COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-3873
PHONE: (213) 974-8301 FAX: (213) 626-5427

JOHN NAIMO
AUDITOR-CONTROLLER

February 6, 2015

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

FROM: John Naimo
Auditor-Controller

SUBJECT: **REVIEW OF ALLEGED DUPLICATE REGISTERED VOTER RECORDS (Board Agenda Item 70-A, November 5, 2014)**

On November 5, 2014, your Board instructed the Auditor-Controller (A-C) to review alleged duplicate registered voter records and other alleged irregularities in the voter file. Specifically, your Board directed the A-C to review a media allegation that there were at least 442, and as many as 52,000, individuals who are registered to vote more than once. In addition, your Board instructed the A-C to review the allegation of other inaccuracies in the Registrar-Recorder/County Clerk's (RR/CC or Department) voter records.

Background and Scope

The RR/CC manages over 4.8 million registered voter records within Los Angeles County. The Department uses the Data Information Management System (DIMS or System) to manage and maintain their voter file of all eligible voters. RR/CC staff enter data from hardcopy forms into DIMS for both new registrations and registration changes. Registration information for individuals who register to vote online on the California Secretary of State website is uploaded into DIMS from a State data file.

As part of the RR/CC's efforts to maintain an accurate and up-to-date voter file, the Department regularly receives external reports (e.g., a listing of deceased registered voters, California State Department of Motor Vehicles records, etc.) from outside agencies, compares the reports to voter records, and updates DIMS accordingly. In

addition, the Department runs and reviews internal queries from DIMS to identify and correct potential duplicate registrations.

We reviewed a sample of the alleged 442 and 52,000 duplicate voter registrations, and the over 1,900 registrants without a date of birth identified in a media report. We also interviewed RR/CC management and staff and evaluated controls the Department has in place to prevent and detect potential duplicate voter registrations and voting. In addition, we contacted other counties to discuss their voter file maintenance processes/controls.

Review Summary

The RR/CC needs to continue and expand recent efforts to strengthen controls to minimize the number of duplicate voter registrations and registrants without a date of birth in DIMS, and to ensure that voter data/information in DIMS is accurate and up-to-date. The following are examples of areas for improvement:

- The RR/CC needs to complete a review of all the alleged 442 and 52,000 potential duplicate registrations and make corrections/take action as necessary. We reviewed a total of 100 potential duplicate registrations (50 of the 442 and 50 of the 52,000) and noted 45 (90%) and eight (16%) individuals did in fact have two separate voter registrations in DIMS. We noted that none of these individuals voted twice in the past three major elections. While the Department corrected the majority of the duplicate registrations from our sample prior to our review, the RR/CC made many of the corrections after the November 4, 2014 election. In addition, on average, these individuals had duplicate registrations for approximately three and four years respectively.

  RR/CC's Response – The RR/CC's attached response indicates that their review and associated actions started prior to the audit and are ongoing. The Department's response also indicates that as part of their ongoing voter file maintenance, which began before the audit, several duplicate analysis reports have been completed and manually reviewed and confirmed duplicates corrected.

- The Department needs to continue to identify and review all voter registrations that do not include a date of birth in DIMS, and update the voter file as necessary. We reviewed 29 of the over 1,900 voter registration records without a date of birth in DIMS and identified errors/omissions with all 29 (100%) voter records. Per the California Elections Code, individuals must provide a date of birth to verify they will be at least 18 years of age or older before the next election. On average, these individuals had missing/incorrect birth information for more than 12 years.

RR/CC management indicated that since individuals sign voter registration affidavits under penalty of perjury that they will be 18 years or older by the next election, the date of birth is not required under federal law. As a result, the Department indicated that since federal law supersedes the State, they do not agree that individuals must provide a date of birth to be eligible to vote. However, the Department's general practice is to follow State law because they place individuals that do not provide a date of birth in a "fatally pending" status in DIMS where they do not receive sample ballots and/or vote by mail materials. The Department needs to work with the federal government and the State to determine whether individuals must provide a date of birth on the voter registration form for voter eligibility.

