

2015-2016 GRAND JURY REPORT

Riverside County Registrar of Voters Grand Jury Observations for November 3, 2015, Election

Background

The Riverside County Registrar of Voters (ROV) is located at 2724 Gateway Drive, Riverside, California. The Riverside County Grand Jury (Grand Jury) was invited by the ROV to observe polling places and their operations, the handling and accuracy of ballots cast, and the security of the handling, processing, and counting of ballots at each election. Grand Jurors visited polling places in Riverside County for the election held on November 3, 2015, herein referred to as the Grand Jury Elections Panel Observation Team (Team). The Grand Jury reviewed the election process pursuant to California Penal Code §§925 and 933.

Methodology

The Team used an Election Observers Guidelines document to record observations of polling place conditions and poll workers' performance. In preparation for Election Day, Team members attended the Observation Panel orientation provided by the ROV on October 1, 2015. The Team received the following handouts:

- Uniform District Election Law and Mail Ballot Election, August 25, 2015
- 2015 Tentative Annual Election Calendar, Riverside, California
- Special District Mail Election Overview
- Election Observer Panel
- Sample ballot for Rancho California and High Valley Water Districts
- Permanent Vote by Mail Ballot Application
- Election Observer Guidelines
- August 25, 2015, Special District Mail Ballot Election Tentative Schedule of Election Activities

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Interviewed the following both under oath and not under oath:

- Various ROV officials, employees, volunteers, and voters.

Reviewed the following:

- California Election Code §12281 (a) and (b)
- Registrar of Voters Policy and Procedures Manual
- Polling Places Report
- Election Officer's Handbook
- Election Officer's Reference Guide
- What's New Addendum
- Accessibility Kit
- ROV Phone System Data Logs
- Poll Worker Training Standards
- Polling Place Visit Checklist
- Polling Place Accessibility Guidelines (April 2014 CA Secretary of State)
- Polling Places Accessibility Checklist (CA SOS Appendix B)
- Accessibility Inspector Cover Sheet
- Polling Place Availability Request Agreement (Contract)
- Routine Visit Log Sheet
- Election Officer's Comment Sheets

Findings

Polling Place Location and Other Discrepancies

1. Three out of seven polling places had inaccurate addresses for the physical location of the polling places. The voting materials mailed to voters were not in agreement with the Polling Place Request Agreement (contract). The following locations had discrepancies as noted:

- a. Perris City Hall, 101 N. D Street, Perris

The actual polling location was located at 91 N. Perris Blvd. at the City Council Chamber building, one block south of City Hall, not at the listed location of 101 N. D Street.

- b. Hunt Club Apartments, 1355 S. Perris Blvd., Perris

The entrance to the polling place was located on Goetz Road, not Perris Blvd., as indicated on the mailed voter materials. There was inadequate signage and parking.

- c. Lake Perris Fairground, 18700 Lake Perris Drive, Perris

The address Lake Perris Fairgrounds, 18700 Lake Perris Drive, Perris, California 92571 did not adequately describe the address on the sample ballots sent to voters and did not specify the building name.

Lake Perris Fairgrounds covers approximately 11 acres occupied with several buildings. There is no address at the entrance to the grounds nor on any building. In previous elections, voters had voted at the Lake Perris Fairground's Harrison Hall building; however, it was closed and no notice was posted as to where to vote. The Fairgrounds failed to turn on tower lights at dusk and multiple interviewees reported the lighting was not provided. A single small porch light was on behind the building, providing the only outside lighting. The lack of adequate lighting created an unsafe environment for both voters and poll workers.

Training

2. Polling places are managed by precinct inspectors (captains) who are assisted by election officers (poll workers) who are all volunteers. At multiple polling locations; the poll workers were inexperienced. Poll workers receive training utilizing classroom instruction, instructional CDs, and the Election Officers Handbook. Training was inconsistent among poll workers. The voting equipment was already in place, which does not allow poll workers the opportunity to arrange the equipment as required by the State of California Election Code. Another area that lacked training was the requirement for captains to correctly and accurately document issues on the Election Officer's Comment Sheet. The training program does not emphasize the requirements of completing the comment sheets and the importance of the information they provide.

