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COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER

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JOHN NAIMO
AUDITOR-CONTROLLER

August 25, 2016

TO: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: John Naimo
Auditor-Controller

SUBJECT: **FOLLOW-UP REVIEW OF DUPLICATE VOTER REGISTRATION (Board Agenda Item 27-E, May 24, 2016)**

On May 24, 2016, your Board instructed the Auditor-Controller (A-C) to review a media allegation that 250 deceased persons voted in Los Angeles County, and to work with the Registrar-Recorder/County Clerk (RR/CC or Department) to report back on protocols and statistics related to death notifications and voter file maintenance. Your Board also requested that the A-C follow-up on the status of ten recommendations from our February 6, 2015 Alleged Duplicate Registered Voter Records report.

Your Board specified that the A-C, upon receipt of details on specific cases of alleged voter fraud from CBS News/KCAL, conduct a review of the allegations. We made multiple requests, but CBS News/KCAL declined to provide details of the alleged 250 deceased voters. Therefore, we were unable to proceed with this part of the Board motion. RR/CC will report separately on the protocols and statistics related to death notifications.

Background and Scope

RR/CC manages over 4.8 million registered voter records within Los Angeles County. The Department uses the Data Information Management System (DIMS) to manage and maintain their voter file of all eligible voters. In December 2015, the Secretary of State's VoteCal Registration Database (VoteCal) began electronically reporting voter information, updates, and potential conflicts directly into DIMS. Department staff

research potential conflicts reported by DIMS and by outside agencies, and update voter records as needed.

In our February 6, 2015 report, we noted weaknesses in RR/CC's processes for identifying and correcting duplicate registrations, and registrations with missing birthdates. We also noted that the Department could improve the accuracy of voter records by reviewing exception reports/internal queries timely, and providing additional training to staff.

Our follow-up review included interviewing RR/CC management, examining voter records, internal queries and exception reports, testing DIMS and VoteCal controls, and evaluating the Department's training and oversight.

Summary of Findings

We reviewed the status of ten recommendations from our February 6, 2015 Alleged Duplicate Registered Voter Records review and noted that the RR/CC fully implemented four (40%) recommendations, and partially implemented six (60%) recommendations. RR/CC management needs to increase its monitoring to ensure that all recommendations are fully implemented. The following are examples of areas needing improvement:

- RR/CC needs to ensure that all staff who enter/update data in DIMS receive regular training and/or refresher training. We noted that, based on RR/CC's training log, the Department only provided refresher training to 80 (45%) of the 177 staff who enter/update voter information in DIMS. Many of the issues identified in our report could have been prevented if staff received training as recommended.

  RR/CC's attached response indicates that they only documented training to staff that "regularly" enter/update voter information in DIMS. However, since errors are not limited to staff that regularly enter/update data in DIMS, the Department should provide and document training for all staff who can enter/update information in DIMS.

- RR/CC needs to continue to identify, periodically review, and update DIMS for all voter registrations submitted after 1975 that do not include a valid date of birth. In our current review, we noted that 172 voters with a registration date after 1975 could cast a ballot without the required date of birth information.

  RR/CC's attached response indicates that their internal queries sufficiently identify voter registrations submitted after 1975 with invalid/missing birthdates. However, staff did not review the most recent query or update DIMS due to an oversight. The Department has since corrected the oversight.

- RR/CC needs to determine how voters with missing or invalid birthdates were able to cast a ballot, and implement steps to prevent future occurrences. We noted that after we issued our February 6, 2015 report, over 100 voters registered to vote without a date of birth in DIMS. We tested 15 of the voters and noted that two (13%) cast a ballot in the June 7, 2016 Presidential Primary (June Primary). In addition, since RR/CC uses matching birthdates to identify potential duplicate voter registrations, the Department cannot identify all duplicate registrations when voter birthdates are missing or invalid in DIMS. We noted that four (27%) of the 15 voter records appear to be duplicate registrations based on their signed voter affidavits. One of these voters was listed on two successive lines of the voter roll at his polling place, as two separate vote-by-mail voters; he signed the voter roll once on each line which indicates he cast two ballots in the June Primary.

