

1999 - 2000
Ventura County Grand Jury Report
November 2000 Ventura County Election

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Background

The November 7, 2000 Election proved one of the closest in United States history prompting the Grand Jury, as part of its oversight duties, to review the election process in Ventura County.

Methodology

Members of the Grand Jury participated in or observed the election process in Ventura County in the following ways:

- Attended the Election Officer Training Class.
- Served as Election Inspector or Clerks in precincts throughout the County.
- Observed the counting of ballots and the release of returns in the Elections Division at the Government Center on election night.
- Interviewed and heard presentations by Richard Dean, Ventura County Clerk-Recorder, and Bruce Bradley, Assistant Registrar of Voters.
- Reviewed Ventura County's ballot format, voting apparatus, and "Official Election Summary Report, Presidential General Election, November 7, 2000."

Findings

The Grand Jury during the course of its study of the November 2000 Presidential Election established the following:

- F-1. Ventura County has a total of 625 precincts, including mail ballot precincts. There are 432 actual polling precincts with approximately 900 people in each.
- F-2. Thirty percent of votes cast in Ventura County were by absentee ballot.
- F-3. Ventura County uses the Datavote punch card system for voting, which features a lockout mechanism requiring that the entire hole is punched out or the machine does not process the ballot. The Datavote system uses nonperforated ballot cards preprinted with candidates' names and propositions. Voters slide the card into a machine that acts like a traditional hole punch, poking a hole next to the voted-on item and depositing the residue into a tray below. [See Figure 1. *Sample Ballot.*]
- F-4. Absentee voters receive the ballot cards and must punch out holes corresponding to their selection with a pointed object, e.g., a pen or pencil point. It is possible when voting absentee to not completely punch out the hole, resulting in a hanging chad.

SAMPLE BALLOT																																																																																																				
<div style="text-align: center; font-size: 2em; font-weight: bold; margin-bottom: 10px;">A</div> <div style="text-align: center;"> OFFICIAL BALLOT PRESIDENTIAL GENERAL ELECTION COUNTY OF VENTURA November 7, 2000 </div> <p style="font-size: 0.8em; margin-top: 20px;">This ballot stub shall be removed and retained by the voter.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center; font-weight: bold;">PRESIDENT AND VICE PRESIDENT</p> <p style="text-align: right; font-size: 0.8em;">Vote for One Party</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 0.8em;">HOWARD PHILLIPS, for President</td> <td style="font-size: 0.8em;">American Independent</td> <td style="text-align: center;">+</td> </tr> <tr> <td style="font-size: 0.8em;">J. 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This act provides for a bond issue of five hundred million dollars (\$500,000,000) to provide farm and home aid for California veterans. Fiscal Impact: Costs of about \$858 million over 25 years (average cost of about \$34 million per year); costs paid by participating veterans. </td> <td style="width: 10%; text-align: center; vertical-align: top;">Yes</td> <td style="width: 10%; text-align: center; vertical-align: top;">+</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center; vertical-align: top;">No</td> <td style="text-align: center; vertical-align: top;">+</td> </tr> </table> </div>	ELTON GALLEGLY, Republican U.S. Representative	+	CARY SAVITCH, Reform Physician/Author	+	MICHAEL CASE, Democratic Small Businessman/Attorney	+	STEPHEN P. HOSPODAR, Natural Law Businessman	+	ROGER PEEBLES, Libertarian Electronic Engineer	+			+	ROBIN S. SULLIVAN, Republican Businesswoman/City Councilwoman	+	ERIC L. 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56-SB412

