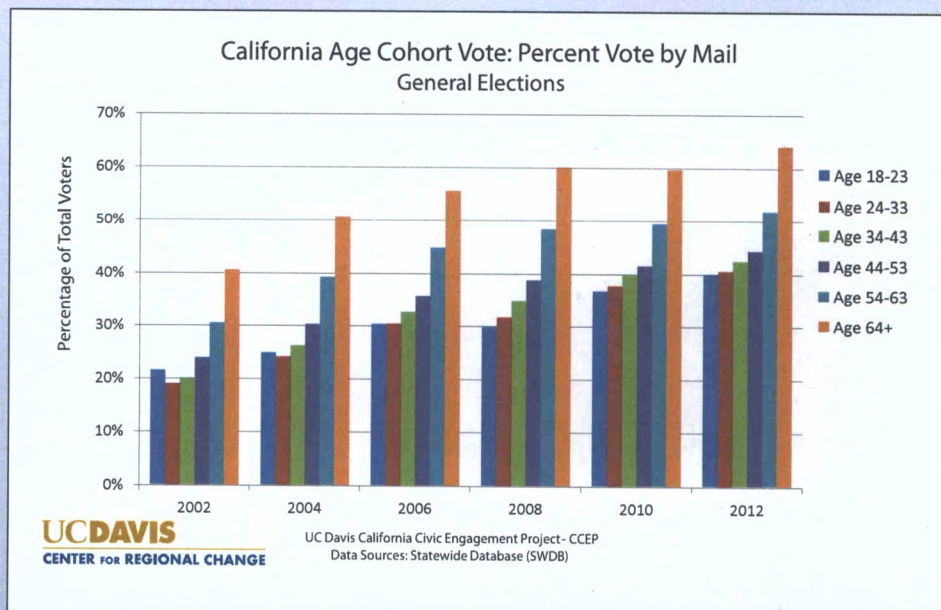
1. VBM Use Rates by Sub-Group

Youth and Older Voters: Disparities in VBM Use

Only voters age 55 and older use VBM at a rate greater than 50%. For voters age 64 and older, 64% (2 million) cast VBM ballots in 2012. It is the higher proportional use rate of these voters (along with their higher turnout rates) that is driving California's total 50% VBM use.²

In contrast, youth voters (defined here as age 18-23) had the lowest use rate for VBM ballots of all age groups in 2012 – 39% (340,000 VBM ballots). The number of youth actually casting VBM ballots has increased 61% since 2004 (comparing presidential elections) resulting in a 13 percentage point increase in the proportion of youth using VBM since 2004. However, this increase in the percent use of VBM was the lowest of all

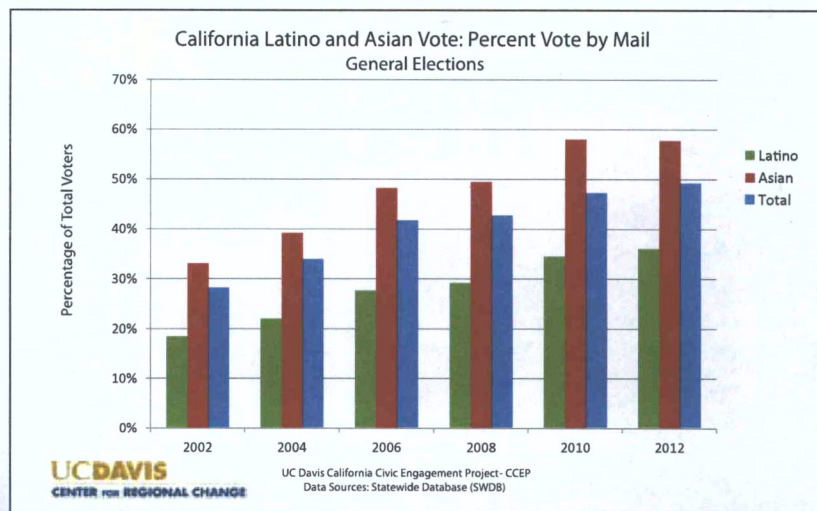
age cohorts in California. Over the past decade, every other age cohort experienced an increase in their use rate of 20 percentage points or higher – meaning that youth are increasing their proportional use of VBM more slowly than the rest of the state's voters. Note: The Statewide Database's 2002-2012 voter data files posted on their website are currently mislabeled by age. SWDB's voter file data is actually calculated for the following age groups: ages 18-23, 24-33, 34-43, 44-53, 54-63 and 64+.



Latinos and Asian VBM Disparities

Since 2004, Latinos more than doubled their number of actual VBM ballots cast (to 0.9 million), and increased their proportional use rate by 14 percentage points from 18.4% to nearly 37% in 2012. The number of Latino poll voters still increased by 8%. However, this proportional use rate is far below the state's total VBM use rate of 49.2% (using comparable Statewide Database data). The increase experienced by Latinos in their proportional use of VBM is lower than the increase experienced by Asians, as well as the rest of the non-Latino voting electorate.³

Asian voters in California are utilizing VBM at higher rates than Latinos and the general voting electorate. In 2012, 58% of all ballots cast by Asians were VBM. The actual number of Asian VBM voters in the state increased 79% (to 0.5 million) over the last decade. The number of Asian poll voters actually decreased by 15.7% (to 0.4 million). Asian use of VBM increased by over 19 percentage points, up from 39% in 2004. The gap between the Latino and Asian proportional use of VBM has grown over the decade – from 14.7 percentage points in 2002 to over 21 percentage points in 2012.

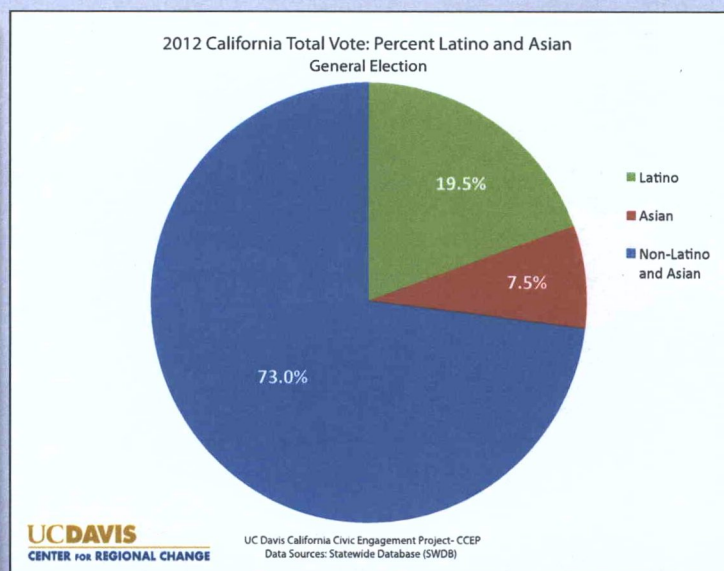
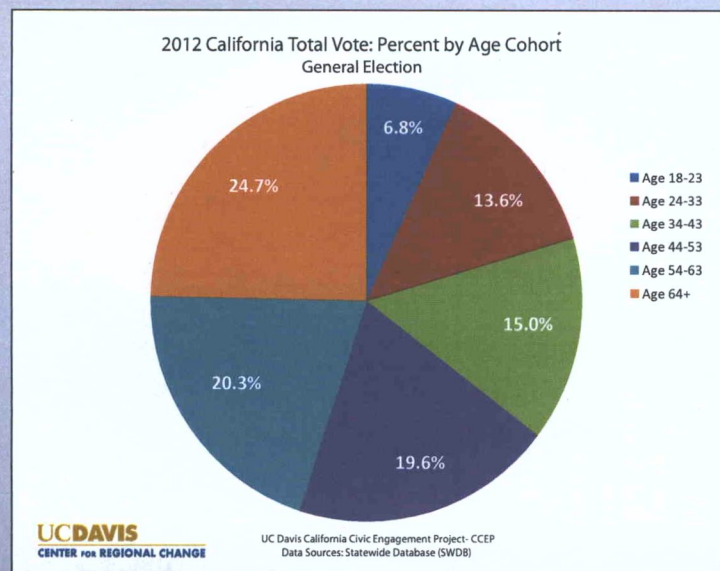


Political Party Affiliation: Higher Republican Use

In 2012, Republicans used VBM in somewhat greater proportions than poll voting - 53% compared with 48%. Voters affiliated as No Party Preference (NPP) used VBM at about the same rate as Democrats. Democrats increased their proportional use of VBM by 15 percentage points and NPP votes increased by 18 percentage points, where as Republicans increased their use by 14 points since 2004. As the VBM use rates for Republicans and Democrats have increased over the past decade, the gap between their rates has stayed very similar (declined by only a percentage point).

The California Electorate

In November 2012, California's total population of voters continued to increase in diversity. Latinos are now nearly 20% (2.5 million) of all participating voters in the state. Asian voters increased to 7.5% (950,000) of the state's vote and the voting electorate continued to get a little older; increasing its proportion of those age 64 and older. Youth voters made up 6.8% of California's voters.⁴

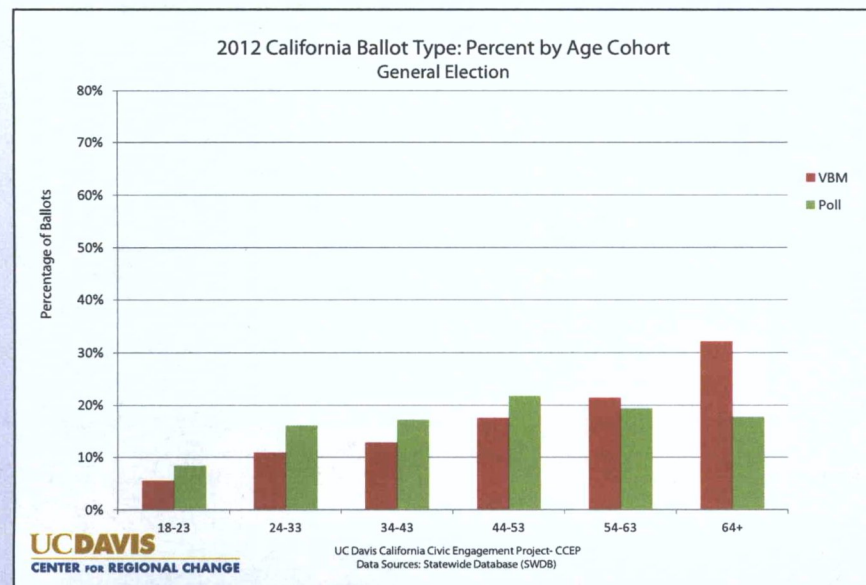


2. Composition of the State's VBM vs. Poll Ballots

Vote-by-Mail Impact on the Make-Up of California's Voters

Breaking down the state's voter population, California's voting sub-groups have very different proportional VBM use rates. The demographic make-up of the state's VBM voters differs compared to its poll voters. Overall, the VBM voter population can be summarized as older, less Latino, more Asian and less Democratic than poll voters.