Accessibility Kit

3. Three polling places were not arranged according to the Accessibility Kit photographs taken by the ROV survey or assessment teams. They did not accurately photograph the polling locations, such as the entrance to the polling place.

Security Seals

4. At two polling locations, a blue ballot box had one of two red plastic security seals broken and was not locked. At another location, Team members observed a poll worker get a new red plastic seal and replace the broken one. This issue was not reported to ROV officials nor was it documented on the Election Officer's Comment Sheet.

Accessible Voting Unit

5. To comply with the disability access requirements of the Help America Vote Act, precincts have an Accessible Voting Unit (AVU) to provide audio voting for voters who may have visual problems, low literacy proficiency, and other reasons.

All precincts have an AVU that has an audio only add-on control box and head phones for visually impaired voters. The precincts observed by the Team did not have the AVU system ready for voters' use. At one polling location the audio control box and head phones were still in the storage location; there was no signage display available for the visually impaired.

The Team observed the activation button being pushed by the precinct inspector and the range inspector to troubleshoot the audio control box that was not functioning; the AVU Election Officer's Yellow Activation Button User Log was not completed.

Recommendations

County Executive Officer Registrar of Voter

1. The accurate and physical location address information, including the building number as listed on the Availability Request Agreement, be relayed to the voters.

The ROV must comply with the California Election Code §12281 (a) and (b), which states:

(a) If, for any valid reason, the polling place designated for any precinct cannot be used and this fact is known in sufficient time to allow a mailed notice to be received before the election, the elections official may designate another polling place and must mail to each voter in the precinct a notice showing this change.

(b) If the information is not known in sufficient time for a mailing pursuant to subdivision (a), either the elections official or, in the case of an emergency the precinct board on the day of election, must designate another polling place as near the place first designated as possible, post notice on or near the place first designated, and conduct the election at the new location.

The ROV survey or assessment teams will first verify addresses of each polling location. The survey team is to coordinate and meet with representative(s) of polling locations to confirm all aspects of how the site will be utilized. Polling locations are not to be used unless adequate lighting, signage, and accessibility can be provided.

2. The ROV to assign poll workers of mixed experience to achieve a knowledgeable and organized operation.

The ROV to add specific training on the use of comment sheets and how they are used to improve polling operations. The comment sheets are required to be accurate and detailed throughout the Election Day.

The ROV training program must comply with the State of California elections training requirements for hands-on training to include configuring of polling equipment.

3. The owners of the properties that the ROV has selected as polling places adhere to the contract with the ROV, by providing access to the building that was agreed upon and permitting the poll workers to arrange the site the night before the election. The ROV to provide quality control ensuring the site is arranged properly. They will organize the site to agree with the photographs the ROV has provided.

The ROV survey or assessment team first verifies addresses of each polling location. This will be done before the team coordinates with representative(s) of the polling location to confirm how the site will be used.

4. The ROV Section No. C-23 requires that if a seal is broken on a ballot box, immediate measures must be taken. It reads as follows:

Any individual who is authorized by the Registrar of Voters (ROV) and assigned to transport, deliver, store, setup, open & close the polls, or collect voting material and voting equipment before, during, or after an election must take an Oath of Allegiance and be required to report immediately to the ROV when there is any evidence, or suspicion of tampering with the paper ballots or voting equipment.

The ROV to add specific training on the use of comment sheets and how they are used to improve polling operations. The comment sheets are required to be accurate and detailed throughout the Election Day.

5. The ROV to have specific postings on the use of the AVU and audio voting capabilities. This posting to be separate and specific from other postings. The ROV provide quality control training so the site is arranged properly. The ROV must demonstrate how the equipment is arranged during training as required by the State of California Polling Place Accessibility Guidelines.

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