RR/CC's Response – The RR/CC's attached response indicates that as part of their ongoing voter file maintenance, which began before the audit, voters who registered after 1975 and do not have a date of birth on file have been identified and are being reviewed and updated as needed. The RR/CC also indicates they are reviewing options for flagging these records in voter rosters so that identified voters who appear for voting are asked to update their registration information.

- The RR/CC needs to ensure that voting privileges are suspended timely in DIMS for individuals who the Department has confirmed are ineligible on their exception reports. We noted that seven exceptions from the alleged duplicate registrations discussed above were listed on the Department's exception reports, but the Department had not yet suspended the duplicate voters in DIMS.

  RR/CC's Response – The RR/CC's attached response indicates that manual review of the records is required to ensure that the most current data is maintained and that the voter's history is preserved upon merging the duplicate records. The Department also acknowledged the importance of completing this process in a timely manner in advance of any active election activity.

- The Department needs to continue to develop and expand internal queries used to identify duplicate voter registrations and other data irregularities, evaluate the queries that will be regularly reviewed in the future, run the reports as often as practical, and correct any discrepancies timely. While the Department corrected several of the exceptions identified prior to our review, we noted that they might have been corrected significantly sooner had the Department generated and reviewed their internal queries before August 2014 and performed their reviews more frequently.

  RR/CC's Response – The RR/CC's attached response indicates that the Department began extensive voter file analysis and clean-up beginning in June 2014 based on their own analysis to identify and correct duplicate records. The Department's response also indicates that the process is ongoing and they

continue to assess different and expanded queries to identify and correct potential duplicate records. In addition, the Department's response indicates that they are engaging third-party vendors to initiate proof-of-concept procedures for the development of high confidence data matching tools to further enhance data hygiene protocols.

Details of these and other findings and recommendations are included in Attachment I.

Review of Report

We discussed the results of our review with RR/CC management. The RR/CC's response (Attachment II) indicates general agreement with the majority of the findings and recommendations. The Department did not agree with our recommendation to 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. However, RR/CC management told us in multiple discussions that they believe that the State law is not in compliance with the federal law on the date of birth requirement, and did not indicate disagreement or a change in their position during the report clearance process.

In addition, the RR/CC's attached response indicates that they are pleased that the audit revealed that the Department already had specific, long standing voter file maintenance tools in place, and had recently developed tools to assist its investigation of possible duplicate voter records and other data anomalies. However, as noted in this report, several of the duplicate voter registrations identified during our review might have been corrected significantly sooner had the Department generated and reviewed their internal database queries before August 2014 and performed more frequent reviews since they had duplicate records for an average of over three years.

We thank RR/CC management and staff for their cooperation and assistance during our review. Please contact me if you have any questions, or your staff may contact Robert Smythe at (213) 253-0100.

JN:AB:RS:MP

Attachments

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

REGISTRAR-RECORDER/COUNTY CLERK
REVIEW OF ALLEGED DUPLICATE REGISTERED VOTER RECORDS

BACKGROUND AND SCOPE

The Registrar-Recorder/County Clerk (RR/CC or Department) manages over 4.8 million registered voter records within Los Angeles County (County). The RR/CC uses the Data Information Management System (DIMS or System) 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.

In November 2014, a media report was released that alleged that at least 442, and as many as 52,000, individuals were registered to vote more than once in Los Angeles County, and that there were over 1,900 instances where DIMS is missing the voter's date of birth. The media report also alleged other inaccuracies and incomplete voter information, but did not provide specifics. The media company did not respond to the County's requests for details.

We reproduced the media report's results and reviewed a sample of the alleged duplicate voter registrations and registrations with a missing date of birth. We also interviewed RR/CC management and staff and evaluated controls the RR/CC has in place to prevent and detect potential duplicate voter registrations and voting. In addition, we contacted three other counties (Orange, Riverside, and San Bernardino) to discuss their voter file maintenance processes/controls.

