Q&A
Election Advisory Committee
9-23-2022

Provide information on the 3rd party vendors that AUDIT voting systems?

- **Who is SLI compliance?**

  - A third party national audit company hired by Hart Intercivic to do an additional audit outside of the Secretary of State and the certification process

- **What are their qualifications?**

  - https://slicompliance.com/

  - **SLI Compliance® is an independent division under parent organization GLI® LLC.**
    As an accredited lab under the National Voluntary Accreditation Program (NVLAP) of the National Institute of Standards and Technology (NIST) (NVLAP Lab Code 200733-0: TESTING), SLI Compliance offers high-quality compliance testing and certification services to some of the most regulated industries. As an Office of the National Coordinator Authorized Test Lab (ONC-ATL) and Authorized Certification Body (ONC-ACB), SLI Compliance is authorized to perform Health IT testing and certification for the ONC's Health

IT Certification Program. In addition to the Health IT industry, **SLI Compliance is accredited by the U.S. Election Assistance Commission as a Voting System Test Lab (VSTL) qualified to test voting systems to Federal standards. SLI Compliance provides a full range of Voting System Testing Services and Election Support Services to international, state, and local governing bodies.**

- **Who does the Secretary of State use, or do they certify in-house?**

  - They do portions with Secretary of State OVSTA (voting systems technology) division, and;

  - They certify using a third party vendor that is obtained by the government request for approval (RFP) process. This is a public, nonpartisan and unbiased process. Proposals are evaluated objectively and scored based on their responses. Vendors are selected based on the scoring they receive.

  - While the Secretary of State may contract with third parties to perform portions of the certification process, state law imposes the standards and regulations that govern the requirements of voting systems. [*See generally,* Division 19 of the California Elections Code, Certification of Voting Systems (Elections Code §§ 19001- 19402) and California Code of Regulations §§ 20700 – 20707, Procedures and Standards for Reviewing Voting Systems, Parts of a Voting System, and Ballot Marking Devices for Certification or Conditional Approval.]
    Of note, such standards impose a requirement that the voting system <u>shall be safe from fraud or manipulation.</u>

Additional Resources: Secretary of State Office of Election Cybersecurity.

https://www.sos.ca.gov/elections/election-cybersecurity

How many votes were not counted due to the post office error in 2015/2016?

- See attached Grand Jury Report

https://www.sjcourts.org/divisions/civil-grand-jury/#/2015/reports

Select Case Number 1503

How many signatures must typically be cured during an election?

- It depends, roughly 2,000-3,000, once the signature is cured we do not track it as a challenged signature in our Election Management System. Everyone that has a ballot challenged receives a cure letter for mismatched or missing signatures.

Signature Verification acceptance rate is?

- In June it was 97.27% and increased to 98.91% after cure letters were applied.

Signature Verification Training

- All staff hired for signature verification is sent to training

- The forensic training provided to staff for signature verification is done by the California Association of Clerks and Elections Officials (CACEO) by Larry C. Liebscher, Forensic Handwriting Services.
- The course is Signature Comparison Training
- 6 hour training course
- Certificate of completion is issued
- They do annual training for a refresher (ROV policy not required by state law)

What is the cost of a ballot drop box?

- $1,880.00. The ROV purchased the ballot drop boxes from American Security Cabinets.

- State law imposes drop box design standards and requirements. *See* Section 20132 of the California Code of Regulations, Drop Box Design and Requirements (2 CCR § 20132).

How long does a ballot drop box last?

- The one in front of the admin building was purchased in 2017.

How has the ROV budget changed over time?

- Splitting from ISD and reporting straight to the County Administrator once again in 2021.

- Appropriations & Net County Cost

    - 2018/2019 - $5.3M in appropriations and $2.9M in Net County Cost.

- 2022/2023 - $13.7M in appropriations and $6.4M in Net County Cost.

- We used budgets four years apart for this comparison so they would represent a similar election cycle. Appropriations increased 158.5% and Net County Cost increased 120.7%. During the same period the Consumer Price Index for our area, a good measure of inflation, increased just 18.4%. All that to say the Board is investing significantly more money into the ROV, even when accounting for inflation.

