

Ventura County Grand Jury 2014 - 2015



Final Report

Elections and Polling Place Observations

March 5, 2015

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Elections and Polling Place Observations

Summary

The 2014-2015 Ventura County Grand Jury (Grand Jury), in the course of overseeing the election procedures of the County of Ventura (County), monitored the polls on November 4, 2014 (Election Day), by conducting unannounced observations of polling places in the County, and by observing the County Clerk and Recorder/Registrar of Voters (Elections Division) Central Counting Place in the County Center. In preparation for observing polling places, 12 members of the Grand Jury attended the three-hour Election Officer Training Course (Training Course) presented by the Elections Division.

In conducting its observations, Grand Jury members used check sheets to record observations of polling place conditions and poll worker performance. An analysis of these check sheets shows that the Grand Jury rated most polling places as clean and in good repair, with acceptable lighting and noise levels, properly set up voting booths, readily accessible voting materials, and welcoming and knowledgeable poll workers. The Grand Jury found that variations from normal ballot procedures were understood and handled well by poll workers. The Grand Jury commends the Elections Division for its hard work in training poll workers and for providing technical support on Election Day. The Grand Jury commends the poll workers for the long hours they spent ensuring that all County voters were afforded the opportunity to vote. The Grand Jury also commends the County Clerk and Recorder/Registrar of Voters for his efforts to certify the election results well in advance of the date prescribed by California Law.

Grand Jurors found the Training Course material to be comprehensive but extremely complex for inexperienced poll workers. During visits to polling places on Election Day, the Grand Jury found that poll workers had difficulty in setting up the AVC Edge equipment, which led to delays in opening some polling places. The Grand Jury observed missing signage, particularly bilingual signage, at several polling places. The Grand Jury also observed some degree of confusion at polling places where multiple precincts were located in a single space; in many cases this was recognized and dealt with effectively by poll workers.

The Grand Jury recommends that the Elections Division consider revisions to the Training Course, increasing the length of the course to help ensure that the extremely complex information is understood by all poll workers, especially inexperienced poll workers. The Grand Jury recommends that the Training Course strongly emphasize the need for proper signage, particularly bilingual signage, at polling places. The Grand Jury recommends that the Training Course include additional hands-on training to improve setup and usage of electronic voting machines. For experienced poll workers, the Grand Jury recommends that the Elections Division ensure that the content of online training reflect changes to polling place procedures that have occurred since the last election cycle.

The Grand Jury recommends that the Elections Division reduce possible confusion by locating only one polling place in a single building. Where multiple precincts are

located in a single polling place, the Elections Division should take steps to instruct poll workers to clearly separate the precincts and prevent votes from being cast in an incorrect precinct.

Background

The purpose of observing polling place operations was to ascertain the public's access to the polls, the handling and accuracy of ballots cast, and the security of the handling, processing, and counting of ballots. Grand Jurors visited County polling places in Camarillo, Fillmore, Meiners Oaks, Moorpark, Newbury Park, Oak Park, Ojai, Oxnard, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, Ventura, and Westlake Village, as well as the Elections Division at the County Center in Ventura. In preparation for Election Day, 12 members of the Grand Jury attended the Training Course provided by the Elections Division. A total of 43 polling places and 73 precincts were visited on Election Day. Some polling places serve more than one precinct. Polling places visited are listed in Attachment 01. (Att-01)

Methodology

Throughout Election Day, the Grand Jurors who monitored polling places used "Polling Place Check Sheets" to record conditions outside and inside the polling place and to assess staff performance. A "Yes," "No," or "Not Applicable (NA)" comment was recorded in the appropriate box, with room provided for comments. To document the efficiency and security of the voting process, Grand Jurors completed 40 items on the check sheet. (Att-02)

The check sheet included 12 items on conditions outside the polling places, 16 items on conditions inside the polling places, and 12 items regarding staff performance. The check sheet also included six additional items that applied only to the procedures required to close a polling place. Questions were based on the requirements outlined in the *Ventura County Election Officer Handbook, Gubernatorial General Election November 4, 2014* (Handbook) [Ref-01]. A section for additional subjective notes and for circumstances peculiar to the individual polling place was included on each sheet. In addition to completing the check sheet at each polling site, Grand Jurors discussed polling place procedures and operations with poll workers, including inspectors.