Figure 1-Sample Ballot

- F-5. Los Angeles and San Diego are among the counties using the Votomatic punch card system. This system was also used extensively in Florida. The Votomatic card allows 312 items to appear on one 7-cent card, six times more than what fits on both sides of a Datavote ballot. Thus, it is cheaper to run. (See Figure 2. *Votomatic*)
- F-6. In California, many municipalities with the Votomatic system are converting to the Datavote system, which eliminates most hanging chad problems and is less confusing for the voter to read.
- F-7. Touch-screen voting is considered very accurate, but is expensive and not compatible with large numbers of absentee ballots. Two systems were required in the April 17, 2001 Arcadia School District election, when voting in precincts was done by touch screen and paper absentee ballots were tallied by optical scanners.
- F-8. In California, the Secretary of State establishes statewide guidelines for counting and recounting ballots. These guidelines include:
- Certification of an election 28 days after voting to allow for recounting, absentee ballots, etc.
 - To be counted, a chad must be hanging by ONLY one corner.
 - Absentee ballots must be returned by 8 p.m. on Election Day.
 - If ballot card is voted with a mark instead of a punch, particularly a problem with absentee ballots, the ballot can be duplicated for machine count.
 - If a voter makes a mistake in voting, up to three ballots may be issued. All misvoted cards must be marked “spoiled” by an election official, tabulated in final precinct count so that all ballots received are accounted for, and returned to the county’s central counting place.
 - All counties must be included in the event of a recount
 - Voting machines are to be cleaned and checked prior to and after every election.
- F-9. Final overvote and undervote total for Ventura County in the November 2000 Presidential Election was .66 percent (Shown as .8% on preliminary data from California Secretary of State.) (See Figure 3. *November 2000 Presidential Election Percentage of Ballots not Registering a Valid Vote, by County*.)
- F-10. The voter’s knowledge and motivation are considered the primary factors in overvoting and undervoting. According to data collected by political scientists, other factors in deviations in voting are income and education levels, gender, race, and satisfaction with candidates and issues. In the November 2000 Election there were 1,089 undervotes for the office of President and over 7,000 undervotes for the office of Senator. Additionally, the interest in a particular proposition affects under and over votes. For example, in November 2000 there were far more undervotes on the Veterans’ Benefits proposition than on the School Voucher proposition.

1	27	53	79	105	131	157	183	209	235	261	287
2	28	54	80	106	132	158	184	210	236	262	288
3	29	55	81	107	133	159	185	211	237	263	289
4	30	56	82	108	134	160	186	212	238	264	290
5	31	57	83	109	135	161	187	213	239	265	291
6	32	58	84	110	136	162	188	214	240	266	292
7	33	59	85	111	137	163	189	215	241	267	293
8	34	60	86	112	138	164	190	216	242	268	294
9	35	61	87	113	139	165	191	217	243	269	295
10	36	62	88	114	140	166	192	218	244	270	296
11	37	63	89	115	141	167	193	219	245	271	297
12	38	64	90	116	142	168	194	220	246	272	298
13	39	65	91	117	143	169	195	221	247	273	299
14	40	66	92	118	144	170	196	222	248	274	300
15	41	67	93	119	145	171	197	223	249	275	301
16	42	68	94	120	146	172	198	224	250	276	302
17	43	69	95	121	147	173	199	225	251	277	303
18	44	70	96	122	148	174	200	226	252	278	304
19	45	71	97	123	149	175	201	227	253	279	305
20	46	72	98	124	150	176	202	228	254	280	306
21	47	73	99	125	151	177	203	229	255	281	307
22	48	74	100	126	152	178	204	230	256	282	308
23	49	75	101	127	153	179	205	231	257	283	309
24	50	76	102	128	154	180	206	232	258	284	310
25	51	77	103	129	155	181	207	233	259	285	311
26	52	78	104	130	156	182	208	234	260	286	312