  RR/CC's response indicates that their automated checks identified voter records that have missing or invalid birthdates, including 13 of the 15 voter records mentioned above. However, the Department indicates that DIMS erroneously changed the status of the voters from ineligible to "active" or "pending," which allowed them to cast a ballot. In addition, the Department's response indicates that they were able to verify through their internal reconciliation process that the voter discussed above who signed the voter roster twice, only cast one ballot. Although the Department provided documentation, we could not substantiate that the voter only cast one ballot.

Review of Report

We discussed the results of our review with RR/CC management. The Department's attached response (Attachment II) indicates that they agree with the status of seven recommendations, partially agree with the status of one recommendation, and disagree with the status of two recommendations.

We thank the Department's management and staff for their cooperation and assistance during our review. If you have any questions please call me, or your staff may contact Robert Smythe at (213) 253-0100.

JN:AB:PH:RS:YK

Attachments

c: Sachi A. Hamai, Chief Executive Officer
Dean C. Logan, Registrar-Recorder/County Clerk
Lori Glasgow, Executive Officer, Board of Supervisors
Public Information Office
Audit Committee

REGISTRAR-RECORDER/COUNTY CLERK
FOLLOW-UP REVIEW OF DUPLICATE VOTER REGISTRATION

Background and Scope

The Registrar-Recorder/County Clerk (RR/CC or Department) manages over 4.8 million registered voter records within Los Angeles County. The Department uses the Data Information Management System (DIMS) to maintain the County's voter registration records and to extract voter data used for sample ballot mailings, vote by mail ballots, voter rosters, etc., for each election.

On May 24, 2016, your Board instructed the Auditor-Controller (A-C) to review a media allegation that 250 deceased persons voted in Los Angeles County, and to work with RR/CC to report back on protocols and statistics related to death notifications and voter file maintenance. Your Board also requested that the A-C follow-up on the status of ten recommendations from our February 6, 2015 Alleged Duplicate Registered Voter Records report.

Your Board specified that the A-C, upon receipt of details on specific cases of alleged voter fraud from CBS News/KCAL, conduct a review of these allegations. We made multiple requests, but CBS News/KCAL declined to provide details of the alleged 250 deceased voters. Therefore, we were unable to proceed with this part of the Board motion. RR/CC will report separately on the protocols and statistics related to death notifications.

We have completed the follow-up review to determine the Department's progress implementing the ten recommendations from our prior report. Our follow-up review included interviewing RR/CC management, examining voter records, internal queries and exception reports, testing DIMS and the Secretary of State's VoteCal Registration Database (VoteCal) controls, and evaluating the Department's training and oversight.

Status of Prior Recommendations

Overall, RR/CC fully implemented four (40%) recommendations, and partially implemented six (60%) recommendations. The following are the ten recommendations and their implementation status.

Alleged Voter Registration Inaccuracies

Recommendation 1

Registrar-Recorder/County Clerk management complete a review of all the alleged 442 and potential 52,000 duplicate registrations and make corrections/take action as necessary.

Current Status: IMPLEMENTED

RR/CC management indicated that the Department identified and corrected approximately 8,000 duplicate voter records from the 442 alleged, and 52,000 potential, duplicate registrations. We tested 50 potential duplicate voter registrations from our original review, and verified that the Department made necessary corrections.

Recommendation 2

Registrar-Recorder/County Clerk management further evaluate the cause(s) for the duplicate registrations identified and implement steps, such as additional system enhancements or staff training, to minimize future occurrences.

Current Status: PARTIALLY IMPLEMENTED

In response to our original report, RR/CC implemented additional queries to identify potential duplicate registrations, and conducted annual workshops to train petition circulators and groups conducting voter registration drives. The Department also provided ongoing refresher training to temporary and permanent staff that enter/update voter information in DIMS. However, based on RR/CC's training log, the Department only provided refresher training to 80 (45%) of the 177 staff who enter/update voter information in DIMS.

RR/CC's attached response indicates that they only documented training to staff that "regularly" enter/update voter information in DIMS. However, since errors are not limited to staff that regularly enter/update data in DIMS, the Department should provide and document training for all staff who can enter/update information in DIMS.

Recommendation 3

Registrar-Recorder/County Clerk management continue to identify, periodically review, and update the Data Information Management System for all voter registrations submitted after 1975 that do not include a date of birth.