ALLEGED VOTER REGISTRATION INACCURACIES

The Department's Election Data Entry and Signature Verification Unit and Voter Records Research and Integrity Unit are responsible for adding, updating, and cancelling voter information retained within DIMS. Data from hardcopy registration forms (e.g., mailed, completed at RR/CC Headquarters, etc.) is entered into DIMS for both new registrations and registration changes. In addition, all registration forms completed online on the California Secretary of State website are uploaded into DIMS daily.

In October 2014, a media source requested, and the RR/CC provided, an election data file that included voter registration information (e.g., names, addresses, etc.) for all registered voters in the County as permitted by California Elections Code Section 2157.2. Using this file, the media identified and reported the alleged duplicate registrations, and registrations with a missing date of birth. While the media did not provide any additional details on the allegations, we obtained the same data file from the Department and reproduced the alleged results.

442 Alleged Duplicate Voter Registrations

As mentioned above, in November 2014 a media report alleged that at least 442 out of the 4.8 million registered voters were registered twice and could cast more than one ballot based on a matching of each voter's first name, last name, address, and date of birth.

We reviewed 50 of the alleged duplicate registrations from the October 2014 election data file and noted 45 (90%) individuals did in fact have two separate voter registrations in DIMS for an average of 35 months. Therefore, for each election, all of these individuals could have received two separate ballots with separate voter identification numbers. Specifically, of the 45 cases:

- 21 individuals could cast a ballot at the polls for both voter registrations;
- 15 individuals could cast a ballot at the polls for one registration and by mail for the other; and
- Nine individuals could cast a ballot by mail for both voter registrations.

As a result, these individuals have had the ability to cast two ballots for each election over a significant period of time.

During our review of the 45 cases, we noted that for three voters, the information in DIMS indicated that the individuals voted twice in one or more of the last three major elections (November 2012 Presidential, June 2014 Primary, and November 2014 General elections). DIMS indicated one of the individuals voted twice in two different elections. However, based on our review of the voter rosters, these individuals did not actually vote twice. We determined that the information in DIMS was inaccurate because RR/CC staff incorrectly entered voter information into DIMS. This issue is addressed in the Voter History Maintenance section below.

While the Department corrected 38 of the duplicate registrations (five before the November 4, 2014 election and 33 after the election), they had not corrected the remaining seven at the time of our review. In addition, all 45 individuals had duplicate registrations for an average of approximately three years. The Department needs to complete a review of all 442 potential duplicate registrations and make corrections as necessary.

52,000 Alleged Potential Duplicate Voter Registrations

The media report also identified over 52,000 additional registered voters who they indicated may have duplicate registrations based on a match of the individual's first name, last name, and address (the allegation above also matched date of birth).

We reviewed 50 of these potential duplicate voter registrations and noted eight (16%) individuals had two separate voter registration numbers in DIMS. Specifically, in four instances, the individual could cast a ballot at the polls for both voter registration numbers. In the other four instances, the individual could cast a ballot at the polls for one voter registration and by mail for the other. RR/CC management indicated that the removal of potential duplicates or ineligible individuals is a time and labor-intensive process. However, on average, these individuals had duplicate records for approximately four years.

Although we did not note any instances where these individuals had voted twice in the three prior major elections, the Department needs to complete a review of all 52,000 potential duplicate registrations and make corrections/take action as necessary.

RR/CC management indicated that they have already implemented some system enhancements to minimize duplicate voter registrations, and that any enhancements need to be carefully implemented in order to ensure that all eligible voters' rights are maintained. The Department also indicated that individuals may be prosecuted for casting more than one ballot in an election. While this is an important safeguard, based on the duplicate registrations identified above, the Department should 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.