Grand Jurors maintained a fixed vantage point in the public access viewing area at the Elections Division from 8:00 to 10:30 PM on Election Day. Sheriff's Deputies were present at all entrances of the counting area. During that period, Grand Jurors observed the unloading of Red Ballot Bags from polling stations across the County into the ballot receiving area.

Grand Jury members observed the opening of the Red Bags. The following items were removed from the Red Bags:

- Unused ballot cards
- Spoiled ballot cards in sealed tamper evident bag
- The yellow vote-by-mail ballot bag

- The pink provisional ballot bag
- Write-in cards in sealed tamper evident bag
- Voted-counted cards in sealed tamper evident bag
- Uncounted-voted cards in sealed tamper evident bag
- Master roster
- Supplemental late registered voters list
- Supplemental list of vote-by-mail voters
- Street indexes
- Talley sheet
- Provisional sign-in sheet
- Payroll and signed oath of allegiance
- “Filled out” voter registration forms
- Forms booklet
- Ballot box key ring
- Inspector polling place key
- Correction forms
- Audit log

The above items were placed on carts and taken to the staging room. At least two County personnel were always present during this process.

The Grand Jury observed a computer software malfunction in the counting room that delayed tabulation of the ballot count. The County Director of Information Technology (IT) and his team were on site to determine the problem and to make corrections. About 9:30 PM the first returns were posted both electronically and in paper form. The County Clerk and Recorder/Registrar of Voters indicated that during his tenure of 17 elections, this was the first time a malfunction like this had occurred. Preliminary paper results were offered to those in the public access viewing area.

The Grand Jury saw members of the press conducting interviews and observing the counting process. A few candidates and their agents were also present.

Facts

FA-01. There are 278 polling places in Ventura County. [Ref-02]

FA-02. There are 363 voting precincts in Ventura County. [Ref-02]

FA-03. The Grand Jury visited 43 polling places on Election Day. (Att-01)

FA-04. The Grand Jury visited 73 voting precincts on Election Day. (Att-01)

- FA-05.** Three members of the Grand Jury visited the Elections Division Ballot Processing Area at the Hall of Administration on Election Night. They observed in-process vote tallies.
- FA-06.** Grand Jury members visited polling places in teams of two.
- FA-07.** Twelve Grand Jury members attended the Training Course prior to Election Day.
- FA-08.** The Training Course was available online at the Elections Division website.
- FA-09.** First time inspectors must take either (1) the in-person Training Course or (2) the online training and attend the hands-on portion of the course.
- FA-10.** Returning inspectors and clerks who have worked at least two elections in the past two years may fulfill the training requirement by taking the Training Course, the hands-on course, or the online course.
- FA-11.** A complete list of the topics taught in the Training Course can be found in Attachment 03. The titles of major units in the Training Course are listed below:
- Before Election Day
 - Polling Place Conduct
 - Election Day
 - Opening the Polls – 7 AM
 - Variations from “Normal” Voting Procedures
 - Closing the Polls – 8 PM
 - Election Day Troubleshooting Aid
 - AVC Edge Breakdown
 - Break Schedule
 - Paperwork Checklist
- (Att-03)
- FA-12.** The Grand Jury developed Check Sheets to use during its polling place observations to verify that operations were conducted in accordance with procedures in the Handbook and the Training Course. The three major areas observed were conditions outside the polling place, conditions inside the polling place, and general staff performance. (Att-02)
- FA-13.** Grand Jury members observed poll openings at 11 polling locations.
- FA-14.** Grand Jury members observed poll closings at 5 polling locations.
- FA-15.** Grand Jury members observed polling place operations at 43 polling locations during voting hours.
- FA-16.** Based on an analysis of the completed Check Sheets, the top 10 discrepancies noted during polling place visits were (by percentage of polling places visited):