VBM: Greater Proportions of Older Voters



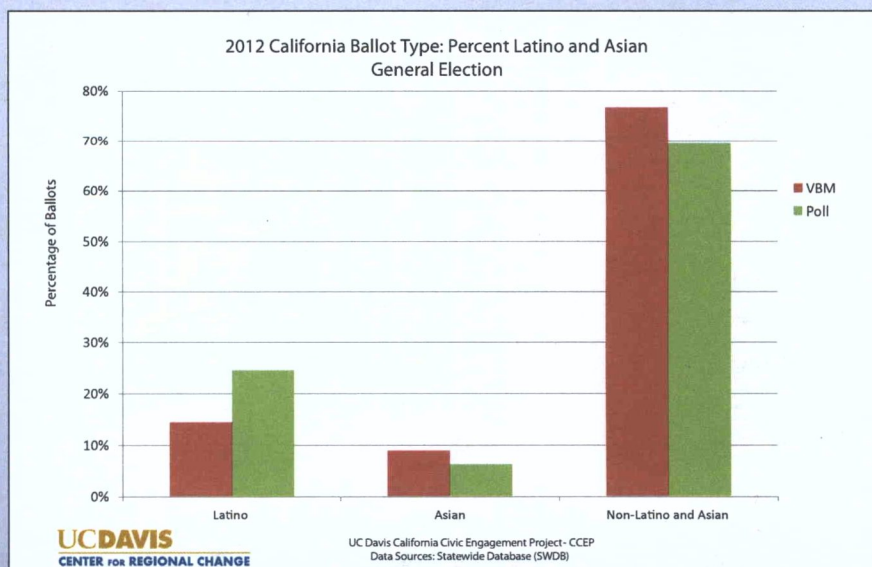
In 2012, 71% of VBM voters were age 44 and older, compared to only 58.5% of poll ballots. As with the state's overall voter population, voters age 64 and older hold the largest proportion of VBM ballots. In contrast, it is those age 44-53 who hold the largest proportion of poll voters – 21.7% (slightly decreased since in 2004).

Over the past decade, the VBM and poll voter populations in California have both increased in their proportions of older voters. In 2012, the age 64 and older proportion of California's VBM voters was 32.1%, up from 28.9% in 2004. Although the gap between youth VBM voters and those age 64 and older has decreased since 2004 (6 percentage points), there remains a 27 percentage point gap between the youth and 64 and older proportion of all VBM voters. In contrast, there is just a 9 percentage point gap between the youth and 64 and older proportion of the poll vote.

VBM Voters: Fewer Latinos and More Asians

Among VBM voters, Latinos are underrepresented and Asians are overrepresented compared to their proportions of California's total vote. In November 2012, Latinos made up 14.4% of VBM ballots, but 24.4% of poll voters (they are 19.5 % of California's total 13 million voters in 2012). Since 2004, Latino increases in the proportion of the poll vote have slightly outpaced increases in their share of VBM voters; 5.8 percentage points compared to 4.2 percentage points. Asians make up 9% of VBM ballot versus just over 6% of poll voters (compared to 7.5% of all California voters). Since 2004, Asians have increased their proportion of VBM voters slightly by a 1.3 percentage point, while staying consistent in their share of the poll vote during the same time period. Given the projected large increases in Latino voters over the next 30 years, if lower VBM use by Latinos (and higher poll use) continues then a strong impact could be seen on the state's overall VBM use rates.

Note: African-Americans were not examined in this analysis due to limitations in the data. See Notes.



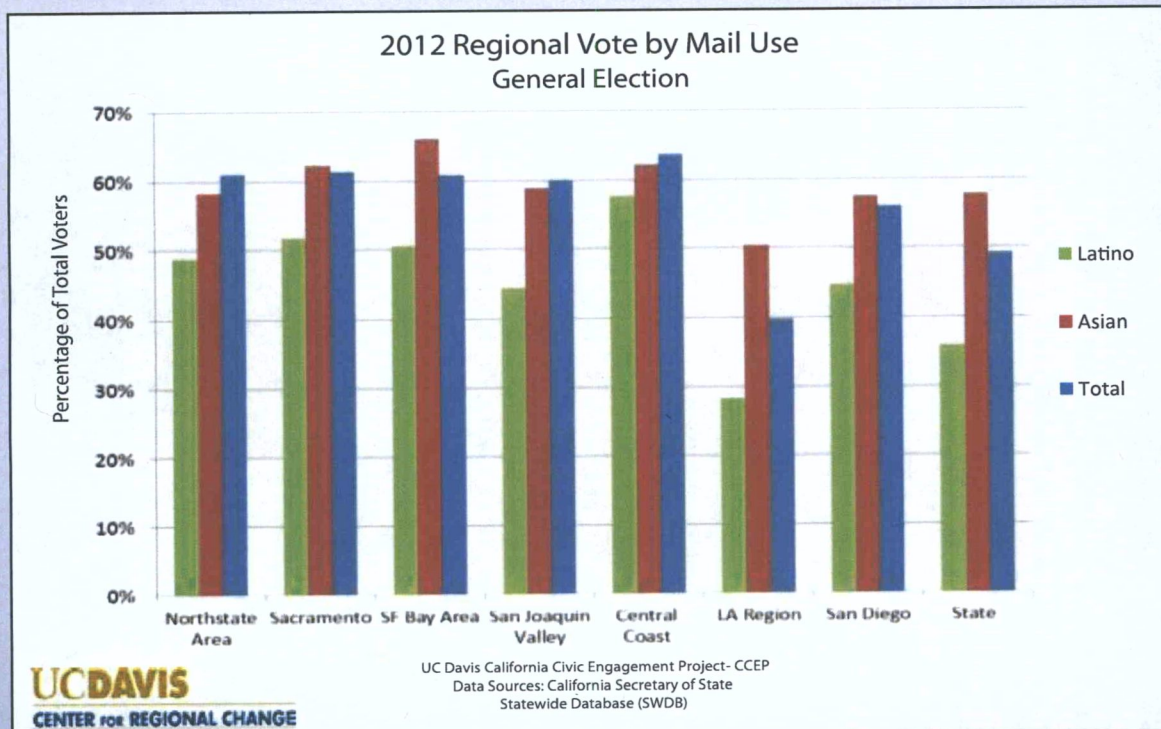
VBM Voters: Higher Proportion Democrat than Poll Voters.

In 2012, despite their somewhat lower VBM use rates than Republicans (and because of their overall greater numbers in the electorate), over 43% of VBM voters were affiliated as Democratic, 33.8% were Republican and 17.8% NPP. In contrast, 46% of poll voters were affiliated as Democratic, with 29.6% Republican and 18.8% NPP. Democratic proportions for both voter groups have remained steady since 2002. Over the last decade, Republican proportions have declined slightly more for VBMs than poll voters. No Party Preference (NPP) proportions have increased slightly for VBM compared with poll voters.

2012 Regional VBM Variation

There are large geographic differences in the use of VBM across California. In 2012, most of the state's regions actually exceeded California's overall VBM use rate. Every region except Los Angeles and San Diego had 60% or higher VBM use. With a VBM use rate of only 32.9%, the Los Angeles Region, and its large population of voters, is driving California's overall VBM rate lower. Considering the significant demographic differences across California's regions, differing regional VBM use rates translate into varying impacts on the state's VBM participation by race/ethnicity and age.⁵