Current Status: PARTIALLY IMPLEMENTED

Prior to 1976, individuals were not required to provide their date of birth (month, day, and year) as part of the voter registration process. In 1976, the voter registration rules changed and each voter's date of birth information became required with each new or updated registration submitted. RR/CC runs a number of internal queries, and reviews approximately 3,600 voter records each month, to identify voter record irregularities (e.g., registrations with missing/invalid birthdates, duplicate voter records, etc.).

In our original report, we noted that over 1,900 individuals had an original registration date after 1975 in DIMS, but did not include a date of birth. During this follow-up review, we noted that the number of individuals was reduced to 172. We sampled 14 of the 172 voters without a birthdate in DIMS, and noted that all 14 could cast a ballot. Although

12 (86%) of the 14 ineligible voters had been identified on the Department's January 2016 internal queries, staff had not reviewed the queries or updated DIMS.

RR/CC's response indicates that they disagree with our partially implemented recommendation status. However, RR/CC acknowledges that they did not review the internal query report mentioned above due to an oversight. The Department has since corrected the oversight.

Recommendation 4

Registrar-Recorder/County Clerk management determine if any of the individuals with an original registration date after 1975, and who voted without date of birth information, were under the age of 18, and take action as necessary.

Current Status: IMPLEMENTED

The State of California Voter Registration Form requires applicants to declare, upon penalty of perjury, that the applicant will be at least 18 years old by election day. We reviewed 15 voters from our February 6, 2015 review that had no birthdate in DIMS, and verified that all 15 voters signed the declaration on the Registration Form.

Recommendation 5

Registrar-Recorder/County Clerk management evaluate the cause(s) of date of birth issues identified and implement steps to prevent future occurrences.

Current Status: PARTIALLY IMPLEMENTED

As previously stated, subsequent to our February 6, 2015 report the Department reduced the number of voters with missing/invalid birthdates from 1,900 to 172. However, we noted that between February 2015 and April 2016 the Department reported 106 new voter registrations without valid date of birth information. All 106 voters had either an "active" or "pending" status, which allows them to cast a ballot. We tested 15 of the ineligible voters and noted that two (13%) cast a ballot in the June 7, 2016 Presidential Primary (June Primary).

In addition, since RR/CC uses matching birthdates to identify potential duplicate registrations, the Department cannot identify all duplicate registrations when voter birthdates are missing or invalid in DIMS. We noted that four (27%) of the 15 voter records appear to be duplicate registrations based on their signed voter affidavits. One of these voters was listed on two successive lines of the voter roll at his polling place, as two separate vote-by-mail voters; he signed the voter roll once on each line which indicates he cast two ballots in the June Primary.

RR/CC's response indicates that they disagree with our partially implemented recommendation status, and indicates that DIMS erroneously changed the status of the

voters from ineligible to "active" or "pending" in 13 instances, which allowed them to cast a ballot. As indicated in Recommendation 5, the Department should implement steps to prevent future occurrences. In addition, the Department indicates that they were able to verify through their internal reconciliation process that the single voter discussed above signed the voter roster twice, but only cast one ballot. Although the Department provided documentation, we could not substantiate that the voter only cast one ballot.

Recommendation 6

Registrar-Recorder/County Clerk management work with the federal government and the California Secretary of State to determine whether individuals must provide a date of birth on the voter registration form for voter eligibility.

Current Status: IMPLEMENTED

The Department determined that a date of birth is required for all voter registrations that originated after 1975.

Voter File Monitoring

Recommendation 7

Registrar-Recorder/County Clerk management ensure that voting privileges are suspended timely in the Data Information Management System for individuals the Department has confirmed as ineligible for all prior and future exception reports.

Current Status: PARTIALLY IMPLEMENTED

In addition to generating internal queries and reviewing approximately 3,600 voter records each month, RR/CC receives exception reports from outside agencies (e.g., Superior Court, Secretary of State, etc.). The Los Angeles Superior Court (Court), generates monthly reports indicating persons convicted of felonies, or deemed mentally incompetent (or competent but previously identified as incompetent) to vote. RR/CC staff review the Court reports and cancel/restore voting privileges for registered voters. The Secretary of State reports deceased and duplicate voter registrations through VoteCal, the State's automated system that interfaces directly with DIMS. VoteCal automatically updates confirmed deceased and duplicate registrations, and electronically reports potential conflicts that need additional research by RR/CC. VoteCal was implemented in Los Angeles County in December 2015.