- Missing signage outside polling places (45%)
- Missing signage inside polling places (32%)
- Confusion as to proper precinct where multiple precincts were located in one polling place (30%)
- Inadequate parking, including handicapped parking (27%)
- Missing bilingual signage (25%)
- Missing equipment, mainly pens, in voting booths (20%)
- Difficulty in some areas, such as setting up the AVC Edge equipment, explaining voter cards, and handling provisional ballots (18%)
- Improper procedures used in opening polling places, particularly in setting up the AVC Edge and first-voter procedure (18%)
- Voting booths not correctly set up (16%)
- Equipment problems with AVC Edge (16%)

FA-17. Seven polling locations (16%) had no discrepancies noted.

FA-18. Grand Jurors rated most polling places as clean and in good repair, with acceptable lighting and noise levels, properly set up voting booths, readily accessible voting materials, and welcoming and knowledgeable poll workers.

FA-19. Use of the AVC Edge machines was very limited; only three polling places visited made more than minimal use of this asset. In several locations observed, this equipment had not been used.

FA-20. Of the 43 polling places visited, 24 served multiple precincts: 21 served two precincts, one served three precincts, and two served four precincts.

FA-21. A computer malfunction in the counting room delayed tabulation of ballot count until about 9:30 PM, when first returns were posted both electronically and in paper form.

FA-22. The County IT Director and his team were on site at the Counting Center to analyze and correct computer problems.

FA-23. The County Clerk and Recorder/Registrar of Voters periodically informed the press and public of the status of correcting software problems.

FA-24. The vote tabulation system appeared to be working properly by about 10:30 PM Election Night.

FA-25. The closest election in the County was for a seat on the Oxnard City Council in which the incumbent won re-election by 10 votes out of 13,350 cast. [Ref-03]

FA-26. The unsuccessful candidate in the Oxnard City Council race conceded the election and declined to request a recount on Monday, November 24. [Ref-03]

FA-27. The Elections Division certified the election results on Monday, November 24. [Ref-03]

Findings

- FI-01.** The Grand Jury visited a widespread and representative sample—approximately 16%—of the polling places in Ventura County. (FA-01, FA-03)
- FI-02.** The Grand Jury visited a widespread and representative sample—approximately 20%—of the precincts in Ventura County. (FA-02, FA-04)
- FI-03.** The training provided to poll workers is comprehensive. The material is too detailed for many first-time poll workers to absorb in a single three-hour training session. (FA-07, FA-09, FA-11)
- FI-04.** The hands-on portion of the training, particularly setting up the AVC Edge equipment, was difficult for some poll workers to absorb in the hands-on portion of the training. (FA-07, FA-09, FA-11)
- FI-05.** Three of the 11 polls where opening was observed were not completely ready for voters at 7:00 AM. In all three cases, there were problems setting up the AVC Edge equipment. (FA-12, FA-13, FA-16)
- FI-06.** Observed poll closings were completed in a timely manner; no voters entered polls after closing. Workers at one site appeared rushed but completed all closing requirements correctly. (FA-12, FA-14)
- FI-07.** Inadequate signage created confusion in some locations where multiple polling places were located in one building, for example, the South Oxnard Library and South Oxnard Center. In this location, there were separate polling places in the north and south ends of the building. The confusion was caused because the South Oxnard Center had ample visible signage but the Library did not. (FA-12, FA-15, FA-16)
- FI-08.** Missing bilingual signage was obvious in a significant number (25%) of polling places visited. (FA-16)
- FI-09.** The inclusion of multiple precincts within single polling places created some confusion on the part of poll workers and voters. In four of the multiple-precinct locations, the voting machines were not separated by precinct or by alphabet, causing ballots to be placed in the wrong Optech Insight (Optech) machine. In some cases the problem was recognized, and poll workers created signage to separate the Optech machines by precinct. (FA-03, FA-04, FA-12, FA-15, FA-16, FA-17)
- FI-10.** In polling places where the AVC Edge was operational and its use was encouraged by poll workers, voters found the AVC Edge to be understandable and easy to use. (FA-12, FA-15, FA-19)
- FI-11.** Variations from normal ballot procedures were understood and handled well in most cases. (FA-12, FA-15, FA-17, FA-18)