Recommendations

Registrar-Recorder/County Clerk management:

1. **Complete a review of all the alleged 442 and potential 52,000 duplicate voter registrations and make corrections/take action as necessary.**

2. **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.**

Missing Date of Birth Information

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. In 1990, California Elections Code Section 2150 was amended and states that as part of the voter registration process, a voter must provide their "date of birth to establish that he or she will be at least 18 years of age on or before the date of the next election."

As of October 2014, over 1,900 individuals had an original registration date in DIMS after 1975, but did not include a date of birth. We reviewed 29 of the individuals who

registered after 1975 and identified errors/omissions with all 29 (100%) voter records. Specifically, we noted:

- 22 (75%) instances where the Department did not enter a valid date of birth in DIMS even though this information was required per the California Elections Code at the time of registration. In 12 of those instances, the voter registration form either did not include or included an invalid date of birth, but staff entered, and DIMS included, the registration form information on the voter file in error. For the remaining ten, the registration form did include a date of birth, but staff did not enter it.

- Seven (24%) instances where the date of birth was missing and the registration date in DIMS was after 1975, thus a date of birth appeared to be required. Department management indicated that when they converted from their prior election system (Los Angeles County Election System) to DIMS, the original registration date was either deleted or incorrectly recorded. Based on our review, the individuals' actual registration dates were prior to 1976 and therefore a date of birth was not in fact required. While the incorrect registration date did not result in improper registrations, this incorrectly states the information in DIMS and could impact voter eligibility.

Subsequent to the November 4, 2014 General Election, the Department started to generate and review reports identifying records in DIMS that do not include a date of birth, and corrected 12 of the errors identified above. However, as of October 2014, all 29 individual registrations we sampled had an incorrect birth or registration date for an average of more than 12 years.

We also reviewed voting records and noted that in 15 of the cases above where a date of birth was required, a person without a date of birth in the voter file voted in one or more of the last three major elections. The Department should continue to identify, periodically review, and update DIMS for all voter registrations submitted after 1975 that do not include a date of birth. The Department also needs to determine if any 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.

Based on our limited review, there may be system enhancements that could help prevent individuals without date of birth information from being registered. The Department should evaluate the cause(s) of date of birth issues identified and implement steps to prevent future occurrences.

RR/CC management indicated that since individuals sign voter registration affidavits under penalty of perjury that they will be 18 years or older by the next election, the date of birth is not required under federal law. As a result, the Department indicated that they do not agree that individuals must provide a date of birth to be eligible to vote as indicated in California Elections Code Section 2150 since federal law supersedes the State requirement.

However, we noted that the Department's general practice is to follow State law because they place individuals who do not provide a date of birth in a "fatally pending" status in DIMS where they do not receive sample ballots and/or vote by mail materials. RR/CC management should work with the federal government and California Secretary of State to determine whether the date of birth must be provided on the voter registration form for voter eligibility.

Recommendations

Registrar-Recorder/County Clerk management:

3. **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.**

4. **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.**

5. **Evaluate the cause(s) of date of birth issues identified and implement steps to prevent future occurrences.**

6. **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.**

VOTER FILE MONITORING

To help prevent errors, such as those noted in the Alleged Voter Registration Inaccuracies section above, the Department needs to ensure that appropriate monitoring controls are in place to identify and correct potential duplicate voter registrations, ineligible registered voters, and other irregularities.

The RR/CC receives several exception reports from outside agencies (e.g., a listing of deceased registered voters, California State Department of Motor Vehicles records, etc.), compares the reports to voter records, and updates DIMS. In addition, the RR/CC generates special internal queries from DIMS to ensure no duplicate entries or other irregularities (e.g., registered voters under 18 years of age) exist. RR/CC staff review the reports to determine the voters' eligibility, and update the voter files as needed.

Exception Report Adjustments

We noted that a contributing factor to a portion of the cases where an individual had two separate voter registrations noted above, is that the Department did not always update DIMS for necessary adjustments identified on exception reports.

