

Election Advisory Committee

Meeting Minutes - May 23, 2024

- I. The meeting was called to order by Chairman Amador at 6 PM. The Pledge of Allegiance was led by David Cushman.
- II. Committee Members Present: Chairman Tony Amador, Vice Chair David Cushman, Christian Santos, Pamela Sloan, John Beckman, Aimee Rubio, Nicole Goehring (chief of staff for Supervisor Ding)
- III. Pamela made a motion to approve the minutes from the previous meeting with relevant corrections regarding Registrar Olivia Hale presenting items to the EAC tonight, motion was seconded by Christian. The motion was approved unanimously.
- IV. Consent Items
 - A. Update from the Registrar of Voters Office
 1. The ROV Office provided the EAC with documentation regarding current items and issues being addressed by the ROV ahead of the November 2024 election, including:
 - a) Upcoming items before the Board of Supervisors
 - b) Election Officer Training & Polling Locations Update
 - c) Voter roll maintenance - using Experian True Trace
 2. No questions were asked from the EAC on this item.
- V. Discussion Items
 - A. Drop Box Recommendations - Holly Moore
 1. Chairman Amador asked for a motion to adopt the Drop Box Recommendations given by Holly Moore at the previous EAC meeting in April. Christian made the motion, seconded by David.
 2. Discussion
 - a) A question was asked to Holly regarding whether she included a specific time frame for drop boxes to be operational, Holly responded that she did not and that the EAC was welcome to include a specific time frame if that was the committee's wish.
 - b) Another question to Holly was whether she knew the impact of only utilizing the minimum number of drop boxes required as opposed to the 25 boxes that San Joaquin is currently utilizing. Holly stated there would be no impact since we would be utilizing the number of boxes required under state law.

- c) A question was asked to Registrar Olivia Hale regarding whether ballots stuffed into a drop box that is over capacity would count as a valid vote. Olivia responded that as long as a ballot is in a drop box it would count as a valid vote, she also said her office looked into the issue of the total number of ballots that were picked up from drop boxes and the numbers given reflected to her knowledge a full day of ballots being deposited in the box.
 - d) Another question was asked to Olivia Hale: are ballots deposited in a drop box treated with the same scrutiny as VBM ballots or ballots physically turned in at the ROV? Olivia responded yes.
3. Following discussion, a vote was held to adopt the motion and it was passed unanimously.

B. Improving Election Integrity in San Joaquin County - David Robb

- 1. Chairman Amador asked for a motion to adopt the Recommendations to Improve Election Integrity presented by David Robb at the previous EAC meeting in April. Christian made the motion, seconded by David.
- 2. Discussion
 - a) A question was asked to David regarding whether or not there was a difference in how long it took to count ballots via machine tabulation vs. a hand count. David replied that under modern methods of hand counting ballots it does not typically take any more time to count than machine tabulation.
 - b) The next question for David: are there any other counties in California or throughout the country that use hand counting to count ballots? David replied that there are other jurisdictions but the one he's most familiar with is the state of Missouri. Much of the state utilizes hand counting for elections and that method is efficient and also provides an accurate result for the same or less cost than machine tabulation.
 - c) Question for Olivia: does the county employ a third party to audit our election process. Olivia replied that the county does not, but that the state requires the ROV to do logic and accuracy tests before the election and a 1% manual tally after the election.

- (1) Follow-up to Olivia: is the ROV specifically prohibited from allowing a third party to do an election audit beyond what the ROV does? Olivia replied that it would be difficult for that to take place because of the rules and regulations the ROV has to follow regarding chain of custody and who has access to ballots.
- (2) Another follow-up: is there any prohibition on volunteers coming to do an audit in the ROV office? Olivia replied that their paid staff plus temporary workers already conducts the existing tests of the system that take place.
 - (a) David replied that the audit he is speaking of is more comprehensive than the current tests and 1% tally that the ROV already conducts.
- d) Question for David: can you point to any jurisdiction that has conducted the type of audit you're describing? David replied that he's not aware of any specific jurisdiction but audits have been conducted in Michigan, Pennsylvania, and other places.
- e) Question for David: regarding the stipulation that the ROV must follow California law regarding internet access, has he found there was a flaw in our system? David replied that he can't point to a specific instance but he has received testimony from election workers who have stated they have seen election computers or devices ("poll pads") connected to open access points at polling places.
- f) Question for David: how do you ensure that no device is ever connected to the Internet? David replied it is difficult to completely ensure that no devices are connected to the internet, but wireless access points can be monitored to detect if there is a device that is connected.
- g) Comments from a committee member:
 - (1) First point: ROV is already using Experian True Trace so this point might be redundant
 - (a) David's response is redundancy is the point, and to verify that the machine tallies are accurate
 - (2) Next point: Hand count might take way too long and impede us having final election results in a timely manner

h) Question for David: would you recommend scientists or engineers to participate in an audit? David replied that he would.

i) Comment from a committee member: instead of maybe doing a full hand count, perhaps do a hand count of certain precincts?

3. Chairman Amador entertained a motion to completely pull this item from being voted on as a recommendation to the Board of Supervisors due to wanting more clarity and input on the ideas presented in David's recommendation. Motion was made by Pamela, seconded by Christian. Motion passes unanimously.

C. Chairman Amador asked the County Counsel to confirm that working groups or ad hoc groups consisting of no more than 2 committee members were allowed to meet and discuss items between EAC meetings. Counsel replied that was acceptable.

VI. Several members of the audience participated in public comment.

VII. ROV Comments

A. The ROV removed 32,000 voters from active status before the primary

B. Voters' birthdates of 1850 or before: there were voters from prior to 1971 who were not required to list their DOB when registering. The number of extremely old birthdates continues to diminish, and a staff member is tasked with reaching out to voters to correct that

C. This will be the county's first time utilizing True Trace before the November election

D. The ROV office met with city clerks in the county to meet new city clerks and also hear comments and questions as they ramp up for the general election

E. The state is putting on a voter roll maintenance training for staff and the ROV is making sure staff attends those trainings, including herself

F. Question for ROV: with poll pads there is no way to match digital signature from voter with signature on file, is there a way to fix that for the future? The poll pad doesn't have the capability to do that but the poll pad does keep the signature on file.

G. Question for ROV: why would a deceased relative receive a ballot a year after their death? The ROV doesn't remove a voter from the rolls until their office receives a formal notification that they passed away.

- H. Comment for ROV: professor from Stanford whose reports have been cited by ROV believes there is no problem with elections, therefore his judgment is questionable
 - I. Question for ROV: What is True Trace? It is a product from Experian also used for credit reporting, anytime there is a change in a voter's personal data the ROV is able to receive that notification
- VIII. Committee Comments
- A. John Beckman: Was a poll worker, worked at the election's office, did personal observations of processes on election day, also watched signature verification process live, he believes it is the best way to ensure election integrity and has to be monitored and used extensively. His concern about in-person polling places is that poll workers could theoretically alter vote tallies at their polling place without being caught
- IX. Next meeting is scheduled for September 12, 2024.
- X. The meeting was adjourned at 7:15 PM.