- FI-12.** Despite a separation of less than 0.1% between the winner and loser in one race, the losing candidate did not request a recount. This action implies confidence in the County’s voting processes. (FA-25, FA-26)
- FI-13.** The County Elections Division certified the election results 10 days before the required date of December 2. (FA-27)

Recommendations

- R-01.** The Grand Jury recommends that the County Clerk and Recorder/Registrar of Voters include in the training a requirement for inspectors to conduct a walkabout of their polling places about one-half hour prior to polls opening and periodically throughout the day. This would help to ensure that external and internal signage is posted and meets the requirements of the Handbook. (FI-01, FI-05, FI-07, FI-08)
- R-02.** The Grand Jury recommends that the County Clerk and Recorder/Registrar of Voters avoid having two polling places in a single building. (FI-07)
- R-03.** The Grand Jury recommends that, where multiple precincts are contained in a single polling place, the County Clerk and Recorder/Registrar of Voters instruct polling place workers to identify which Optech machine is for each precinct by using alphabetical signage (e.g., A-K, L-Z); this was done in many, but not all, polling places. (FI-09)
- R-04.** As an alternative to R-03, the Grand Jury recommends that a curtain or portable divider be used to separate the precincts from each other. This technique was observed to be employed effectively in at least one polling place. (FI-09)
- R-05.** The Grand Jury recommends that, in view of the volume of material contained in the Training Course, the County Clerk and Recorder/Registrar of Voters increase the length of the training for new poll workers from three hours to four hours or longer to help ensure that they understand their responsibilities. (FI-03, FI-04, FI-05)
- R-06.** The Grand Jury recommends that, for experienced poll workers who choose not to take the Training Course in person, the County Clerk and Recorder/Registrar of Voters ensure that online training emphasize changes from previous election cycles, as an acceptable alternative to classroom training. (FI-03, FI-04, FI-05)
- R-07.** The Grand Jury recommends that the County Clerk and Recorder/Registrar of Voters revise the Training Course to emphasize the importance of bilingual signage at all polling places, not only at those with high numbers of Spanish-speaking voters. (FI-03, FI-08)
- R-08.** The Grand Jury recommends that the County Clerk and Recorder/Registrar of Voters revise the Training Course to increase the amount of individual hands-on practice in setting up and operating the AVC Edge. (FI-04, FI-05)

Responses

Responses required from:

County of Ventura Clerk and Recorder/Registrar of Voters (FI-03, FI-04, FI-05, FI-07, FI-08, FI-09) (R-01, R-02, R-03, R-04, R-05, R-06, R-07, R-08)

Commendation

The Grand Jury commends the Ventura County Elections Division and poll workers on Election Day for their hard work and dedication to ensuring that all County voters were afforded the opportunity to exercise their right to vote. The Grand Jury also commends the County Clerk and Recorder/Registrar of Voters for his efforts to certify the election results well in advance of the date prescribed by California Law.

References

- Ref-01.** County of Ventura, Office of Mark A. Lunn, Clerk Recorder/Registrar of Voters, *Ventura County Election Officer Handbook Gubernatorial General Election November 4, 2014.*
- Ref-02.** County of Ventura website, Elections Division, *List of Polling Sites with Voting Precincts*
http://recorder.countyofventura.org/wp-content/uploads/2014/10/podr009_pollsiteswithvotpct.pdf (accessed January 7, 2015).
- Ref-03.** Wenner, Gretchen, "Perello wins Oxnard council seat by 10 votes," *Ventura County Star*, November 25, 2014.