FOR REGISTRAR OF VOTERS USE ONLY

BALLOT DISTRICT **AV185**

VOTOMATIC LOS ANGELES

1	27	53	79	105	131	157	183	209	235	261	287
2	28	54	80	106	132	158	184	210	236	262	288
3	29	55	81	107	133	159	185	211	237	263	289
4	30	56	82	108	134	160	186	212	238	264	290
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6	32	58	84	110	136	162	188	214	240	266	292
7	33	59	85	111	137	163	189	215	241	267	293
8	34	60	86	112	138	164	190	216	242	268	294
9	35	61	87	113	139	165	191	217	243	269	295
10	36	62	88	114	140	166	192	218	244	270	296
11	37	63	89	115	141	167	193	219	245	271	297
12	38	64	90	116	142	168	194	220	246	272	298
13	39	65	91	117	143	169	195	221	247	273	299
14	40	66	92	118	144	170	196	222	248	274	300
15	41	67	93	119	145	171	197	223	249	275	301
16	42	68	94	120	146	172	198	224	250	276	302
17	43	69	95	121	147	173	199	225	251	277	303
18	44	70	96	122	148	174	200	226	252	278	304
19	45	71	97	123	149	175	201	227	253	279	305
20	46	72	98	124	150	176	202	228	254	280	306
21	47	73	99	125	151	177	203	229	255	281	307
22	48	74	100	126	152	178	204	230	256	282	308
23	49	75	101	127	153	179	205	231	257	283	309
24	50	76	102	128	154	180	206	232	258	284	310
25	51	77	103	129	155	181	207	233	259	285	311
26	52	78	104	130	156	182	208	234	260	286	312

GROUP OR PRECINCT NO. **098** OFFICIAL USE ONLY CORRECTION NO. WRITE-IN NO.

SAN DIEGO

1	27	53	79	105	131	157	183	209	235	261	287
2	28	54	80	106	132	158	184	210	236	262	288
3	29	55	81	107	133	159	185	211	237	263	289
4	30	56	82	108	134	160	186	212	238	264	290
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19	45	71	97	123	149	175	201	227	253	279	305
20	46	72	98	124	150	176	202	228	254	280	306
21	47	73	99	125	151	177	203	229	255	281	307
22	48	74	100	126	152	178	204	230	256	282	308
23	49	75	101	127	153	179	205	231	257	283	309
24	50	76	102	128	154	180	206	232	258	284	310
25	51	77	103	129	155	181	207	233	259	285	311
26	52	78	104	130	156	182	208	234	260	286	312

PRECINCT SERIAL NO. GROUP **3236 173**

SAN BERNADINO

Figure 2 - Votomatic

**November 2000 Presidential Election: Percentage of Ballots Not Registering
a Valid Vote, By County**

County	Overvote + Undervote	Voting System	Voting Machine
Colusa	3.2%	Punch Card	Datavote
Lake	3.0%	Optical Scan	DFM Mark-a-Vote
Los Angeles	2.7%	Punch Card	Votomatic
Mono	2.2%	Punch Card	Datavote
San Bernardino	2.0%	Punch Card	Pollstar
San Diego	2.0%	Punch Card	Votomatic
Modoc	2.0%	Punch Card	Datavote
Alpine	1.8%	Punch Card	Datavote
Santa Clara	1.8%	Punch Card	Pollstar
Imperial	1.7%	Punch Card	Datavote
Sutter	1.7%	Optical Scan	DFM Mark-a-Vote
Sacramento	1.7%	Punch Card	Pollstar
Mendocino	1.6%	Punch Card	Votomatic
Mariposa	1.5%	Optical Scan	ES&S Optech Eagle
Kings	1.5%	Punch Card	Datavote
Alameda	1.5%	Punch Card	Votomatic
Solano	1.5%	Punch Card	Votomatic
Plumas	1.3%	Punch Card	Datavote
Merced	1.3%	Optical Scan	ES&S 350/550
San Francisco	1.3%	Optical Scan	ES&S Optech Eagle
Shasta	1.3%	Punch Card	Votomatic
Glenn	1.2%	Punch Card	Datavote
Inyo	1.2%	Punch Card	Datavote
Tehama	1.1%	Punch Card	Datavote
Yuba	1.1%	Punch Card	Datavote
Del Norte	1.1%	Punch Card	Datavote
Trinity	1.1%	Optical Scan	Global Accu-Vote ES-2000
Nevada	1.0%	Optical Scan	ES&S 350/550
Monterey	1.0%	Punch Card	Datavote
Madera	1.0%	Optical Scan	DFM Mark-a-Vote
Amador	1.0%	Optical Scan	ES&S Optech Eagle
Sierra	1.0%	Punch Card	Datavote
Stanislaus	1.0%	Punch Card	Datavote
San Joaquin	0.9%	Optical Scan	DFM Mark-a-Vote
Riverside (Absentee)	0.9%	Optical Scan	DFM Mark-a-Vote
Kern	0.9%	Punch Card	Datavote
Siskiyou	0.9%	Punch Card	Datavote
Napa	0.9%	Punch Card	Datavote
Santa Cruz	0.8%	Optical Scan	DFM Mark-a-Vote
Yolo	0.8%	Punch Card	Datavote
Ventura	0.8%	Punch Card	Datavote
San Luis Obispo	0.8%	Optical Scan	Global Accu-Vote ES-2000