Greater Variation in Regional VBM use for Latinos and Asians



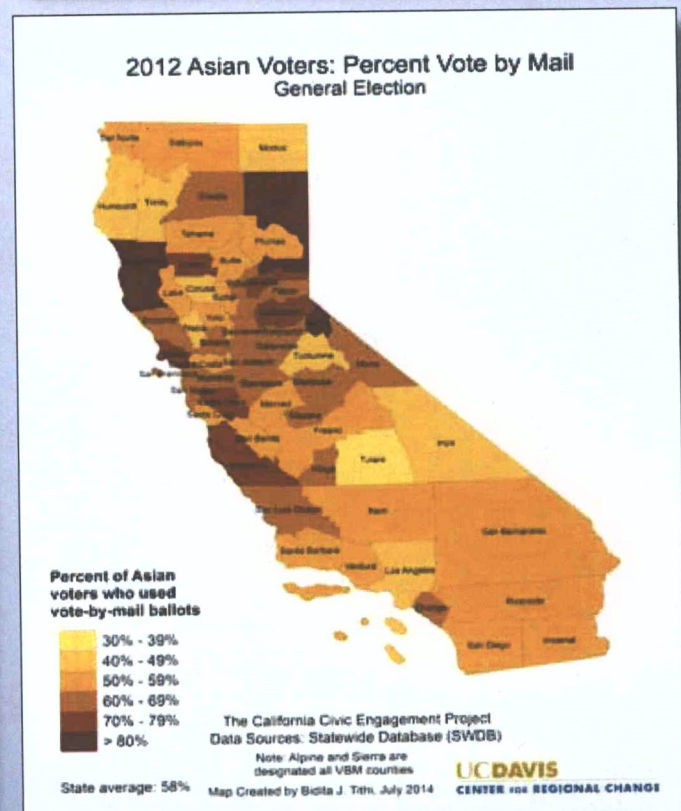
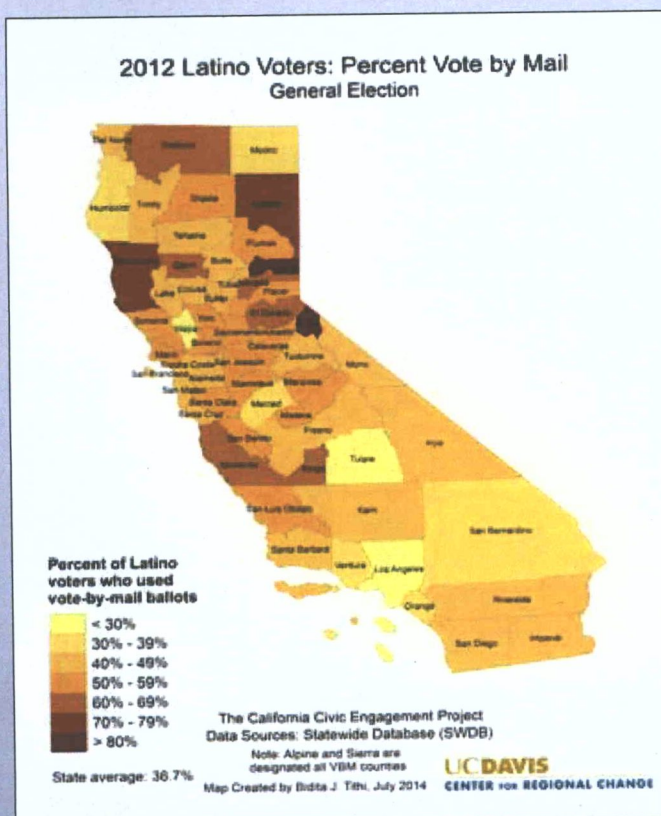
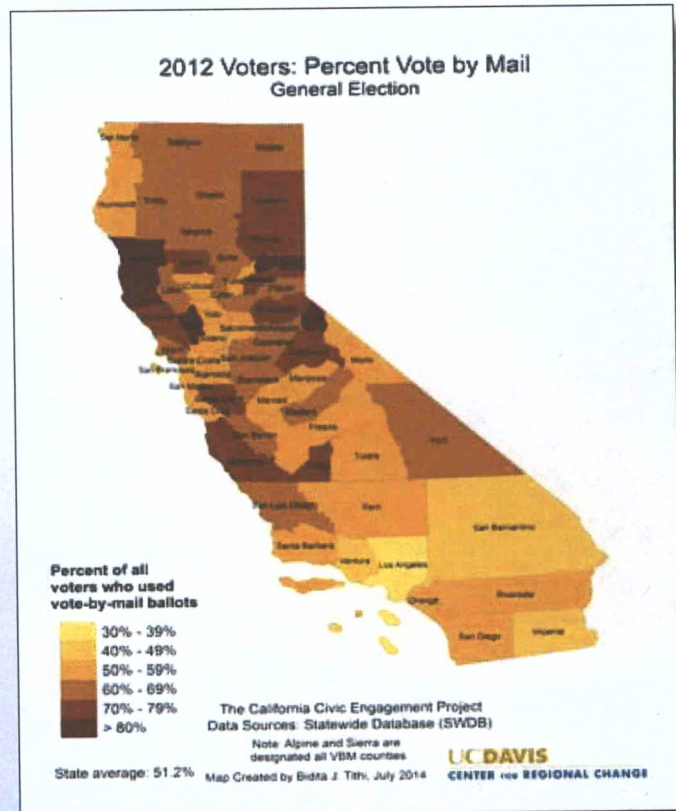
Latinos and Asians experienced greater regional variation in their VBM use than the general public, leading to wider gaps in some regions between the Latino and Asian VBM use rate and the VBM use rate of the total electorate. Further, regions with the highest regional VBM use rates varied for Latinos and Asians compared with the total voting population. For Latinos, their highest proportional use of VBM was in the Central Coast region (57.6%). The lowest regional VBM use rates for Latinos were in the San Joaquin Valley and Los Angeles Region - both high

population centers for Latinos. Asians in the San Francisco Bay Area utilized VBM at the highest rate (66%) in the state and have higher use rates than the total population use in 4 out of 7 regions. At 52.2%, youth in the Sacramento region experienced the highest proportional use of VBM compared with other regions in the state. Further, within regions, VBM use can vary even more significantly - from a total use rate of 30% in Los Angeles County to nearly 90% in Napa County (Alpine and Sierra counties both have all VBM elections).

Why Do Differences in the Make-Up of VBM vs. Poll Voters Matter?

California has two different sets of voters who each have different demographic and political compositions: VBM and poll voters. Understanding variation in VBM use rates for California's electorate is important to those efforts aimed at increasing the overall participation of California's electorate. Outreach, education and services to VBM voters, or future VBM voters, need to be targeted to reflect the different group use rates. For instance, given the high use of vote-by-mail by Asians in California, we may need to further examine whether the non-English speaking segment of these voters could benefit from specific outreach when having to utilize English language VBM ballots. As discussions occur involving the possible expansion of the use of VBM ballots (including proposals to consolidate, reduce, or eliminate polling places), it will be critical to utilize current data to identify any possible disparate impacts on the electorate, particularly at a county and community level.

Please see CCEP website for detailed data tables and maps by county and region. See notes for discussion of county level data.



This research is designed and conducted as a collaboration between the Future of California Elections (FOCE) and the UC Davis California Civic Engagement Project.



About the Future of California Elections (FOCE):

The Future of California Elections (FOCE) is a collaboration between election officials, civil rights organizations and election reform advocates to examine and address the unique challenges facing the State of California's election system. FOCE was formed in late 2011 to examine and address the unique challenges facing the State of California's election system. In 2013 and beyond, FOCE will be focused on building on this foundation of consensus and success.

About the California Civic Engagement Project (CCEP):

To address the critical lack of publically accessible data to inform the public dialogue on governance in California, the UC Davis Center for Regional Change established the California Civic Engagement Project (CCEP) in 2011. Its mission is to collect and curate civic engagement data from a broad range of sources, making them a publicly available resource to all interested audiences, including public officials, advocacy groups, non-partisan organizations and communities themselves. The CCEP also supports research that explores non-traditional measures of civic engagement, particularly those that may be more likely experienced by disadvantaged or disconnected groups. The CCEP's efforts towards democratizing data and informing the growth of a diverse civically engaged population strongly supports the development of equitable and effective governance in the state.

Author: Mindy Romero — Founding Director, California Civic Engagement Project

This project is supported through a grant from The James Irvine Foundation.

Launched in 2007, the UC Davis Center for Regional Change is dedicated to producing research that informs the building of healthy, equitable, prosperous, and sustainable regions in California. To accomplish this, the CRC builds two kinds of bridges. One set is on campus between faculty and students from different disciplines and departments; the other between the campus and regions throughout the state. These bridges allow us to bring together faculty, students and communities to collaborate on innovative action research that identifies and directs resources to communities struggling with the most challenging environmental and social conditions. Visit the Center's website at <http://regionalchange.ucdavis.edu>.

NOTES

¹ Data for California's 2012 total VBM use rates were acquired from the California Secretary of State.
See: http://www.sos.ca.gov/elections/elections_u.htm

² Voter data by demographic breakdown were acquired from the Statewide Database. These data are actual voter records and not representative samples. SWDB Data for Modoc, Napa, Sutter, Trinity, Tulare, and Tuolumne counties may be conservative estimates compared with published California Secretary of State data. Due to differences in data collection methods, caution should be utilized when directly comparing California Secretary of State voter data publications with SWDB data. The CCEP adjusted data estimates for Calaveras and Mariposa counties. Latinos and Asians are distinguished in the statewide database voter data from the general population by the use of Spanish and Asian surname lists which identify registrants with commonly occurring Spanish and Asian surnames. Surname matching is not reliable for white, non-Hispanic, and African-American populations, and thus, voter data is not available for these groups. Please note that historically some counties have reported forced mail ballots in these data as absentee, while other counties have allocated them to the poll vote. For more information on methodology and limitations, please see: <http://swdb.berkeley.edu/d10/Creating%20CA%20Official%20Redistricting%20Database.pdf>. Note: The Statewide Database's 2002-2012 voter data files posted on their website are currently mislabeled by age. SWDB's voter file data is actually calculated for the following age groups: ages 18-23, 24-33, 34-43, 44-53, 54-63 and 64+.

³ Comparisons between racial, ethnic and age groups and the total population should be made using the same data source: Statewide Database data. These data show the statewide 2012 general election VBM use rate at 49.2%.

⁴ California Civic Engagement Project's Policy Brief 6: Changing Political Tides: Demographics and The Rising California Latino Vote.

⁵ Regions defined to include the following counties. Sacramento Region: Sacramento, El Dorado, Placer, Sutter, Yolo, Yuba; San Francisco Region: Alameda, Contra Costa, Marin; Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma; LA Region: Los Angeles, Orange, Riverside, San Bernardino, Ventura; San Joaquin Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Kern, Tulare; North State: Butte, Del Norte, Lassen, Modoc, Siskiyou, Humboldt, Shasta; Central Coast: Monterey, San Benito, San Luis Obispo, Santa Barbara; San Diego: San Diego.

For more information about this research study and the California Civic Engagement Project,
contact Mindy Romero, CCEP Director, at 530-665-3010 or msromero@ucdavis.edu.
Visit our website at: <http://regionalchange.ucdavis.edu/projects/california-civic-engagement-project-ccep>.

California's Uncounted Vote-By-Mail Ballots: Identifying Variation in County Processing

In 2012, for the first time in a statewide general election, over 50% of California's voters chose to cast their votes with a vote-by-mail (VBM) ballot (whether by mail or dropped off at an official location). This totaled 6.7 million ballots.¹ In primary and special elections, VBM use can reach higher percentages.²

In every election, there are mail ballots that are cast but go uncounted. Despite the high use rate of VBM ballots in California, accurate, comprehensive data has not been collected at a statewide level to identify the reasons why voters' ballots are rejected, nor have we known the variation in how counties process rejected VBM mail ballots.

Understanding how and why many California ballots are invalidated (e.g., signature verification issues, postal issues) at the county level can critically inform efforts to reduce the percentage of the state's mail ballots that go uncounted in 2014 and beyond.