RR/CC reviews the internal queries for duplicate registrations and makes necessary corrections within 30 days. However, we noted that for seven (41%) of the 17 registered voters identified by the Court, staff updated DIMS an average of 99 days after the Court reports were generated. For three records, staff/management indicated that the report was reviewed/approved in February 2016, but they did not update DIMS until July 2016, after we requested to review the reports.

In addition, the Department did not review at least one internal query for missing/invalid birthdates, and could not ensure that staff reviewed conflicts identified by VoteCal. RR/CC indicated that the VoteCal system was recently implemented and its limitations in producing exception reports, and the lack of audit trails, make it difficult for the Department to document their reviews. RR/CC indicated that they are currently working with the DIMS vendor to ensure the exceptions identified by VoteCal are resolved timely.

Recommendation 8

Registrar-Recorder/County Clerk management ensure exception reports are signed and dated by staff and management to document their review.

Current Status: PARTIALLY IMPLEMENTED

In our original report, we noted that RR/CC management and/or staff did not sign and date nine (69%) of the 13 internal queries/exception reports reviewed. During this follow-up review, we noted that eight (9%) of the 86 internal queries reviewed were not signed and dated by management.

Recommendation 9

Registrar-Recorder/County Clerk management continue to develop and expand internal queries to identify potential duplicate voter registrations and other data irregularities, evaluate the queries that should be regularly reviewed in the future, run the reports as often as practical, and correct any discrepancies timely.

Current Status: IMPLEMENTED

Subsequent to our February 6, 2015 review, RR/CC Data Science Unit developed nine internal queries to identify potential duplicate voter registrations. The Voter File Maintenance (VFM) unit reviews the query results, updates DIMS as needed, and provides feedback to ensure that internal queries continue to effectively identify duplicate voters.

As detailed under Recommendation 3, the Department needs to continue its progress at reviewing query results and performing timely updates to DIMS for voter registrations after 1975 with missing/invalid birthdates. However, since the Department appears to have made significant progress developing and expanding internal queries to identify duplicate voter registrations and other data irregularities, we consider Recommendation 9 implemented.

Recommendation 10

Registrar-Recorder/County Clerk management reinforce to staff the importance of accurately scanning and uploading the voter information into the Data Information Management System and monitor for compliance.

Current Status: PARTIALLY IMPLEMENTED

The Department developed and conducts training and exercises to ensure new staff scan and upload voter information (i.e., identify the voters that cast ballots, the polling location, etc.) accurately into DIMS. However, the Department does not maintain sign-in sheets or training logs to ensure all applicable staff received training.

Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

August 16, 2016

TO: John Naimo
Auditor-Controller

FROM: Dean C. Logan, Registrar-Recorder/County Clerk

Dean C. Logan

FOLLOW-UP REVIEW OF DUPLICATE VOTER REGISTRATION
(Board Agenda Item 27-E, May 24, 2016)

This responds to the Follow-Up Review of Duplicate Voter Registration conducted by your office in response to a board motion made by Supervisor Antonovich and amended by Supervisor Kuehl on May 24, 2016, and the associated recommendations contained therein. While the Department agrees with a number of the recommendations and characterizations made in your review, there are areas where we believe further context and reference are needed. We have included that additional information in our itemized response.

The Department has taken great strides in furthering efforts to maintain voter file integrity including enacting additional checks and fail safes to identify records for applicants that would not otherwise be eligible to vote. As noted in your review, broadly speaking, the discrepancies identified further highlight that voter file maintenance (VFM) is complex and requires continued effort and focus.

The Department's Data Analytics team continues to assist those units responsible for VFM with additional queries and system modifications to enhance data matching criteria. Business protocols continue to be reviewed and refined with the intent that much of the querying, as it pertains to duplicate record matching and invalid birthdate identification becomes automated.

In spite of all of the work performed by the Department to limit opportunities of possible voting fraud, it is important to remember that intentionally voting twice or violating voter registration regulations is a crime punishable under state and federal law. At the time of registering to vote and at the time a ballot is cast, voters sign an affidavit under penalty of perjury attesting to their eligibility and their compliance with State and Federal voting laws.

It is also important to note that for the period of review conducted by your office, the Department has been transitioning to VoteCal, the California Secretary of State's statewide voter registration database.