Source data was provided by the California Secretary of State. All calculations were done by the Assembly Committee on Elections, Reapportionment and Constitutional Amendments. Some systems used by counties for absentee or early voting programs differ from their polling place systems.

Figure 3a - Percentage of Ballots not Registering a Valid Vote by County

**November 2000 Presidential Election: Percentage of Ballots not Registering
a Valid Vote, By County (Continued)**

County	Overvote + Undervote	Voting System	Voting Machine
Tuolumne	0.8%	Optical Scan	ES&S 350/550
San Benito	0.8%	Punch Card	Datavote
Sonoma	0.8%	Optical Scan	DFM Mark-a-Vote
Orange	0.8%	Punch Card	Datavote
Humboldt	0.7%	Optical Scan	Global Accu-Vote ES-2000
Santa Barbara	0.7%	Optical Scan	Global Accu-Vote ES-2000
Contra Costa	0.7%	Optical Scan	DFM Mark-a-Vote
Tulare	0.7%	Optical Scan	Global Accu-Vote ES-2000
San Mateo	0.7%	Optical Scan	ES&S Optech Eagle
Fresno	0.7%	Optical Scan	Global Accu-Vote ES-2000
Lassen	0.6%	Punch Card	Datavote
Calaveras	0.6%	Punch Card	Datavote
El Dorado	0.6%	Punch Card	Datavote
Butte	0.6%	Optical Scan	DFM Mark-a-Vote
Riverside (Touch Screen)	0.6%*	Touch Screen	Sequoia Pacific AVC Edge
Placer	0.5%	Optical Scan	ES&S Optech Eagle
Marin	0.4%	Optical Scan	Global Accu-Vote ES-2000
State Average:	1.6%		

Note: Riverside's Touch Screen system does not allow overvotes. This figure represents the percentage of voters who did not cast a vote for president.

Source data was provided by the California Secretary of State. All calculations were done by the Assembly Committee on Elections, Reapportionment and Constitutional Amendments. Some systems used by counties for absentee or early voting programs differ from their polling place systems.

Figure 3b - Percentage of Ballots not Registering a Valid Vote by County

- F-11. Ventura County's paramount problem in conducting elections is recruiting election officers. For the November 2000 Election, 2400 workers were recruited for 1800 positions. The most difficult recruitment is for primary, special, and off-year elections. The Elections Division has appealed to high schools for election workers. County election officials suggested higher remuneration and more recognition for precinct workers, whom they consider "the basis of democracy."
- F-12. In 1980, the Ventura County Election Division consisted of 12 employees to hold elections for 200,000 voters. Ventura County hired 55 extra help for elections with the total cost for elections per voter at \$1.85. In 2000, the County Election Division still consisted of 12 employees to hold elections for 400,000 voters. The County hired 23 extra help with a total election cost per voter of \$1.96. The proper use of technology and active search for cost cutting measures has made this possible, e.g., discount from printer for maximum use of ballot card.
- F-13. Absentee ballot requests contribute to a strained relationship between the United States Post Office and the County Elections Division. Ventura County had requests for and mailed out 94,000 absentee ballots for the November 2000 Election. This created a burden for the Post Office, which only hires extra help for Christmas. Election materials carry a special logo so they will be easily recognizable and receive top service; however, the Post Office is not staffed to accommodate such a large volume of extra mail during an election.
- F-14. A common problem in the November Election was the voter, who had registered with the Department of Motor Vehicles (DMV) as authorized under the Motor Voter Bill, but whose registration had not been forwarded to the Registrar of Voters. Therefore, their names were not on the roll of voters. These potential voters were given a provisional ballot, which included an explanation of circumstances, and a new registration form to complete. County election officials then determined which provisional ballots to include in the vote count.
- F-15. It is a requirement to be a citizen to vote, but not to drive, which creates some confusion. The Election Division receives from Jury Services on average seven names per month of people called for jury duty from driver's license only to find they are not citizens and, therefore, cannot serve on a jury.
- F-16. As of January 1, 2001, the DMV is required to give a receipt to voters registering.
- F-17. As of the March 2002 Election, to vote one must register 15 days, NOT 29, before the election. This will give citizens more opportunities to participate in elections, but will also make updating records of voters more precarious.