For example, seven of the 45 exceptions noted from the alleged duplicate registrations discussed on page 2, were listed on the Department's exception reports, but the Department had not yet suspended the duplicate voters in DIMS.

We also reviewed a sample of 133 registered voters that RR/CC staff/managers or outside agencies identified as ineligible on their May to October 2014 exception reports, and noted that the Department did not update five (4%) records in DIMS. While the ineligible individuals did not vote in the November 2014 election, these ineligible individuals were able to receive ballots and cast votes.

As previous stated, RR/CC management indicated that the removal of potential duplicates or ineligible individuals is a time and labor-intensive process. However, to improve the accuracy of the voter file for each election, the Department should ensure that voting privileges are suspended timely in DIMS for individuals the Department has confirmed as ineligible for all prior and future exception reports.

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.**

Exception Reports Sign-Off

To ensure that staff review reports and update voter files, reports should be annotated, and signed and dated by staff and managers.

We reviewed 13 exception reports and noted that although all 13 reports had been reviewed and annotated, nine (69%) had not been signed and dated by staff and/or management. The Department needs to ensure exception reports are signed and dated by staff and management to document their review.

Recommendation

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

Internal Query Frequency/Purpose of Query

The Department began to generate and review internal DIMS database queries in August 2014 consistent with the timing of a media inquiry. Queries are methods of using computer analytics to identify potential data anomalies, such as duplicate voter records. Queries can provide an ongoing method of ensuring the accuracy of DIMS records. For the three months we reviewed (August through October 2014), the

Department generated two internal exception queries (one for last name/date of birth, and one for duplicate California Driver Licenses).

As mentioned, some of the exceptions noted in our review have existed for years, and several of the exceptions might have been corrected significantly sooner had the Department generated and reviewed internal database queries before August 2014 and performed their reviews more frequently.
We contacted Orange, Riverside, and San Bernardino counties to discuss their exception monitoring procedures/controls. All three counties told us that they generate multiple internal queries (first name/address/date of birth, California Driver License/last name/date of birth, etc.) on either a daily or weekly basis to maintain their voter files and identify potential duplicate records.

RR/CC management indicated that they are continuing to assess different queries to identify potential duplicate voter registrations, and have not determined the reports that they plan to implement moving forward. The Department also indicated that this process must be completed in a deliberative manner to ensure that individuals are not disenfranchised. RR/CC management should 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.

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.**

Voter History Maintenance

The RR/CC uses DIMS to track the voter history for each registered voter, and the System includes details such as whether an individual was eligible to vote, had voted at the polls or by mail, etc., for the specified election. Ballots are not linked to voter records and cannot be used to track voter history since each individual has the right to "cast a secret ballot" per California Elections Code Section 2300.

Each vote by mail envelope includes a unique electronic voter identification number that Departmental staff process through an automatic scanning system that updates DIMS to show each person who voted by mail. For each ballot issued at the polls, the individual is required to sign a "Roster of Voters" that includes the voter's name, address, and electronic identification number. After each election, RR/CC staff manually scan the electronic voter identification number next to each voter's signature. This scanning process updates DIMS to show that the person voted at the polls.

As mentioned above, during our review of alleged duplicate voter registrations, we noted instances where the information in DIMS indicated that the individuals voted twice in one of the three prior major elections. However, based on our review of the Roster of Voters, these individuals did not actually vote twice. We determined that the information in DIMS was inaccurate because RR/CC staff scanned the wrong voter identification number from the Roster of Voters.

As a result, DIMS contains inaccurate voter history information and the Department cannot always identify, follow up, and potentially remove/cancel ineligible registered voters. In addition, this may result in eligible registered voters receiving cancelation notices.

While RR/CC management indicated that they have several controls in place to ensure they accurately scan and upload signature information in DIMS, the errors noted above indicate that the Department should take additional action. RR/CC management should reinforce to staff the importance of accurately scanning and uploading the voter information from the Voter Roster into DIMS and monitor for compliance.