In order to gain a better understanding of California's use of vote-by-mail ballots (including all return methods), the California Civic Engagement Project (CCEP) conducted a statewide survey of California's 58 county election offices. Through analysis of these survey data, this brief identifies: (1) reasons for VBM ballot rejection and (2) the methods taken at the county level to help voters correct VBM ballot issues.³

1. Reasons for VBM Ballot Rejection

VBM Rejection Rates

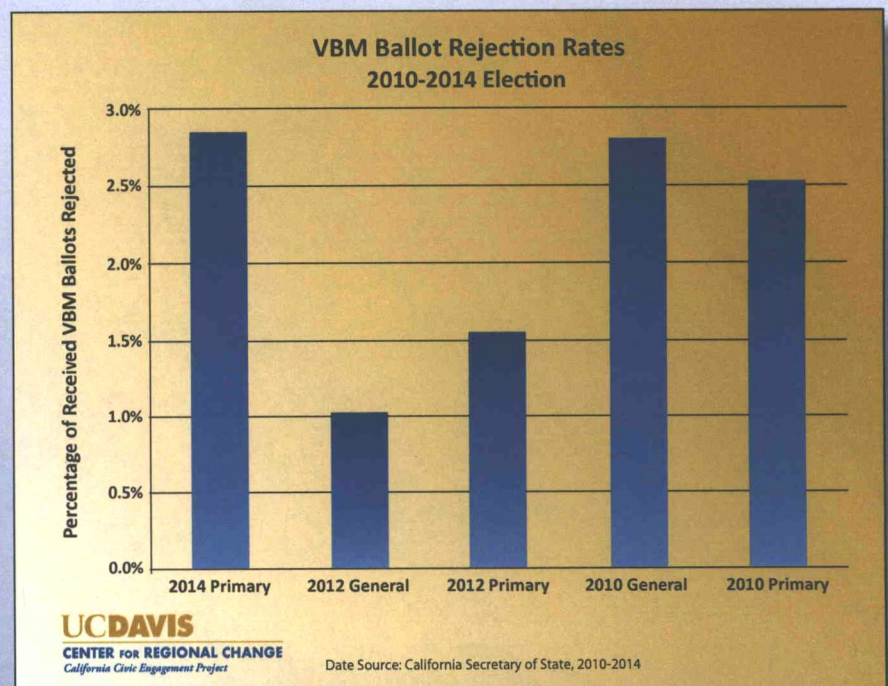
There is a significant number of VBM ballots in every election that go uncounted after they are received by California counties.

In the 2012 general election, 1% of all VBM ballots received by county election offices in the state were rejected during ballot processing. This amounts to nearly 69,000 ballots that were cast by Californians who effectively became disenfranchised in that election.

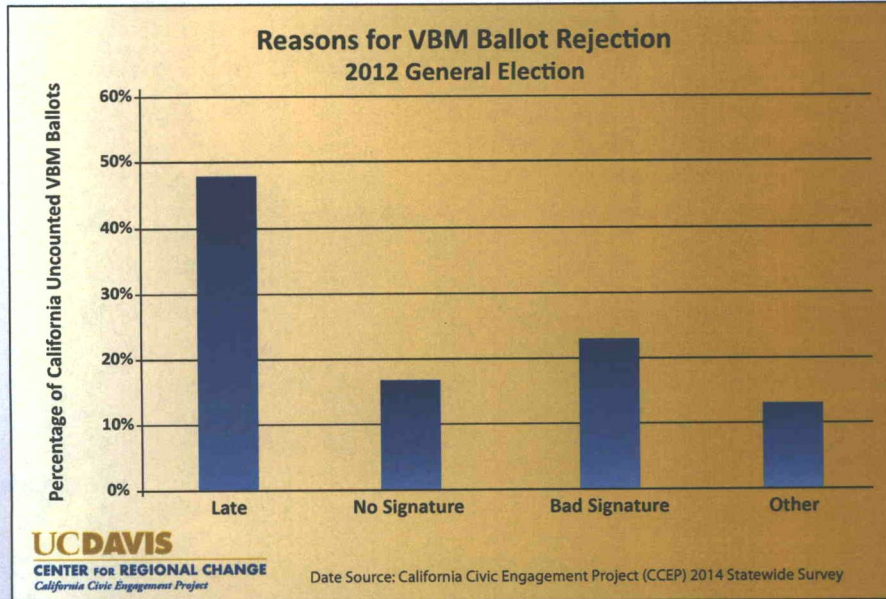
These findings are consistent with the 2012 General Election data on uncounted received VBM ballots reported by counties to the California Secretary of State's Office. Utilizing these data, we calculated the statewide VBM ballot rejection rate also at 1%.

We also examined available California Secretary of State data for the 2010 and 2014 mid-term elections and found the VBM rejection rates for these elections to be much higher, 2.5% and 2.8% in the 2010 primary and general elections, respectively. In the 2014 primary, the state's overall VBM rejection rate spiked to 2.9% - nearly double the 1.5% rejection rate in the 2012 primary, countering what appeared to be a declining VBM rejection rate in recent statewide elections.⁴

Note: Fifty-two counties (of 54 completing the CCEP survey) reported data on this topic to the CCEP survey.⁵



Reasons for VBM Rejection: Late, Bad Signature, and No Signature



As of the publication date of this brief, California Election Code requires that in order for a VBM ballot to be counted, it must be received by the close of polls on Election Day. Postmarks cannot be considered. On January 1, 2015, Senate Bill 29 will become law allowing VBM ballots postmarked by election day to be counted if received in election offices within three days of mailing.⁶

Statewide, late receipt was the most common reason California's received VBM ballots went uncounted in the 2012 general election. Nearly half (47.8%) of all uncounted VBM mail ballots received by county elections offices were late. Signatures issues constituted the second and third most common reasons for ballot rejections.

Once implemented, SB 29 is expected to significantly reduce the number of late VBM ballots received by counties. However, late VBM ballots should remain a high concern for the November 2014 election given study findings.

Counties rely on voter signature images to verify the identity of vote-by-mail voters. These images can sometimes not compare to those on vote-by-mail ballots received by counties due to a change in voters' signatures over time or because the initial images (typically voter registration or DMV signatures) were not a high quality or did not accurately represent a voter's signature.

We found in the 2012 General Election, twenty three percent of rejected ballots were uncounted due to a VBM ballot envelope signature not sufficiently comparing to the voter's signature on file. Almost seventeen percent of uncounted ballots were received without a signature at all.

The remaining uncounted VBM ballots (13%) were reported by counties as being rejected for a combination of reasons such as no VBM ballot inside an envelope, a VBM mail ballot sent in an envelope from a prior election, or an unvoted VBM ballot returned by the post office or family members due to a voter being deceased.⁷

The Secretary of State's office, does not produce official guidelines, and is not required by election law to do so, on how uncounted VBM mail ballots should be reported. Counties have the authority to develop their own standards in categorizing and reporting uncounted VBM ballots.

Note: Fifty California counties (of 54 responding counties) reported data on this topic.⁸

County Variation

Looking at a county level, the top reasons for late VBM ballots varied by county for the 2012 general election. In 51.2% of counties, most mail ballots were rejected due to lateness, 32.6% of counties reported their most common rejection as bad signature, and no signature was the most common in 14.0% of counties (two counties reported ties).

Twenty one percent of counties reported "other" as among their top three reasons for ballot rejection and one county (Trinity) reported "other" as their top reason for rejected mail ballots. All counties with large registered voter populations (over 800,000) reported late return as their top reason for rejected VBM ballots.

County Variation

California counties vary in the systems utilized to process VBM ballots and verify voter signatures. Seventy-eight percent of counties utilize a manual-based processing system and 20% employ an automated system. One county utilizes both types. Ballot processing systems have elements of subjectivity with regard to signature comparison. Manually based systems rely on individual county standards in signature comparison, while automated systems vary in their threshold settings for signature verification match. Automated systems utilized by counties are from different vendors with different software also prohibiting a lack of signature threshold standardization.

No identifiable pattern was found between counties with high non-match signature rates and the use of manual versus automated systems. For instance, the group of counties that reported non-matching signatures as their top reason for ballot rejection were made-up of both manual and automated system counties. However, more research needs to be conducted to further identify how different signature verification systems and settings may be impacting variation in county signature rejection rates.

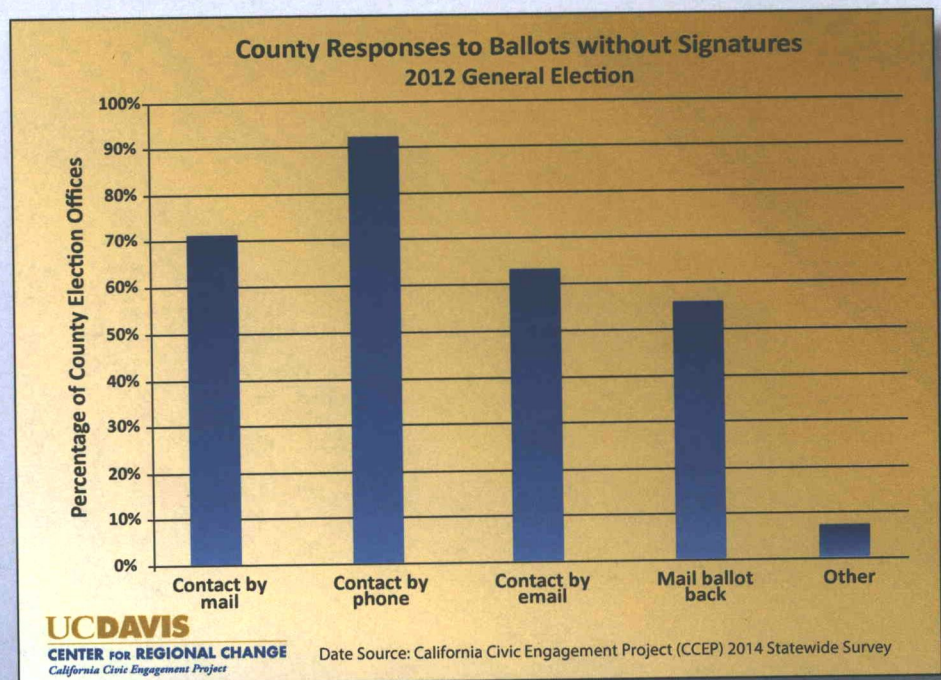
2. Methods to Help Voters Correct Ballot Issues

Counties Contact Voters

California counties are not required by law to contact voters to inform them that their ballots were not counted (for any reason), either before or after an election. When it comes to VBM ballot rejection due to missing signatures, CCEP research found that all California counties attempt to contact the voter prior to Election Day in order to provide them an opportunity to correct their ballot. Nearly all of these counties utilize multiple methods in these attempts.