- F-18. An audit trail is much more difficult to establish in computer voting than in punch or optical scan methods where an actual ballot is present.
- F-19. Military personnel voter registration and absentee voting procedures are governed by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA; 42 U.S. Code 1973ff) and the California Elections Code for residents of California or citizens who last resided in California. Military personnel register to vote using the Federal Post Card Application, which additionally serves as an absentee ballot request. Military ballots, as well as other ballots cast absentee, must be received by the County Election Official, or delivered to a County polling place prior to the close of the polls on election day.

The following findings are based on participation in the November 2000 Election as clerks, inspectors and observers.

- F-20. Election officers are required to attend a training class. Those attending found the class and Election Officer Handbook very informative.
- F-21. Duties of election workers are clearly stated in materials provided. However, there was a consensus of opinion that workers should be made more aware of the limited time allocated for meals, an important consideration when election workers are to report between 6:15 and 6:30 A.M. and generally don't complete the closing of polls until between 9:00 and 9:15 P.M.
- F-22. Phones are not readily available at all polling places.
- F-23. Parking is an inevitable problem in most polling sites for the one day of an election and few sites had ample handicapped parking.
- F-24. From preparation for the election, to vote count and follow up, the Elections Division was organized and efficient.

Conclusions

- C-1. The Ventura County Elections Division is very efficiently run.
- C-2. Although for now the Datavote system is effective, with the current attention on elections and voting apparatus, Ventura County can benefit by keeping abreast and open to new technologies.
- C-3. California has statewide guidelines for elections in place, which serve to eliminate many of the problems faced by Florida in the November 2000 Election.

- C-4. With increasing absentee voting and a shorter time frame between the mandatory registration date and the election, cooperation by the Post Office is paramount to receipt of ballots in time to participate in an election.
- C-5. The receipt required when registering a voter will help overcome the disconnect between the DMV and the Registrar of Voters. This receipt can be presented if there is a question about registration and noted in the provisional ballot.
- C-6. In the recruitment of desperately needed precinct workers, since most high school students are under 18, Ventura County should focus on areas with older people.
- C-7. Election workers need to be better prepared for long hours without easy access to meals.
- C-8. Phones need to be readily available at each polling place.
- C-9. Additional handicapped parking spaces should be provided at polling places with none or a very limited number.
- C-10. California and Ventura County election procedures in place serve to instill confidence in the accuracy of results.

Recommendations

- R-1. The County Elections Division should continue to keep abreast of and implement new technologies and savings.
- R-2. The DMV and the Registrar of Voters need to work closely to eliminate the disconnect between registration at the DMV and getting that information to the Registrar.
- R-3. County Election Divisions should look into recruiting precinct workers on community and four-year college campuses, as well as in the business community and the naval bases.
- R-4. Every effort should be made to obtain greater cooperation with the Post Office in the distribution of absentee ballots.
- R-5. In pre-election classes and literature, suggest that election workers bring or have someone drop off meals.
- R-6. Include a cell phone in precinct election materials for those sites without readily available telephones.
- R-7. In election materials provide temporary handicapped parking signs to post in front of polling locations.

Commendations

The County Clerk and Recorder and the Assistant Registrar of Voters should be commended on the exemplary job they have done in conducting elections in an efficient and cost effective manner.

Responses Required

County Clerk and Recorder and Assistant Registrar of Voters: R-1 through 7