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.**

Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

February 5, 2015

TO: John Naimo
Auditor-Controller

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

Dean C. Logan

REVIEW OF ALLEGED DUPLICATE REGISTERED VOTER RECORDS
(Board Agenda Item 70-A, November 5, 2014) – RESPONSE TO DRAFT AUDIT FINDINGS

This responds to the Review of Alleged Duplicate Registered Voter Records conducted by your office and the associated recommendations contained in your audit report. We concur with the majority of the recommendations. Several mitigating actions have already been implemented to immediately and effectively address the recommendations and we have outlined additional corrective actions the Department will be taking.

As part of ongoing voter file maintenance, the Department has already performed extensive analysis to identify, manually review, and correct duplicate voter records. Between July and December of 2014, more than 40,000 flagged records were reviewed, resulting in approximately 21,000 corrections. Additionally, the Department, in conjunction with the efforts of its internal data-analytics team, is pursuing engagement with third-party vendors to develop and employ high confidence data matching tools to enhance our ability to identify and correct even the most complex of anomalies.

We are pleased that the audit's findings, in spite of the suggestion that these duplicate records allow for acts of voter fraud, identified no instance of any individual voting twice in a single election. It is important to note that intentionally voting twice or violating voter registration regulations is a crime punishable under state and federal law. Both at the time of registration and in the act of voting, voters sign an affidavit under penalty of perjury attesting to their eligibility and their compliance with voting laws. These provisions of election law operate in parallel with voter file list maintenance to ensure the integrity of the elections process.

While the Department is committed to and focused on minimizing the occurrence and effects of duplicate records, we are equally vigilant in applying the audit recommendations in a way that will not compromise our core mission to ensure that all citizens who have registered and wish to exercise their right to vote are afforded the opportunity to do so.

Identifying and confirming duplicate records is one of the more challenging processes of any list maintenance program. Los Angeles County's voter file includes numerous records from households that include members who have the same name, as well as records with common names and birth dates, but different addresses and state identification numbers. As demonstrated in the small sample included in this audit, it can be quite difficult to determine, with certainty, whether two records are associated with the same individual. Additionally, the community we serve is highly mobile and current registration processes necessitate an individual completing a new registration each time they have a change in residency. These dynamics make sustaining a hardened data set challenging.

The Department would like to reiterate the necessity for extensive deliberation in not only manually reviewing and correcting potential duplicate voter records, but also in determining the query parameters that would identify them. Our own investigation through mirroring the methodology of the initial media report and this subsequent audit, led to a significant percentage of "false positives" that can be directly attributed to inadequate matching criteria.

The County must maintain each voter record based on its association with an individual's right to vote; giving these records more significance than just points of data. Any criteria applied that would inactivate or remove a voter from the file must be based on clear, consistent and confirmable information to establish the highest level of confidence. Recent examples of data-match-based voter file purges in other states and jurisdictions have demonstrated that such attempts negatively impact the sense of fairness and equality that is critical to election integrity.

Please find attached our response to each of the recommendations contained in your report. Through this response, the Department seeks to reinforce our commitment to election integrity and to confirm our diligence in reviewing and improving the County's voter file.

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

DCL:DM

Attachment

LAvote.net | LArecorder.net

Attachment I

REGISTRAR-RECORDER/COUNTY CLERK
REVIEW OF ALLEGED DUPLICATE REGISTERED VOTER RECORDS
RESPONSE TO DRAFT AUDIT FINDINGS
FEBRUARY 5, 2015

442 Alleged Duplicate Voter Registrations & 52,000 Alleged Potential Duplicate Voter Registrations

Recommendations

Registrar-Recorder/County Clerk management:

1. **Complete a review of all the alleged 442 and potential 52,000 duplicate voter registrations and make corrections/take action as necessary.**