The breakdown of methods utilized by counties when a VBM ballot is not signed is as follows:

- 70.4% (38 counties) reported contacting voters by mail
- 92.6% (50 counties) reported contacting voters by phone
- 63% (34 counties) reported contacting voters by email
- 55.6% (30 counties) reported mailing the ballot back
- 7.4% (4 counties) reported "other" methods of response



Counties Cover Insufficient postage

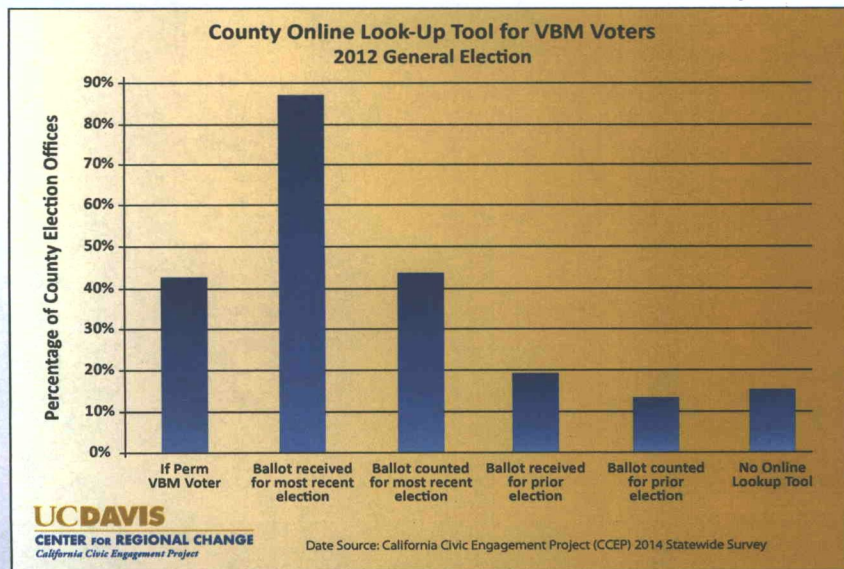
Among 54 California counties responding to the survey, 100% reported covering insufficient postage costs for VBM ballots.

Twenty-three counties listed calling the voter as the first contact option utilized.

While these are the policies of counties, we heard from many counties that contacting the voter can often be unsuccessful because of either a lack of current phone number or email, or because neither of these pieces of information are available in the voter's record. Currently, California voters are not required to provide a phone number or email when they register to vote or request a vote-by-mail ballot. Counties have the discretion to decide whether to request this information on voter forms. Often it is left up to the voter to volunteer this information, which many voters opt not to do.

Note: Fifty-four California counties (of 54 responding counties) reported data on this topic.⁹

Limited Information on Online VBM Ballot Status Look-up



Under current California Elections Code (3017 and 3019.5), county elections officials are required to provide a voter an ability to check whether his or her VBM ballot was received, counted, and if not counted, the reason why it was not counted, through online access or via a toll-free telephone number. While getting this information requires the voter to take the initiative (as opposed to being contacted directly by their county), this tool is an important point of access for VBM voters.

Almost eighty-seven percent of counties (47 counties) provide voters with the ability to look up online whether their mail ballot for a most recent election was received, but only 42.6% (23 counties) allow voters to find out if their ballots were actually counted. Voters in an overwhelming

majority of counties are not able to look up whether a VBM ballot was received for the prior election – just under 19% of counties provide this option and only 13% of counties allow a voter to confirm if their ballot in a previous election was counted. Only 3 counties (5.6%) also provide voters with the reason a VBM ballot was rejected as part of the online tool.

Only 16 California counties currently provide their online look-up tool in a language other than English (10 of these counties are only English and Spanish).

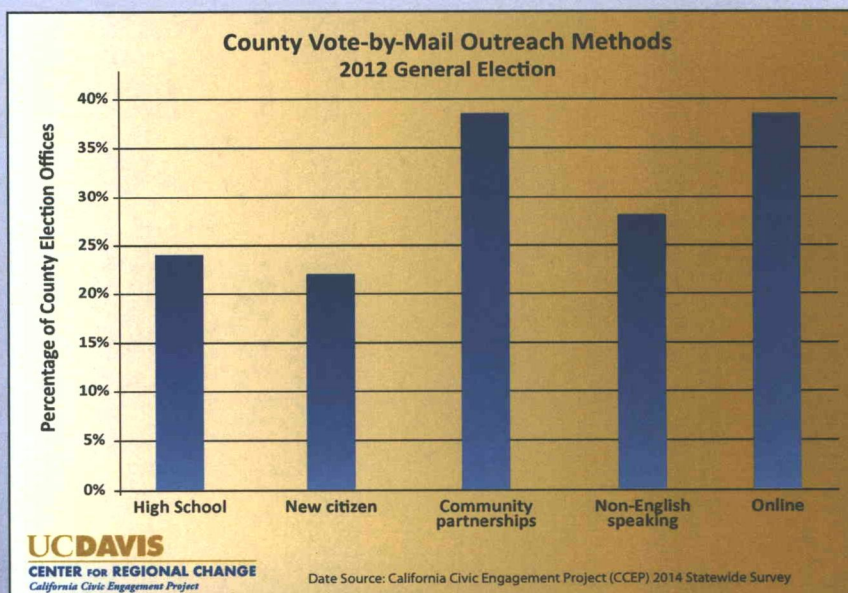
Note: Fifty-four California counties (of 54 responding counties) reported data on this topic.¹⁰

County VBM Outreach

In 2002, California Election Code changed to allow voters to sign up as permanent vote-by-mail (PVM) voters, meaning voters no longer needed to request a VBM ballot for each election. After this policy was enacted, many California elections offices began engaging in outreach to encourage voters to use the PVM option. Currently, 62% of counties (31 of respondents) are conducting some form of outreach to county residents suggesting they sign up as permanent vote-by-mail (PVM) voters.

California counties engage in the following forms of PVM outreach:

- 24% (12 counties) reported engaging in high school outreach
- 22% (11 counties) reported engaging in new citizen outreach
- 38% (19 counties) reported partnering with community-based efforts to promote outreach
- 28% (14 counties) reported engaging in outreach to non-English speaking communities
- 38% (19 counties) reported engaging in online/internet outreach to voters



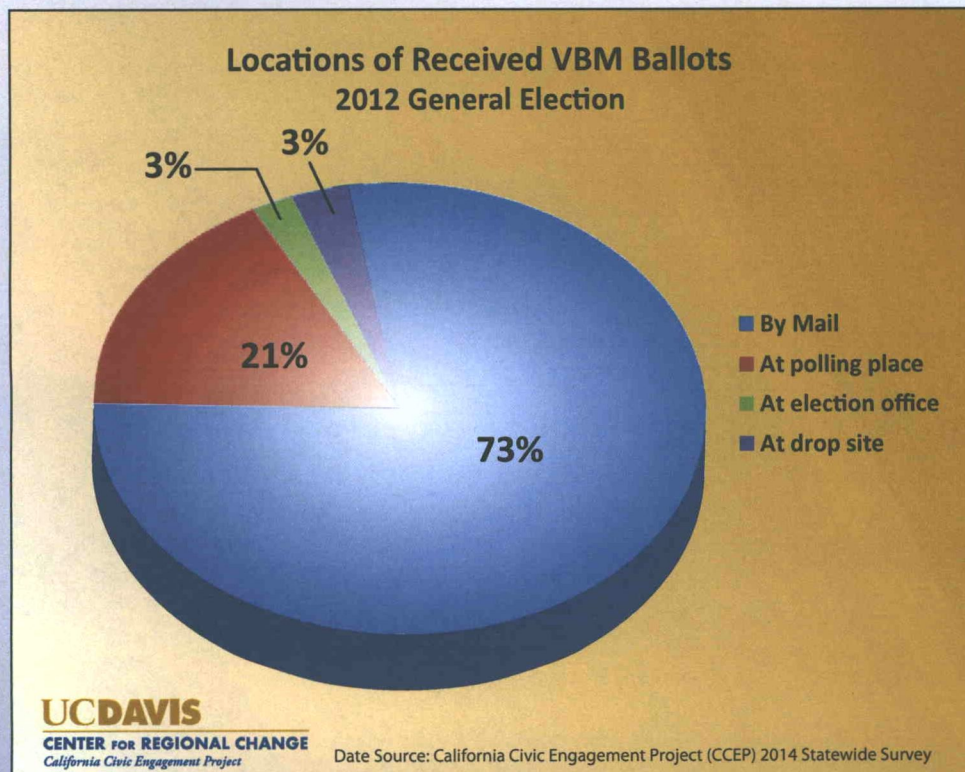
County VBM Outreach

All counties with large registered voter populations (over 800,000) reported engaging in some form of outreach that encouraged voters to sign-up as a PVM. All other counties not engaging in PVM outreach were moderate to small in their registered voter populations.

Most California county election offices reported not conducting permanent vote-by-mail outreach to high school-going youth, new citizens and non-English speaking communities, all historically underrepresented groups in the electorate. Failing to reach out to these potential participants could leave them further underrepresented among PVM voters and without an important option in exercising their right to vote.

Note: Fifty California counties (of 54 responding counties) reported data on this topic.¹¹

Many VBM Ballots are Not Returned by Mail



Not all California VBM ballots go through the mail. In the 2012 General Election, 73.5% of the state's VBM ballots were received by county election offices via the mail system. But many VBM voters used polling places - 21% chose to return their VBM ballots at an official county polling place. Just under 6% of mail ballots were received at an elections drop box or in person at a county elections office. Regardless of how VBM ballots are received by election offices, they are subjected to the same signature verification requirements.

Note: Forty-six counties reported data on this topic, including seven counties with large registered voter populations (over 800,000 - Alameda, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Santa Clara).¹²

Research Highlights

In 2012, California's VBM use passed 50% for the first time in a general election.

Nearly 69,000 mailed ballots (1 percent) were not counted in the November 2012 election.

California has one of the highest mail ballot rejection rates in the country

In the 2014 primary, the state's overall VBM rejection rate spiked to 2.9%.

The top three reasons California mail-in ballots were rejected: not arriving on time, not being signed or because signatures could not be verified.

California counties are not required by law to contact voters to inform them that their ballots were not counted.

All California counties attempt to contact the voter prior to Election Day in order to provide them an opportunity to correct signatures issues with their ballot.