Implementation of this database has not been without challenges. Some of the problems that remain, as noted in the review, can be directly attributed to performance issues of DIMS/VoteCal, including bugs in certain DIMS routines and/or lack of functionality/tools available to Department operators conducting VFM using the VoteCal system.

Despite these challenges, the Department continues to improve its VFM processes through staff training, continued use of advanced data analytics and ongoing communication with the DIMS vendor (so as to address any required fixes to the system).

The Department appreciates the work conducted by your staff and will treat recommendations made by your office as opportunities for the Department to further improve and enhance its VFM processes.

Please find attached our response to each of the 10 recommendations and their corresponding explanations of compliance, noted by your office.

Should you have any questions, please contact Debbie Martin, Chief Deputy at 562-462-2883 or at dmartin@rrcc.lacounty.gov.

DCL:DM

Attachment

Recommendation 1

Registrar-Recorder/County Clerk management complete a review of all the alleged 442 and potential 52,000 duplicate registrations and make corrections/take action as necessary.

Current Status: IMPLEMENTED
The RR/CC management indicated that the Department identified and corrected approximately 8,000 duplicate voter records from the 442 alleged, and 52,000 potential, duplicate registrations. We tested 50 potential duplicate voter registrations from our original review, and verified that the Department made necessary corrections.

***Department Response:* AGREE**
The Department was confident that all 52,000 potential duplicates did not need to be reviewed, as random sampling from the 52,000 potential duplicates revealed a false positive rate of close to 85%. The overwhelming majority of potential duplicates were simply generational matches of father/son, mother/daughter, etc., living at the same address. Using a fuzzy match algorithm, the Department was able to better parse out from the 52,000 roughly 8700 high probability duplicates. Using this more advanced data analytic technique yielded a true positive rate close to 95% for the 8700 duplicates found.

Recommendation 2

Registrar-Recorder/County Clerk management further evaluate the cause(s) for the duplicate registrations identified and implement steps, such as additional system enhancements or staff training, to minimize future occurrences.

Current Status: PARTIALLY IMPLEMENTED

In response to our original report, the RR/CC implemented additional queries to identify potential duplicate registrations, and conducted annual workshops to train petition circulators and groups conducting voter registration drives. The Department also provided ongoing refresher training to temporary and permanent staff that enter/update voter information in DIMS. However, based on the RR/CC's training log, the Department only provided refresher training to 80 (45%) of the 177 staff who enter/update voter information in DIMS.

The RR/CC's attached response indicates that the Department only documented training to staff that "regularly" enter/update voter information in DIMS. However, since errors are not limited to staff that regularly enter/update data in DIMS, the Department should provide and document training for all staff that can enter/update information in DIMS.

Department Response: ***PARTIALLY AGREE***

Centralized refresher training was provided only to those staff (permanent or temporary) who either work in the Voter File Maintenance (VFM) unit or those staff who regularly enter or update voter registration data. Other staff listed amongst the 177 surveyed who did not receive the centralized refresher training are performing other important clerical duties such as answering telephones, processing petitions, nominations, signatures in lieu, etc. When staff who do not normally handle voter registration or VFM are required to assist with voter registration duties, those staff are provided one-on-one refresher training prior to resuming that work.

The assumption that ALL 177 staff are regularly entering/updating voter information in DIMS is false. Nevertheless, the Department will continue to review operational needs as they pertain to VFM and voter registrations to ensure centralized refresher trainings are offered to additional staff prior to engaging in VFM and voter registration activities.

Recommendation 3

Registrar-Recorder/County Clerk management continue to identify, periodically review, and update the Data Information Management System for all voter registrations submitted after 1975 that do not include a date of birth.

Current Status: PARTIALLY IMPLEMENTED

Prior to 1976, individuals were not required to provide their date of birth (month, day, and year) as part of the voter registration process. In 1976, the voter registration rules changed and each voter's date of birth information became required with each new or updated registration submitted. The RR/CC runs a number of internal queries, and reviews approximately 3,600 voter records each month, to identify voter record irregularities (e.g., registrations with missing/invalid birthdates, duplicate voter records, etc.).

In our original report, we noted that over 1,900 individuals had an original registration date after 1975 in DIMS, but did not include a date of birth. During this follow-up review, we noted that the number of individuals was reduced to 172. We sampled 14 of the 172 voters without a birthdate in DIMS, and noted that all 14 could cast a ballot. Although 12 (86%) of the 14 ineligible voters had been identified on the Department's January 2016 internal queries, staff had not reviewed the queries or updated DIMS.