*RR/CC Response – **We agree. Our review and associated actions started prior to the audit and are ongoing.** As part of the Department's ongoing voter file maintenance which began before this audit, several voter duplicate analysis reports have been completed and manually reviewed. Confirmed duplicates were corrected. Our records indicate that more than 40,000 records have been reviewed and more than 21,000 corrections completed between July and December 2014 associated with internal queries and voter file maintenance activities undertaken by the Department.*

2. **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.**

*RR/CC Response – **We agree and are in compliance.** The bulk of duplicate registrations can be attributed to (1) "Petition Circulators" and "organizations" completing registrations on the voter's behalf and providing erroneous information on the registration form; (2) Voters registering multiple times with different information; and (3) Operators updating problematic voter registration information into the system. The Department has taken steps to mitigate the number of duplicate records on file by running a daily duplicate analysis report to identify and correct duplicate voter records in a timely manner; working with the vendor on system enhancements that will flag similar names; providing a refresher training to temporary staff responsible for entering information into DIMS; and conducting an annual workshop to educate circulators and groups conducting voter registration drives to ensure they are aware of the problems created when they submit registrations with erroneous information.*

The RR/CC was pleased that the audit revealed that the Department already had specific, long standing voter file maintenance tools in place and had recently developed tools to assist in its investigation of possible duplicate voter records and other data anomalies that traditional tools had not detected. The Department is also actively exploring new methods/tools that may result in more effective and efficient voter file maintenance.

The Department believes the review confirms that it must be extremely deliberative when examining voter records for anomalies since most cases are complex and could result in removal of eligible voters from active voting rolls if not done with due diligence. For example, many records that appeared to be duplicates in similar queries to the ones used for this audit instead identified voters who were twins or voters who provided different identifying information – such as different driver's license numbers or birthdates when they re-registered. Consequently, the Department continually voiced, during the course of the review, that its core mission is to ensure that citizens who seek to register and exercise the voting franchise are placed on voting rolls and afforded the opportunity to vote.

Missing Date of Birth Information

Recommendations

Registrar-Recorder/County Clerk management:

3. **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.**

*RR/CC Response – **We agree and are in compliance.** As part of the Department's ongoing voter file maintenance which began before this audit, voters who registered after 1975 and do not have a date of birth on file have been identified and are being reviewed and updated as needed. Additionally, the Department is reviewing options for flagging these records in voter rosters so that identified voters who appear to vote are asked to update their registration information.*

4. **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 appropriate.**

*RR/CC Response – **We agree.** The Department will comply where possible for voters who registered after 1975. As noted above, the Department is reviewing options for flagging these records in voter rosters so that identified voters who appear to vote are asked to update their registration information.*

5. **Evaluate the cause(s) of date of birth issues identified and implement steps to prevent future occurrences.**

*RR/CC Response – **We agree and are in compliance.** The Department identified this issue and brought it to the vendor's attention. After further investigation, the vendor attributed the problem to a system bug which has been corrected. In fact, this issue was tested during the audit by the auditors and the system flagged the registration and placed the test record in a fatal pending status.*

RR/CC management identified 26 voters in this sample who signed oaths required by the Help America Vote Act (a Federal Law) § 303(b)(4)(i) & (ii). Given the attestation by the voter required by Federal law, the RRCC would not disqualify these voters from their voting franchise due to any defect in the birthdate field.

It is important to note that Elections Code section 14312 and California Administrative Code section 20108.18 (c)(2) speak to construing election materials – including information on voter affidavits – in a manner that favors voter enfranchisement. In this regard, a signed oath on the voter affidavit attesting to voting age eligibility has been interpreted as sufficient to address isolated deficiencies in completion of the date of birth field on voter affidavits.