Attachments

- Att-01.** Polling Places Visited
- Att-02.** Polling Place Check Sheet
- Att-03.** Training Course Topics

Disclaimer

This report is issued by the 2014-2015 Ventura County Grand Jury. Due to a potential conflict of interest, a member of this Grand Jury was excused from participating in any aspect of the production of this report.

Glossary

<u>TERM</u>	<u>DEFINITION</u>
AVC Edge	The Sequoia AVC Edge is a touch-screen, direct-recording electronic voting machine. It is a multilingual voting system that complies with the Americans with Disabilities Act.
County	County of Ventura
Election Day	November 4, 2014
Elections Division	County Clerk and Recorder/Registrar of Voters
Grand Jury	2014-2015 Ventura County Grand Jury
Handbook	<i>Ventura County Election Officer Handbook Gubernatorial General Election November 4, 2014</i>
IT	Information Technology
NA	Not Applicable
Optech	The Optech Insight consists of an electronic ballot counting device that reads completed ballots by scanning the voters’ marks indicating their preferences. The scanner sits atop a ballot box. After the polls close, the Optech Insight tabulates the final results, which are both printed on a paper copy and stored to an internal memory card.
Polling place	A location where voters cast their ballots
Precinct	A precinct is generally the lowest-level governmentally related division in the United States, and in that context is also known in some places as an election district. The US Census uses the term “voting district.”
Training Course	Election Officer Training Course

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Attachment 01

Polling Places Visited

Precinct Name	Precinct No.	Polling Place
Camarillo 303AF, 303LS	704, 706	Camarillo Public Library
Camarillo 327AF, 327LS	752, 754	Las Colinas School
Fillmore 301AL	1500	Fillmore Middle School
Fillmore 304AF, 304LS	1606,1608	St. Francis of Assisi Catholic Church
Mnrs Oaks 102AL	2992	Meiners Oaks Water District
Moorpark 408A, 408L	3264, 3265	Mesa Verde Middle School
Moorpark 413AF, 413LS	3274, 3276	Arroyo Vista Gym
Moorpark 414AF, 414LS	3278, 3280	Peach Hill Rec Room
Oak Park 206AS, 206LS	3810, 3812	Red Oak Elementary School
Ojai 102	4302	Ojai Presbyterian Church
Oxnard 101AL, 110	4100, 4126	Oxnard City Fire Station #4
Oxnard 307	4162	Ocean View Junior High School
Oxnard 525A, 525L	4348, 4349	Performing Arts Center
Oxnard 501AL	4300	South Oxnard Center
Oxnard 515AL	4328	South Oxnard Branch Library
Oxnard 540AF, 540LS	4376, 4378	River Ridge Golf Course
Oxnard 570AF, 570LS	4442, 4446	Oxnard City Fire Station #6
Pt Hue 302AF, 302LS	5952, 5954	Port Hueneme Community Center
Sta Paula 301AL	6700	Iglesia Del Nazareno "Vida Nuevo"
Sta Paula 304AL	6706	Cultural Arts Building
Simi 410A, 410L	7168, 7169	United Methodist Church
Simi 416AF, 416LS	7180, 7182	Atherwood School
Simi 427A, 427L	7200, 7201	Shepherd of the Valley Lutheran Church
Simi 442A, 442F, 442I, 442S	7232, 7233, 7234, 7235	Rancho Santa Susanna Community Center
Simi 449AF, 449LS	7256, 7258	Abraham Lincoln School