The RR/CC's response indicates that the Department disagrees with our partially implemented recommendation status. However, RRCC acknowledges that the Department did not review the internal query report mentioned above due to an oversight.

Department Response: ***DISAGREE***
The Department currently has in place sufficient ad-hoc queries that assist the VFM unit in identifying records that either have no date of birth or have a place holder date of birth assigned by the system (1/1/1900), registered after 12/31/1975. In this particular case, the query for 1/1/1900 was able to identify 13 of the 15 sampled voters that AC reviewed. Two records that were not identified had been either fatally pended or inactive at the time of the query (and subsequently would not have been found).

While the queries did indeed identify records to be reviewed and worked by VFM staff, unfortunately, due to an oversight, the 1/1/1900 query was not sent to operations to be worked in January of 2016. This oversight has been corrected.

Recommendation 4

Registrar-Recorder/County Clerk management determine if any of the individuals with an original registration date after 1975, and who voted without date of birth information, were under the age of 18, and take action as necessary.

Current Status: IMPLEMENTED

The State of California Voter Registration Form requires applicants to declare, upon penalty of perjury, that the applicant will be at least 18 years old by election day. We reviewed 15 voters from our February 6, 2015 review that had no birthdate in DIMS, and verified that all 15 voters signed the declaration in the Registration Form.

Department Response: ***AGREE***

The Department continues to take action on records that have no birthdate by following up with the voters via correspondence to obtain missing or invalid birthdates.

It is important to note that as of November 7, 2014, the Department had over 65K active voters (registered both prior to and post 1976) without birthdates. The Department has done a tremendous amount of work, since that time, to reduce that number down to currently 1363 records, of which an overwhelming majority (over 80%) have a registration date predating 1976 (dates of birth were not mandatory for records pre 1976).

For those few records that are entering the DIMS system without a birthdate, the Department continues to reach out to those voters to obtain the missing information and also works with the DIMS vendor to investigate, refine and re-calibrate the existing fail safes.

Recommendation 5

Registrar-Recorder/County Clerk management evaluate the cause(s) of date of birth issues identified and implement steps to prevent future occurrences.

Current Status: PARTIALLY IMPLEMENTED

As previously stated, subsequent to our February 6, 2015 report the Department reduced the number of voters with missing/invalid birthdates from 1,900 to 172. However, we noted that between February 2015 and April 2016 the Department reported 106 new voter registrations without valid date of birth information. All 106 voters had either an "active" or "pend" status, which allows them to cast a ballot. We tested 15 of the ineligible voters and noted that two (13%) cast a ballot in the June 7, 2016 Presidential Primary (June Primary).

In addition, since the RR/CC uses matching birthdates to identify potential duplicate registrations, the Department cannot identify all duplicate registrations when voter birthdates are missing or invalid in DIMS. We noted that four (27%) of the 15 voter records appear to be duplicate registrations based on their signed voter affidavits. One of these voters was listed on two successive lines of the voter roll at his polling place, as two separate vote-by mail voters; he signed the voter roll once on each line which indicates he cast two ballots in the June Primary

The RR/CC's response indicates that the Department disagrees with our partially implemented recommendation status, and indicates that DIMS erroneously changed the status of the voters from ineligible to "active" or "pending" in 13 instances, which allowed them to cast a ballot. As indicated in Recommendation 5, the Department should implement steps to prevent future occurrences. In addition, the Department indicates that they were able to verify through their internal reconciliation process that the single voter discussed above signed the voter roster twice, but only cast one ballot. The Department provided documentation, but we could not substantiate that the voter only cast one ballot.

Department Response: DISAGREE

The Department employs a series of automated checks that are intended to identify incoming (and already existing) voter records that have missing or invalid birthdates. The Department is also working with the DIMS vendor to fine tune and adjust fail safes that are not engaging correctly or simply not working. New voter records without a valid birthdate are generally fatally pended by DIMS (meaning that they are not active voters).