27% of VBM ballots are returned to polling places or election offices - not by mail

Actions to Ensure Every Vote Counts

All voters should have confidence their cast ballots will be counted. Currently, many VBM voters may not be aware of how VBM ballots are processed and what steps they must take to ensure their ballots are not rejected. CCEP study findings suggest that action on two fronts is likely to help reduce the occurrence of VBM voter disenfranchisement in California: (1) aggressive education of voters with regard to state VBM counting deadlines and signature verification requirements and (2) establishment of statewide standards in VBM signature comparison, VBM data reporting and voter notification. The following are specific action steps:¹³

- Create a statewide education campaign to help voters avoid VBM errors.
- Counties should contact voters before Election Day for non-matching or missing VBM ballot signatures. After an election, counties should notify voters if their VBM ballots were not counted for any reason.
- Educate voters on January 2015 election law changes in VBM receipt deadlines resulting from SB 29 passage.
- Establish statewide procedures for signature comparison. Expand the state's Uniform Vote Counting Procedures to include these guidelines.
- Fund counties for vote-by-mail programs, including county VBM education programs for voters.
- Counties and the Secretary of State must report the total number of uncounted VBM in ballots each election and the reasons for VBM ballot rejection. Include a breakdown of these numbers for non-English language ballots and provisional ballots.

Challenges to Reducing the Number of Uncounted VBM Ballots

In the 2012 general election, California counties experienced different VBM ballot rejection rates and engaged in different methods for correcting errors with voters. A critical step in reducing disenfranchisement by way of ballot rejection is identifying the magnitude and factors involved in the issue. Without transparent, consistent and accurate data, this work is greatly challenged. However, many types of voter data are not consistently tracked across counties.

When cross-validating the CCEP's survey answers on the number of rejected ballots for each county with other data sources, we found there were inconsistencies in the number of uncounted received VBM ballots that many counties reported for the 2012 General Election. Only a small number of counties reported the same number of rejected ballots in the CCEP survey as in their official survey reports to the California Secretary of State and to the U.S. Election Assistance Commission's Election Administration and Voting Survey (EAVS). Most counties reported at least small differences in their uncounted VBM ballot numbers, with some counties reporting very large differences. There was no identifiable pattern to these reported differences.

Further, over 60% of counties that participated in the survey did not provide data on the non-English percent of their VBM ballots. Seventy-five percent of all counties did not provide data on the numbers of non-English ballots that were returned. Understanding the use of VBM by non-English language voters can help better improve outreach to these voters, as well as identify if they are disproportionately experiencing higher VBM rejection rates. Many counties also did not report the total provisional ballots cast by VBM voters (who did not cast VBM mail ballot). These counties indicated data were either not applicable or not tracked by their offices.

In addition, since the 2011-2012 state budget, the State of California has withheld funding to pay for state-mandated county programs, including vote-by-mail programs. Despite not receiving state monies necessary to run vote-by-mail operations fully, as the state legislatively intended, all county elections officials continue to run vote-by-mail operations for their voters. As the use of vote-by-mail increases in every county, county elections offices are doing more with fewer resources.¹⁴

CCEP study findings suggest a need to develop standardized procedures for California counties with regard to VBM ballot processing and reporting. Now that a majority of California voters use VBM ballots, such procedures, fiscally supported by the state, would likely help ensure continued public confidence in the increasing use of an important voter option in California.

NOTES

- ¹ See the California Civic Engagement Project's Issue Brief: Disparities in California's Vote-by-Mail Use Changing Demographic Composition: 2002-2012
- ² Data for California's VBM use in primary elections is available from the California Secretary of State. See: <http://www.sos.ca.gov/elections/sov/2012-general/03-voter-participation-stats-by-county.pdf>.
- ³ In order to collect information on vote-by-mail ballot use in California, we developed and disseminated a statewide survey to all 58 California County Registrar and Clerk offices. Fifty-four counties completed and returned the survey (a 93% completion rate). These counties hold 96% of the state's total registered voter population. Placer, San Mateo, Siskiyou and Stanislaus counties did not complete the survey. As is common with surveys collecting self-reported data, a small number of counties completing the survey did not answer some survey questions or gave incomplete data on others. Due to the response variation, the number of counties with reportable data differs by topic as presented in this brief.
- ⁴ For county data on VBM uncounted ballots reported to the California Secretary of State's office. See: http://www.sos.ca.gov/elections/elections_m.htm
- ⁵ Fifty-two California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 95% of the state's total registered voter population. Del Norte and El Dorado Counties did not provide data. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey.
- ⁶ On September 27, 2014, Governor Brown signed Senate Bill 29. The bill allows VBM ballots postmarked by election day to be counted if received at election offices within three days. The bill becomes law on January 1, 2015. It will not be in effect for the November 2014 election. See: <http://leginfo.ca.gov/faces/billHistoryClient.xhtml>
- ⁷ The CCEP study found that counties differ in how they count and categorize unvoted VBM ballots issued to deceased voters. Some counties count unvoted VBM ballots returned from the post office (due to voter being deceased), as well as those unvoted VBM ballots returned from family members as part of their received but uncounted mail ballot tallies. Some counties only include mail ballots returned by family members (due to a voter being deceased) as received but uncounted. There are also a number of counties that do not consider unvoted ballots to be officially "received" ballots by their office and do not count them in their receive ballot total and, thus, those unvoted ballots do not get reported as rejected. Different county standards in how unvoted VBM ballots belonging to deceased voters are categorized and reported impacts county rejection rates and makes comparisons of county rates more challenging. Additional research is needed to better understand this coding variation seen among counties.
- ⁸ Fifty California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 67% of the state's total registered voter population. Del Norte, El Dorado, Lake and Los Angeles Counties did not provide data. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey. Lateness was the most frequent reason a ballot was uncounted in the three counties examined for the 2012 General Election in the California Voter Foundation VBM study, Improving California's Vote-by-Mail Process: A Three County Study. See: <http://www.calvoter.org/votebymail>. Research published by the Public Policy Institute of California (PPIC) also found late return as the most frequent reason or the number one reason VBM ballots are not counted in many California counties. See: http://www.ppic.org/content/pubs/report/r_114emr.pdf
- ⁹ Fifty-four California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 96% of the state's total registered voter population. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey.
- ¹⁰ Fifty-four California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 96% of the state's total registered voter population. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey. Some counties may have updated their online look-up tools since completing the CCEP survey.
- ¹¹ Fifty California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 95% of the state's total registered voter population. These counties hold 66.4% % of the state's total registered voter population. Glen, Mariposa, Merced and Modoc did not provide data. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey.
- ¹² Forty-six California counties (of 54 responding counties) reported data to the CCEP on this topic. These counties hold 94% of the state's total registered voter population. Colusa, Del Norte, El Dorado, Modoc, Napa, Nevada, Sierra, and Trinity counties did not provide data. Placer, San Mateo, Siskiyou and Stanislaus counties did not respond to the survey.
- ¹³ CCEP listed VBM recommendations are consistent with those provided in the California Voter Foundation VBM study - Improving California's Vote-by-Mail Process: A Three County Study. See: <http://www.calvoter.org/votebymail>
- ¹⁴ For a discussion on the topic of unfunded county VBM mandates, see the California Voter Foundation VBM study - Improving California's Vote-by-Mail Process: A Three County Study. See: <http://www.calvoter.org/votebymail>

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About the Center for Regional Change

Launched in 2007, the CRC is a catalyst for innovative, collaborative, and action-oriented research. It brings together faculty and students from different disciplines, and builds bridges between university, policy, advocacy, business, philanthropy and other sectors. The CRC's goal is to support the building of healthy, equitable, prosperous, and sustainable regions in California and beyond. Learn more! Visit the CRC website at <http://regionalchange.ucdavis.edu>

For more information about this research study and the California Civic Engagement Project, contact Mindy Romero, CCEP Director, at 530-665-3010 or msromero@ucdavis.edu.

Visit our website at: <http://regionalchange.ucdavis.edu/ccep>

Disparities in California's Uncounted Vote-by-Mail Ballots: Youth, Language Preference and Military Status

The California Civic Engagement Project (CCEP) recently published an issue brief examining reasons for Vote-by-Mail (VBM) ballot rejection in the state of California and the methods taken at the county level to help voters correct VBM ballot issues.¹ Utilizing detailed voter registration data from 36 California county election offices, this brief breaks down the analysis of the state's rejected ballots by age, language preference and military status for the 2012 General Election.² Key findings include the following:

Youth and non-English language voters are more likely to experience VBM ballot rejection.

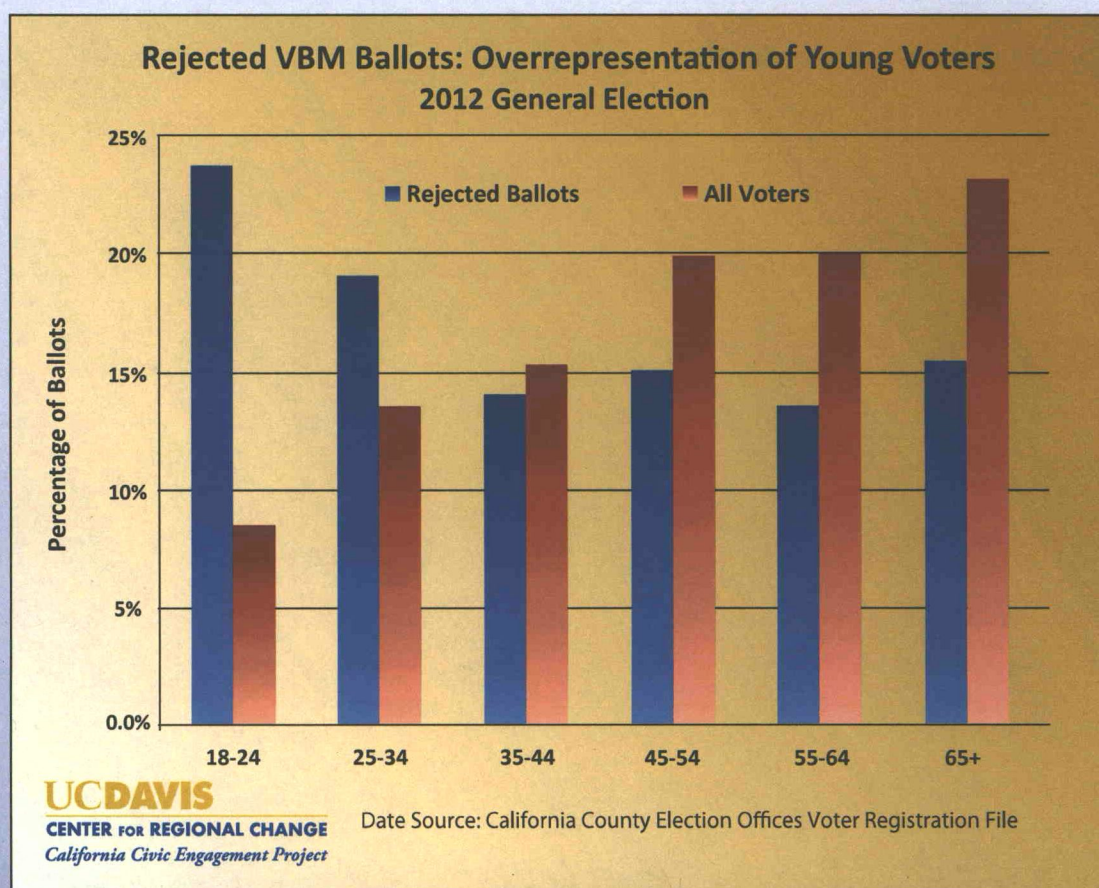
Missing signatures are a major reason non-English ballots are rejected.