Simi 443AL, 444AFLS, 468	7236, 7240, 7296	Ronald Regan Presidential Library
Simi 446AL	7246	Justin Elementary School
Simi 456AL	7272	Best Western Posada Royal
Simi 462AF, 462LS	7264, 7268	Wood Ranch Elementary
Thou Oaks 206	8110	Glenwood School
Thou Oaks 249A, 249F, 249L, 249S	8196, 8197, 8198, 8199	Los Cerritos School
Thou Oaks 255AF, 255LS	8208, 8210	North Ranch Community Center
Thou Oaks 259	8218	Palm Garden Hotel
Thou Oaks 262AF, 262LS	8224, 8226	Sycamore Canyon School
Timber 209AL	8816	Walnut School
Timber 210	8618	Sequoia Conejo Boys & Girls Club
Ventura 113AL	9024	Ventura Police Department Headquarters
Ventura 120AL	9038	Dudley House
Ventura 125AF, 125LS	9048, 9050	Juanamaria School
Ventura 151AF, 151LS	9500, 9502	De Anza Middle School
Ventura 142AL	9082	First Church of the Nazarene
Ventura 145AL	9088	Bible Fellowship Church
Ventura 168AF, 168LS	9540, 9542	Orchard Community Church

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Attachment 02

Polling Place Check Sheet

Polling Place Check Sheet - 2014 Gubernatorial Election					
Location		Juror Names			
Time		Precinct Number			
	Y/N/NA		Comments		
Outside Polling Place					
Flag in Prominent Location					
100 Foot signs					
Vote Signs					
Parking					
Handicap Parking					
Street Index					
Voters' Bill of Rights- Spanish					
Voters' Bill of Rights - English					
No electioneering (<100 ft)					
Poll Watchers?					
Treatment of Poll Watchers					
Pollsters outside (>25 ft)					
Inside Polling Place					
No Smoking Sign					
No Tampering Sign					
Cell Phone Sign					
Bilingual Staff Sign					
Voters' Bill of Rights - Spanish					
Voters' Bill of Rights - English					
Voting Booth Set Up Properly					
Pen in booth					
Edge AVC & OPTECH electricity					
Table setup IAW handbook					
No advertising in polling place					
Quiet environment					
Only voters in booths					
Time limit in booth observed					
Adequate lighting					
Cleanliness/Repair					

Polling Place Check Sheet - 2014 Gubernatorial Election					
Location		Juror Names			
Time		Precinct Number			
	Y/N/NA		Comments		
Staff					
Friendly/Courteous					
Knowledgeable					
Use of Master Roster					
Explanation of Voting Card					
Use of AVC Edge					
Knowledge of VBM procedures					
Teamwork apparent?					
Treatment of Disabled Voters					
Treatment of Assisted Voters					
Provisional Voter Procedures					
Spoiled Card Procedures					
Final Voter Procedure					
Poll Closing Procedures					
End of Day Report Process					
Balancing Ballot Statement					
Certificate of Voted Ballots					
Material Pack Up - Red Bag					
Problem Handling					
		Only apply to closing polls			
Comments/other observations					

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Attachment 03

Training Course Topics

Election Officer Training Course Topics

Before Election Day

- Inspector’s List
- Check List of Supplies

Polling Place Conduct

Election Day

- Inspector’s Duties
- Before Polls Open
- Guide to Placement of Election Material
- Polling Place Setup
- Precinct Setup
- Set up the Board Table
- Set up the Optech Insight
- Set up the AVC Edge Card Activator
- Set up the AVC Edge
- Audit Log
- Seal Locations

Opening the Polls – 7 AM

- Open the Polls on the AVC Edge
- Processing Voters
- Using the Master Roster
- AVC Edge Voters

Variations from “Normal” Voting Procedures

- Vote by Mail Voters
- Vote by Mail Return Envelopes
- Voters with Special Needs (“Curbside Voting”)
- Assisted Voters
- Name Change
- Provisional Voters
- Name not on Roster
- Address Change
- Provisional Procedure
- Spoiled Ballot
- Write-In Candidate Votes

Closing the Polls – 8 PM

- Check List
- Close out Optech Insight and Print End of Day Report

Close out AVC Edge and Print End of Day Report

Balancing the Ballot Statement

Certificate of Voted Ballots

Certificate A

Packing Election Materials

Returning Election Materials

Election Day Troubleshooting Aid

Appendix A - AVC Edge Breakdown

Appendix B - Break Schedule

Appendix C - Paperwork Checklist