6. **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.**

*RR/CC Response – **We do not agree that any ambiguity exists in this regard.** The Department recognizes its obligation to comply with both federal and state laws. The records identified in the audit query either pre-date the specific legal requirement of a date of birth on the voter affidavit or pre-date a programming correction in DIMS to automatically flag those records. Because the records were carried forward from legacy data sets or as the result of administrative error, the Department does not believe we can purge these records from the active voter file.*

Consistent with the spirit of the recommendation, the Department recognizes the need to more actively work these records to obtain data of birth information and to update the voter file. Further, the Department will confer with County Counsel as to any legal authority to fatally pend those records where no response is received after a demonstrated attempt to contact the voters. The Department will complete these activities prior to the November 2015 Uniform District Elections and for all subsequent elections.

Exception Report Adjustments

Recommendation

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

*RR/CC Response – **We agree and are in compliance.** The Department notes that manual review of the records is required to ensure that the most current data is maintained and that the voter's history is preserved upon merging the duplicate records. Further, RR/CC acknowledges the importance of completing this process in a timely manner in advance of any active election activity.*

The Department believes the review confirms that it must be extremely deliberative when examining voter records for anomalies since most cases are complex and could result in removal of eligible voters from active voting rolls if not done with due diligence. For example, many records that appeared to be duplicates in similar queries to the ones used for this audit instead identified voters who were twins or voters who provided different identifying information – such as different driver's license numbers or birthdates when they re-registered. Consequently, the Department continually voiced, during the course of the review, that its core mission is to ensure that citizens who seek to register and exercise the voting franchise are placed on voting rolls and afforded the opportunity to vote.

Exception Reports Sign-Off

Recommendation

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

*RR/CC Response – **We agree and are in compliance.** Management has reiterated to staff that all exception reports reviewed and corrected by staff must be annotated and signed by both staff and supervisor to document their review. Quality review procedures have been implemented to ensure ongoing compliance.*

Internal Query Frequency

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.**

*RR/CC Response – **We agree.** As stated during the entrance conference and throughout the audit review period, the Department began extensive voter file analysis and clean up beginning in June 2014 based on our own analysis to identify and correct duplicate records. The Department also provided record of additional voter file maintenance activity and corrections that very likely included records identified in our audit query outside of the samples reviewed. These processes are ongoing as we continue to assess different and expanded queries to identify and correct potential duplicate records. The Department is also engaging third-party vendors to initiate proof-of-concept procedures for the development of high confidence data matching tools to further enhance data hygiene protocols.*

Voter History Maintenance

Recommendation

10. **RR/CC management reinforces to staff the importance of accurately scanning and uploading the voter information into the Data Information Management System and monitor for compliance.**

*RR/CC Response – **We agree and are in compliance.** The management team responsible for post-election Canvass operations, which includes the Roster Scanning and Reconciliation activities, is committed to the importance of accurate scanning and uploading of signature information. The workforce is always trained aggressively upon initiation of the canvass period and coached/monitored closely for the duration of the operation which for major elections lasts up to one month. This is accomplished through the following controls that are already in place:*

- *Explanation of purpose*
- *Review of procedures*
- *Emphasis of information in handouts*
- *Demonstration of work flow*
- *Group scanning exercises*
- *Monitoring of individual performance*
- *Reminders to ask questions*

Additional Efforts & Continuous Improvement

The County, through its legislative advocacy, and the Department, through its participation in national and statewide associations, is actively involved in promoting the completion of a more functional and robust statewide voter registration database. Latest indications from the Secretary of State set an implementation timeline for some time in 2016. We also continue to advocate for California's participation in interstate data exchanges to both improve voter list maintenance and to better identify eligible, unregistered citizens for outreach and education.

Pending those statewide enhancements, the Department is continuing its own efforts to enhance and expand voter file list maintenance and data hygiene protocols. These efforts include assignment of a dedicated data analytics team to monitor data quality and develop queries to identify and address anomalies; assignment of a work unit in the Voter Records and Vote by Mail Division to work exclusively on data review and quality control to increase timely identification and correction of duplicate or deficient records; and pursuing engagement with third-party vendors to develop and employ high confidence data matching tools to enhance our ability to identify and correct even the most complex of anomalies.