Military and overseas voters experience a higher likelihood their VBM ballots will go uncounted.

Youth More Likely to Experience VBM Rejection

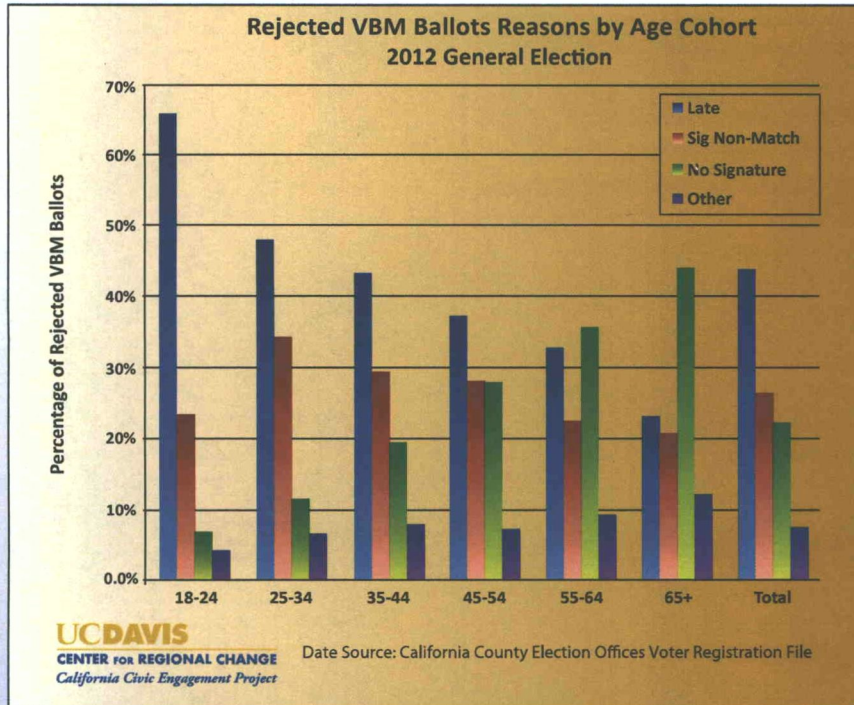
California's youth were more likely to have their vote-by-mail ballots rejected versus older voters.

In November 2012, nearly 69,000 VBM ballots, or 1% of the state's total VBM ballots were rejected by county election offices, effectively disenfranchising these voters. VBM ballots are rejected by county election offices for a variety of reasons. In our CCEP VBM issue brief, *California's Uncounted Vote-by-Mail Ballots: Identifying Variation in County Processing*, we found the three most common reasons are: ballot arrived late, ballot envelope signature not-matching and no signature.³ However, not all age groups have the same likelihood of their vote-by-mail ballots being rejected and going uncounted.



Young (age 18-24) voters comprise a disproportionately large share of rejected ballots compared to their share of all votes cast (VBM ballots and polling place ballots combined). Twenty-three percent of the rejected VBM ballots in California's 2012 General Election belonged to youth voters, while youth voters make up only 8.1% of all votes cast (counted and rejected combined). The largest absolute number of rejected VBM ballots of any age group were from young VBM voters.

Rejected Youth VBM Ballots are Late



A higher proportion of rejected youth VBM ballots were uncouncted because they arrived too late at county election offices versus rejected ballots from non-youth. Sixty-five percent of rejected youth VBM ballots were late in 2012, while 23% of rejected VBM ballots belonging to youth were not counted due to a non-matching signature. Just under 7% of youth ballots were rejected due to not having a signature at all.

In contrast, a greater proportion of older voters' rejected VBM ballots are from missing signatures than from arriving late. The most common reason for the VBM ballots of older voters to be rejected is a lack of signature. Thirty-four percent of 55 to 64 year-olds' rejected VBM ballots and 44% of those 65 plus were not counted due to a missing signature.

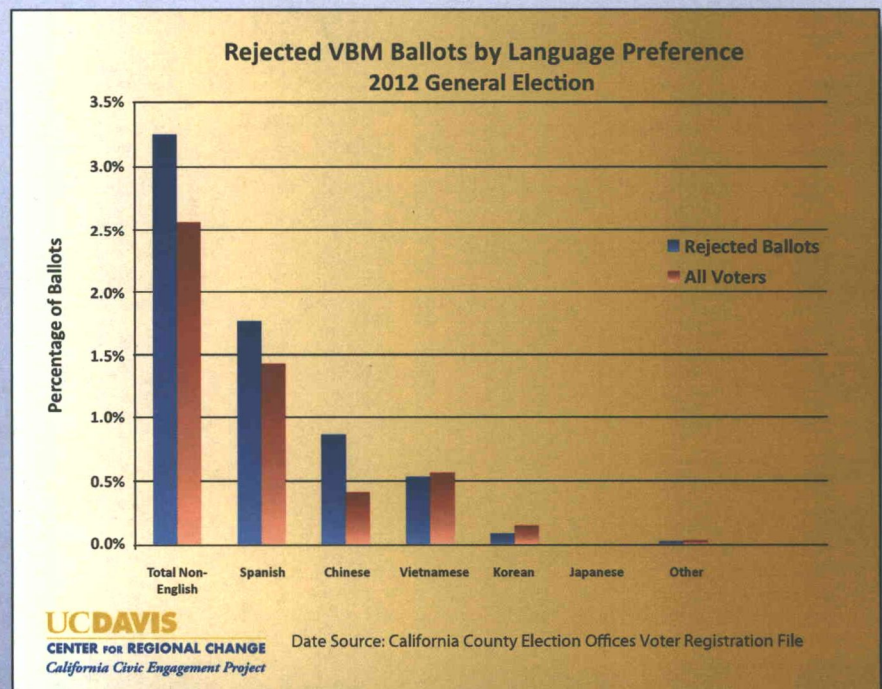
Despite a lower proportion of their rejected ballots being attributed to non-matching signatures, more youth are having difficulty with non-signatures than most other age groups. Young VBM voters

experienced the second largest absolute number of rejected VBM ballots due to signature non-matches of all age groups in the 2012 General Election. Voters age 25 to 34 experienced the largest absolute number of ballots rejected due to non-matching signatures.

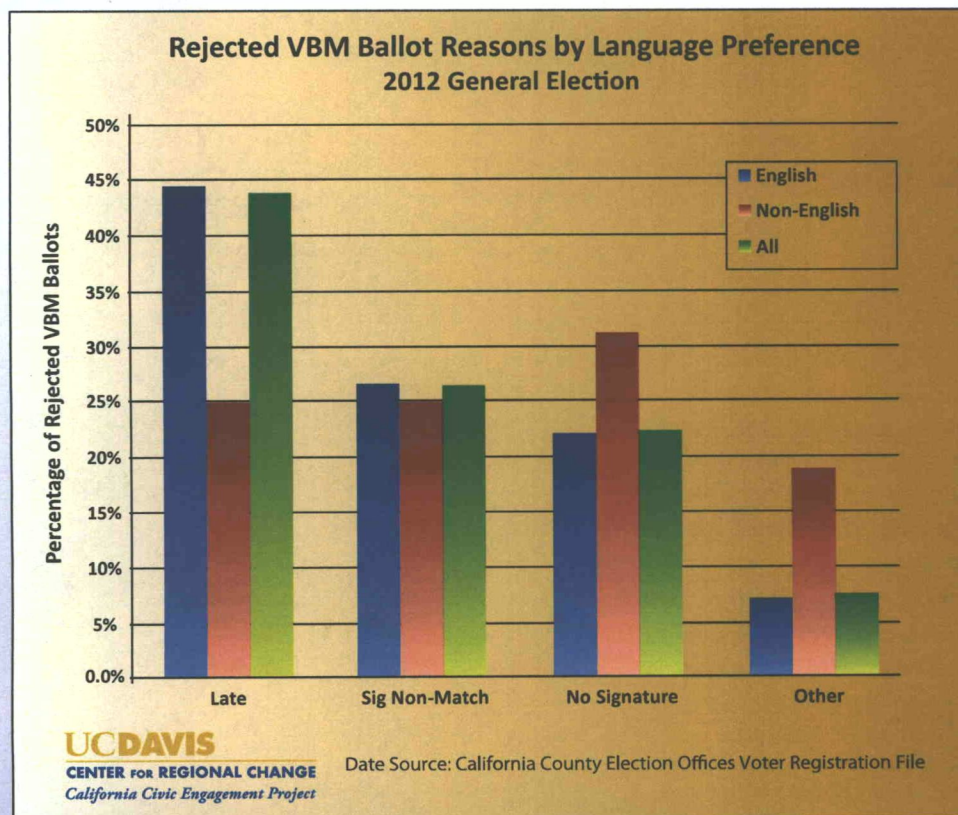
Non-English Language Ballots More Likely to be Rejected

Voters who indicated a preference for ballot materials in a language other than English experienced a higher VBM ballot rejection rate than voters with English language ballots. In the November 2012 election, voters with non-English language ballots were just over 2.5% of all votes cast. At 3.3%, they were a slightly higher percentage of rejected VBM ballots in the election. Broken out by specific language, Spanish language ballots make up the largest proportion of rejected non-English language VBM ballots (Spanish language voters are also the largest segment of non-English). The other most common language groups, except Vietnamese and Korean, are also slightly overrepresented in rejected VBM ballots.