- Equipment

  - The 2019/2020 Budget had $2.2M for the electronic voting system this was used in combination with state grant funds.

  - Approximately $500,000 was spent on Poll Pads (electronic rosters) in the same year funded through grants.

- Staffing

  - The addition of 2 more ISD staff members assigned to the ROV full-time.

    - ISA 2 (August 2021)

    - ISA 5 as IT Supervisor (August 2022)

  - VBM/Outreach Supervisor (July 1 2022)

  - Election Technician for NETFILE 700 filings (July 1 2022)

- Additional Warehouse Storekeeper I (July 1 2022)
  (2 permanent Warehouse staff members)

- Business Analyst II added (March 2022)

- AROV Assistant Director (March 2022)

- Upcoming Projects

  - New equipment

  - New Voting System

- WISHLIST

  - More space

What would it cost and what resources would we need to hand count the ballots?

June 2022 Primary 2% Manual Tally			Total Cost of 2% Manual Tally (6 employees)	
Daily Wage per employee	$18.00		*Team cost per hour*	$108.00
Team Size (Employees)	6		*Team cost per day*	$864.00
Number of Hours per day	8		*Team cost for 1% tally*	$4,320.00
Days to completion	5			
Number of ballots	110000			
Number of ballots for 1%	2200			
Staffing for Hand Counts			Total Cost of 100% Hand Count (50 employees)	

	2022 June Primary 2% Tally	100% Hand Count Forecast		
			Team cost per hour	$900.00
Staff	6	50	*Team cost per day*	$7,200.00
Number of Ballots	2,200	110,000	*Total Cost for all ballots*	$216,000.00
Number of Days	5	30		
Ballots per Day	440	3,666		

Currently, it takes about 5 business days to perform the 2% manual audit using a team of 6 people. During the 2022 June Primary, the ROV intentionally counted 2% of the ballots due to the barcode issue. To certify the election within the timeframe required by law, we would need roughly 50 staff members to count 3,666 ballots per day, to count roughly 110,000 ballots in 30 days to certify the election. To note, this is considered an estimate and does not take into account multiple variables that can impact production. Another fact to consider is the variables used in this estimate are from the June Primary Election, and it is projected that we will receive nearly 200,000 ballots for the November General Election. In addition, during the last Presidential General Election we received almost 300,000 ballots.

In regards to staffing under normal circumstances, the ROV struggles to hire enough staff every election. In addition, it is difficult to find employees who possess the necessary experience and skills to complete the required tasks. Hiring this many individuals, without previous elections experience or the required skills, would put the integrity and accuracy of our elections at major risk. Utilization of a hand count would leave the County more susceptible to litigation. Such litigation may include, but is not limited to, an election recount on the basis that errors were committed during the ballot counting process, or an action by the Secretary of State seeking injunctive relief in the form of an order that mandates that the County utilize a certified voting system in uniformity with the other 57 counties within the state.

2022-2023 San Joaquin County Budget

For 2022-2023 our General Purpose Revenue is $368.5M, or just 17% of our $2.17B budget. Of that $368.5M, $199.5M or 54% was allocated to Law & Justice, which leaves just $169M to be divided between all of the other functional areas (there are a total of 9 functional areas, 8 in addition to Law & Justice). This is right out of the County Budget approved by the Board of Supervisors.

One day voting?
- Due to current state laws we cannot legally do one day voting in San Joaquin County.
- For further information please contact you legislature directly. The San Joaquin County Registrar of Voters office can provide contact information for your representatives.

Enforcement of the Penal Provisions Set Forth in the Elections Code.
- The ROV is <u>not</u> an enforcement agency and is therefore unable to investigate allegations of election violations or fraud.
- Individuals lodging complaints of possible election violations or fraud will be referred to the District Attorney's Office and Secretary of State. In addition, if during the administration of the election, the ROV independently detects or suspects instances of election violations or fraud, the ROV will similarly forward such matters to the appropriate enforcement agencies.
  - The Investigative Services division of the Secretary of State investigates election related criminal violations as provided by the Elections Code.
    https://www.sos.ca.gov/elections/publications-and-resources/voter-complaint

- The ROV maintains a close working relationship with the Sheriff's Office and the District Attorney Elect has represented that he is committed to investigating election violations.