In the case of the sampled 15 voters, 13 of these voters with missing birthdates had all been previously fatally pended by the DIMS system (the other two had been missed by the system). Regrettably, in the lead up to the June 2016 Primary, a series of automated checks had been employed to determine the eligibility of underage voters that would be 18 by June 7, 2016. The program was intended to update the voter status

from fatally pended to active for those voters who would be 18 at the time of the election. Erroneously, the program also changed the status of those records without valid birthdates to active as well. The Department referred this bug to the DIMS vendor and has received assurances that the problem would be resolved by September 2016.

For the duplicate voter identified by the Auditor-Controller who had signed the roster of voters twice during the June 7, 2016 Presidential Primary, the Department acknowledges that the voter's right to confidentiality does not allow for a fully substantiated reconciliation of voted ballots to signatures on rosters. However, the Department has determined, with the degree of certainty for which the law allows, that this voter cast a single ballot even though they signed both lines of the roster.

Recommendation 6

Registrar-Recorder/County Clerk management work with the federal government and the California Secretary of State to determine whether individuals must provide a date of birth on the voter registration form for voter eligibility.

Current Status: IMPLEMENTED

The Department determined that a date of birth is required for all voter registrations that originated after 1975.

Department Response: AGREE

Voter File Monitoring

Recommendation 7

Registrar-Recorder/County Clerk management ensure that voting privileges are suspended timely in the Data Information Management System for individuals the Department has confirmed as ineligible for all prior and future exception reports.

Current Status: PARTIALLY IMPLEMENTED

In addition to generating internal queries and reviewing approximately 3,600 voter records each month, the RR/CC receives exception reports from outside agencies (e.g., Superior Court, Secretary of State, etc.). The Los Angeles Superior Court (Court), generates monthly reports indicating persons convicted of felonies, or deemed mentally incompetent (or competent but previously identified as incompetent) to vote. RR/CC staff review the Court reports and cancel/restore voting privileges for registered voters. The Secretary of State reports deceased and duplicate voter registrations through VoteCal, the State's automated system that interfaces directly with DIMS. VoteCal automatically updates confirmed deceased and duplicate registrations, and electronically reports potential conflicts that need additional research by the RR/CC. VoteCal was implemented in Los Angeles County in December 2015.

The RR/CC reviews the internal queries for duplicate registrations and makes necessary corrections within 30 days. However, we noted that for seven (41%) of the 17 registered voters identified by the Court, staff updated DIMS an average of 99 days after the Court reports were generated. For three records, staff/management indicated that the report was reviewed/approved in February 2016, but they did not update DIMS until July 2016, after we requested to review the reports.

In addition, the Department did not review at least one internal query for missing/invalid birthdates, and could not ensure that staff reviewed conflicts identified by VoteCal. The RR/CC indicated that the VoteCal system was recently implemented and its limitations in producing exception reports, and the lack of audit trails, make it difficult for the Department to document their reviews. The RR/CC indicated that the Department is currently working with the DIMS vendor to ensure the exceptions identified by VoteCal are resolved timely.

Department Response: ***AGREE***

VoteCal is one of the primary sources in which the Department is made aware of potential duplicate and deceased voters (beyond the internal queries that are being run outside of VoteCal). The VoteCal dashboard was not designed to allow Departments to prioritize records by date, as there is currently no functionality in the dashboard to arrange reported records by date. The Department is working with the DIMS vendor to add in additional functionality to the dashboard so that records can be prioritized by date received from VoteCal.

In addition, the Department will continue to review current protocols to ensure that staff are reviewing reports from the Superior Court in a timely fashion. It must be noted though that the process of correcting a record in DIMS is not as simple as referring to a single report from an outside agency and making a correction. Staff must first be able to identify a corresponding voter record and attempt to match on various fields such as First Name, Last Name, Middle Name, date of birth, social security number, driver's license, etc. so as to take care NOT to disenfranchise any voters. The Department's goal is in ensuring accuracy in the match with outside agency records. The certainty in a match comes with a cost of additional time and effort by staff, that may result in some records (not ALL), as noted in the small sample taken by the AC, with lengthier processing times.

Further, it should be noted that the VFM data maintenance activity during this period overlapped with the transition and implementation of VoteCal, which required significant resources and delayed standard VFM activity.

Recommendation 8

Registrar-Recorder/County Clerk management ensure exception reports are signed and dated by staff and management to document their review.

Current Status: PARTIALLY IMPLEMENTED

In our original report, we noted that the RR/CC management and/or staff did not sign and date nine (69%) of 13 internal queries/exception reports reviewed. During this follow-up review, we noted that eight (9%) of 86 internal queries reviewed were not signed and dated by management.