Note: Indicating a language preference (on a voter registration card or by calling an election office) is optional for voters. Nearly all voter records examined in this study have a language preference designated in their county voter file. Counties use English as the default language in the voter file when no language is specified by the voter. Data presented here for English-language voters likely includes some voters who may prefer a non-English ballot but have not specified this preference with their county election offices.



Missing Signature a Major Reason for Rejection of Non-English Ballots



The frequency of VBM ballot rejection reasons varies for English versus non-English VBM ballots.

Lateness was overwhelmingly the number one reason English language VBM ballots were rejected in November 2012, but this was not the case for non-English language VBM ballots. Not having a signature was the most common reason a non-English language VBM ballot was rejected. Thirty-one percent of all rejected non-English language VBM ballots were uncounted due to missing a signature. Another 19% of non-English language VBM ballots went uncounted due to typically unusual occurrences such as a wrong ballot envelope, a ballot not inside a VBM envelope, or un-cast ballots returned by a family members. These types of unusual rejection reasons appear to be greater issues for non-English language voters.

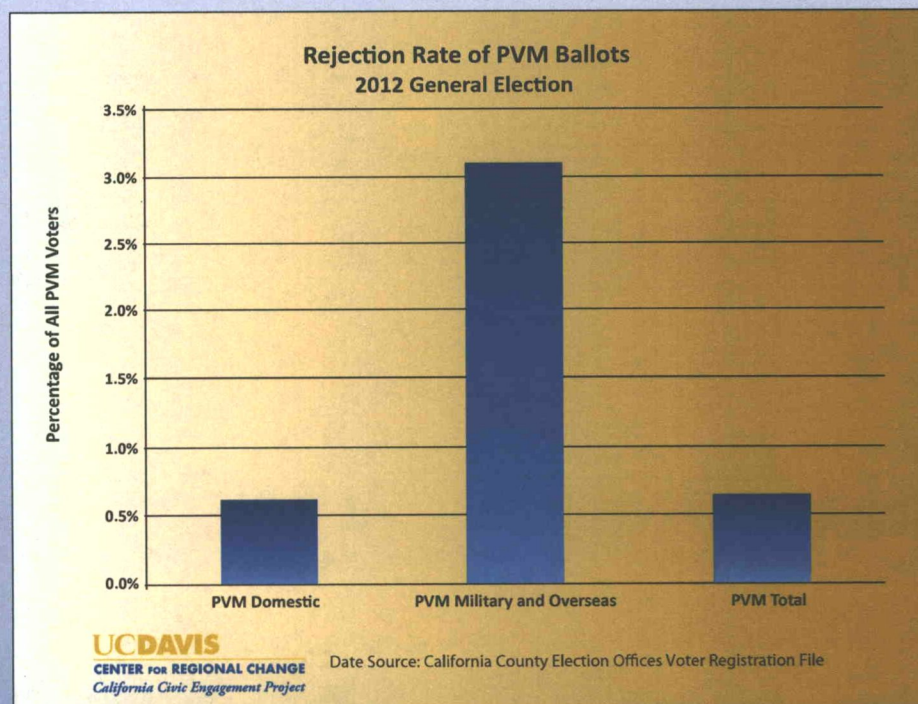
Military and Overseas Ballots More Likely to be Rejected

Military and overseas voters experience a higher likelihood their VBM ballots will go uncounted versus PVM domestic voters.

California voters signed up as permanent vote-by-mail voters (PVM) were 49% of all ballots casts in the 2012 General Election. Eighty-three percent of all returned VBM ballots were from PVM voters; 80% from domestic PVM voters and 3% from military and overseas voters PVM voters. 0.06% of domestic PVM ballots were rejected compared with 3.1% of military and overseas ballots rejected.

Data for military and overseas ballots include ballots both mailed and faxed to their county election offices as allowed under California law.

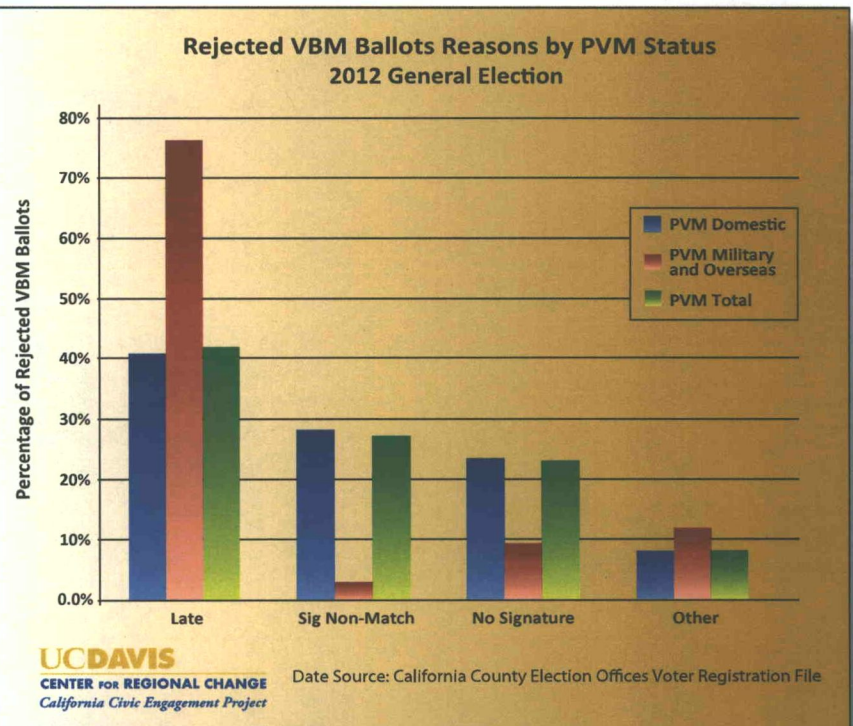
Note: Detailed voter data on rejected ballots was not available from some counties with large military populations. See notes.



Military and Overseas Ballots are Late

The overwhelming majority of military and overseas ballots were rejected because they were late.

In the 2012 General Election, California PVM voters experienced differences in the reasons their ballots were rejected based on whether they were domestic voters or if they were military (serving stateside or abroad) or civilian overseas voters. Seventy-six percent of all rejected military and overseas ballots were late compared with just 40.5% of rejected PVM domestic ballots. Nearly 12% of rejected military and overseas ballots combined went uncounted due to other types of reasons. As was the case for non-English language ballots, these other types of rejection reasons appear to be a greater issue for military and overseas voters. Signature issues appear to be less of a factor in ballot rejection for military and overseas voters.



Actions for November 2014 and Beyond

This study's findings reveal that there are age, language and group membership disparities in mail ballot rejection rates and for the top reasons for ballot rejection. Voters who were young, utilized non-English language ballots, or who were serving in our military or residing overseas all experienced higher VBM ballot rejection rates in the 2012 General Election. These voters also experienced different frequencies for the reasons VBM ballots were rejected compared to the general population of VBM ballots.

All VBM voters should be educated about the steps they need to take to ensure their ballots are counted. The development of voter education campaigns should consider the differences in VBM rejection reasons by age, language preference and military status found in this report; young and military/overseas voters are experiencing more issues with late ballots, while older voters and voters with non-English language ballots would appear to benefit from an emphasis on ballot signature awareness. Further, nearly every group examined in this study is experiencing a notable proportion of ballot rejections due to non-matching signatures.

On January 1, 2015, Senate Bill 29 will become law allowing VBM ballots to be counted if they are received within three days after election day and are postmarked, time stamped or date stamped on or before election day. Once implemented, SB 29 is expected to significantly reduce the number of VBM ballots not counted by counties due to lateness. While future elections will reveal what SB 29's full impact will be on the state's rejection rate, late VBM ballots should remain a high concern for the November 2014 election given the CCEP's research findings.

Rejection issues due to signature non-match also remain a concern for VBM ballot rejection going forward. Since counties rely on voter signature images to verify the identity of voters, the quality of these images needs to be high in order to lessen the likelihood of error in the ballot verification process. Currently, images on file in county election offices can sometimes not compare to those on vote-by-mail ballot envelopes received from voters due to changes in voters' signatures over time or because the initial images (typically from voter registration cards) were not a high quality or did not accurately represent a voter's signature. Signature images from voters registered through California's new online voter registration system are currently pulled from the Department of Motor Vehicles. DMV images can often be older and poor quality (often made on a signature pad with a stylus) and not representative of voters' current signatures. As online voter registration becomes an increasingly utilized option for voters in California, future research will need to examine any impacts on the state's rejection rates that occur due to non-matching signatures from DMV images.

NOTES

- ¹ See the California Civic Engagement Project's Issue Brief #2: California's Uncounted Vote-by-Mail Ballots: Identifying Variation in County Processing. <http://regionalchange.ucdavis.edu/ourwork/UCDavisVotebyMailBrief2.pdf>
- ² In order to examine California VBM rejection rates broken by age, language preference and military status we utilized detailed voter registration data files collected from California county election offices. Fifty-five counties supplied data files but data on returned VBM ballots (challenged ballots) were only available from 34 counties: Alpine, Butte, Calaveras, Colusa, Fresno, Humboldt, Inyo, Kern, Lake, Lassen, Madera, Marin, Mariposa, Merced, Mono, Napa, Orange, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Francisco, San Mateo, Santa Barbara, Santa Cruz, Shasta, Sierra, Sonoma, Sutter, Tehama, Tulare, Ventura, and Yuba. These counties hold 41.9% % of the state's registered voter population. Returned ballot data (challenged ballots) is not available in the detailed voter files of the remaining state's counties. The total number of challenged examined in this sample was 25,106. The total number of all challenged ballots in California in the 2012 general election was 68,759.
- ³ See the California Civic Engagement Project's Issue Brief #2: California's Uncounted Vote-by-Mail Ballots: Identifying Variation in County Processing. <http://regionalchange.ucdavis.edu/ourwork/UCDavisVotebyMailBrief2.pdf>

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