***Department Response:* AGREE**

As noted, the Department has taken major strides, since the initial review, in ensuring that query reports are reviewed and signed off by management. For those few reports that were not signed off by management, the Department will continue to work with those individuals to ensure that protocols are followed for ALL reports.

Recommendation 9

Registrar-Recorder/County Clerk management continue to develop and expand internal queries to identify potential duplicate voter registrations and other data irregularities, evaluate the queries that should be regularly reviewed in the future, run the reports as often as practical, and correct any discrepancies timely.

Current Status: IMPLEMENTED

Subsequent to our February 6, 2015 review, the RR/CC Data Science Unit developed nine internal queries to identify potential duplicate voter registrations. The Voter File Maintenance (VFM) unit reviews the query results, updates DIMS as needed, and provides feedback to ensure that internal queries continue to effectively identify duplicate voters.

As detailed under Recommendation 3, the Department needs to continue its progress at reviewing query results and performing timely updates to DIMS for voter registrations after 1975 with missing/invalid birthdates. However, since the Department appears to have made significant progress developing and expanding internal queries to identify duplicate voter registrations and other data irregularities, we consider Recommendation 9 implemented.

***Department Response:* AGREE**

The Department will continue to use sophisticated data analytic tools to help identify duplicate records. Implemented queries will be automated so that lists can be provided directly to the VFM unit, the purpose of which is to cut down on the number of handoffs from the point of query running with the data analytics unit to the point of query review by VFM staff. Other ad-hoc queries such as the "no birthdate" or "1/1/1900", will be automated and provided directly to VFM staff, so as to ensure timely review and accountability.

Further, the Department has been instrumental in promoting the embedding of such processes into VoteCal, the new state-wide voter registration database.

Recommendation 10

Registrar-Recorder/County Clerk management reinforce to staff the importance of accurately scanning and uploading the voter information into the Data Information Management System and monitor for compliance.

Current Status: PARTIALLY IMPLEMENTED

The Department developed and conducts training and exercises to ensure new staff scan and upload voter information (i.e., identify the voters that cast ballots, a polling location, etc.) accurately into DIMS. However, the Department does not maintain sign-in sheets or training logs to ensure all applicable staff received training

Department Response: AGREE

The Department agrees that centralized training provided to permanent and temporary staff for the canvass and roster reconciliation operations will be documented so as to ensure that all staff directly involved in these operations are receiving the training that they need.

COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER

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JOHN NAIMO
AUDITOR-CONTROLLER

June 27, 2016

TO: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: John Naimo
Auditor-Controller

SUBJECT: **STATUS REPORT AND EXTENSION REQUEST – REVIEW OF ALLEGED DECEASED VOTER FRAUD AND FOLLOW-UP REVIEW OF DUPLICATE VOTER REGISTRATION (Board Agenda Item 27-E, May 24, 2016)**

On May 24, 2016, your Board instructed the Auditor-Controller (A-C) to review a media allegation that 250 deceased persons voted in Los Angeles County, and to work with the Registrar-Recorder/County Clerk (RR/CC or Department) to report back on protocols and statistics related to death notifications and voter file maintenance. Your Board also requested that the A-C follow-up on the status of ten recommendations from our February 6, 2015 RR/CC Alleged Duplicate Registered Voter Records report.

Your Board specified that the A-C, upon receipt of details on specific cases of voter fraud from CBS News/KCAL, conduct a review of the allegations. We made multiple requests, but CBS News/KCAL declined to provide details of the alleged 250 deceased voters. Therefore, we are unable to proceed with this part of the Board motion.

We are in the process of reviewing RR/CC's protocols related to death notifications, and the Department's responses to each of the ten recommendations from our prior report. In conjunction with our follow-up of prior recommendations, we will evaluate the effectiveness of RR/CC's corrective action and provide additional recommendations, if needed. We anticipate issuing our response to your Board by August 8, 2016.

If you have any questions please contact me, or your staff may contact Robert Smythe at (213) 253-0101.

JN:AB:PH:RS:YK

c: Sachi A. Hamai, Chief Executive Officer
Dean C. Logan, Registrar-Recorder/County Clerk
Lori Glasgow, Executive Officer, Board of Supervisors
Public Information Office
Audit Committee