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Registrar-Recorder/County Clerk

Testimony to Little Hoover Commission

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Los Angeles County Registrar-Recorder/County Clerk

Good morning Chairman Nava and honorable members of the Commission. I am Dean Logan, Registrar-Recorder/County Clerk for the County of Los Angeles. We are excited that you are holding this hearing in Los Angeles County and we are appreciative of the opportunity to provide comments today on our efforts to improve and modernize the voting experience for Los Angeles County voters through our Voting Solutions for All People (VSAP) initiative.

Los Angeles County is the most populous voting jurisdiction in the nation with more than 5.2 million registered voters, a number which could increase to well over 6 million by 2020. The size, complexity and demographics of the County demand that we consistently work to improve the voting experience. Removing administrative barriers and obstacles that make it difficult for voters to participate in the voting process is one of our top priorities, so we truly appreciate the Commission's strong interest in seeking to understand and improve voter participation.

I also know that the Commission and many of us in this room continue to be concerned with the low voter turnout that we have seen in California. Unfortunately, this trend has been especially evident here in Los Angeles County [Appendix 1 – L.A. County vs California Turnout]. As we all continue looking for ways to address this negative trend,

one thing we do know is that when there are issues and candidates on the ballot that voters care deeply about and when they believe that their vote makes a difference they tend to show up regardless of place, time and location. We as election administrators do not have influence over what drives excitement about an election or the level of interest in the candidates that appear on the ballot. It is therefore important that we focus on where we do have influence, which is to remove the administrative challenges that get in the way of those voters who want to participate when they are met with those intrinsic values that get them excited about the voting process.

I understand that much of your May 2017 hearing focused on the potential impacts of recent electoral reforms that have been passed by the California Legislature, such as the Voter's Choice Act (VCA). As we have progressed with our VSAP development, we have also been following these reforms closely and have taken an active role in advocating for many of them; in some cases helping to draft the legislation. While the VCA has taken up a tremendous amount of focus recently, and rightfully so, there have been many other electoral reforms passed by the Legislature in recent years. I would like to highlight a couple of them that are expected to have a positive impact on voter participation in the coming years.

The first is the California Voter Participation Rights Act. Unfortunately, the lowest voter turnout that we often experience comes during local and municipal elections, which are typically conducted during the odd years [Appendix 2 – Los Angeles County Election Turnout]. While the importance of local elections is beyond debate, voter participation in these elections has not followed suit. This reform will help bolster turnout in these important elections by aligning them with Statewide election dates. Here in Los Angeles County, we have already seen a huge migration of local jurisdictions transitioning their election dates to June and/or November of the even years and requesting consolidation with the County. This transition will also allow the County to leverage resources with these jurisdictions on joint outreach and education campaigns. By November 2022, most local jurisdictions across the State should be consolidated onto the even year cycle, which could help tremendously in generating higher turnout in local elections.

While it is still yet to be implemented, the California New Motor Voter Act is another reform that could significantly increase the opportunities for California residents to participate in the elections process by streamlining and enhancing voter registration. In Los Angeles County alone there are still over one million eligible but unregistered citizens. In addition to adding more eligible citizens to the voter rolls, this new electronic process will also greatly benefit election administrators throughout the State who are currently tasked with the upkeep of voter files. The new system will mitigate multiple challenges associated with maintaining accurate voter information, including illegible handwriting, inaccurate voter information, operator error and data duplication. We anticipate that over time this could free up resources that are currently focused on manual registration processes, enabling reallocation of resources to improved voter file list integrity and voter outreach/education, which could lead to better voter turnout in upcoming elections.

In addition to these key reforms and others, we are continuing to move full speed ahead in our efforts to modernize and improve the voting experience here in Los Angeles County. Through our multi-year effort, we have intentionally been looking at this not solely as finding a solution to an equipment problem, but rather as a holistic process that seeks to improve the overall experience for Los Angeles County voters. From the beginning, we have focused on an experience that is relevant, familiar, flexible, and adaptable to voter behavior and not one that was limited to the elections regulatory framework at the time or reliant on the very limited commercial market and technology that have been available in the country to date.

This thorough examination and analysis of voter behavior has yielded tremendous insight into what voters want and expect from an interaction with a voting system [Appendix 3 – VSAP Research Report]. This kind of research was the foundation for our current path that seeks to ensure that voters have greater opportunities to participate by allowing for expanded options for voting in a manner that is convenient, accessible and secure. By taking this approach, we saw the benefit of a vote center model long before the development of the VCA.

The VCA, which advances the vote center model, is all about providing the greatest number of options to voters and giving them maximum flexibility to cast their ballot. It closely parallels the research and the information that we have heard in our outreach to voters as we have approached our modernization project in Los Angeles County. It is in alignment with the principles and the values that we prioritized, which is a relevant voting experience, an intuitive voting process, something that is adaptable and flexible, and over time can be improved as technology advances and voter behavior changes.

As you have heard, this model allows a voter to cast their ballot conveniently at any vote center across the County over an 11-day period instead of at one specific location on one day between the hours of 7 AM – 8 PM. Furthermore, it provides greater choice of voting sites allowing voters to cast a ballot at a familiar, convenient location that is part of their daily experience, removing polling place restrictions that can hinder a voter's ability to participate. While the VCA outlines minimum requirements for both vote centers and ballot drop-off locations, participating counties must work within their communities to customize and offer a voting experience responsive to their electorate. In many respects this will mean exceeding the floors identified in the bill.

This new model is not without its critics and a recent academic study further highlights some potential challenges associated with moving towards this model. It should be noted though that this research focused on the feedback of current voters to the new model; however, there was no engagement with those currently not participating in elections. Additionally, the voters that expressed a preference to the traditional polling place model were not asked if they would no longer participate in the electoral process. Finally, the study found that almost 1/3 of the voters surveyed preferred the new model.

My hope is that everyone remains focused on a key factor that is beyond debate. Our current election system is outdated and in dire need of modernization and improvement; from antiquated/inaccessible voting equipment, and manual/paper-based processes, to outdated/limited voting options. We cannot sit back any longer and do nothing when the existing voting experience is inadequate and inconvenient for the voter. The status quo

is unacceptable. Most of the current concerns and problems that are experienced by voters – along with the complexities of administration and the demands on poll workers – can be alleviated by a modernized voting experience that will be realized with the successful implementation of the VCA and VSAP, which is broader than just vote centers. The expansion of Vote by Mail (VBM), VBM drop-off locations, early voting, along with VSAP elements, like the Interactive Sample Ballot (ISB), when taken together create a voting experience that maximizes choice and convenience.

In addition to voting at a time and place that is convenient, voters also want an efficient voting process. One of the most significant complaints about our current election process is the use of provisional ballots. In November 2016 in Los Angeles County alone, over 400,000 voters had to use a provisional envelope when casting their ballot. While all of us understand the necessity of provisional voting and the high rate of validation, there is no doubt that this method of voting significantly diminishes the voting experience and could cause voters to pass on a future voting opportunity.

Under VCA, counties will utilize electronic pollbooks or other similar solutions to securely access and update voter registration data in real time. This solution will not only prevent voters from casting ballots multiple times during an election, but it will also allow for same day registration while virtually eliminating the need for provisional voting because registration issues can now be addressed on the spot while the voter is present at a vote center.

As I stated previously, while our voting modernization efforts preceded the passage of the VCA, they always planned for the vote center model, but they did not envision the universal-VBM component. The administration of an all-mailed ballot election in a jurisdiction as vast and complex as Los Angeles County, which currently has a VBM population of slightly over 30% of registered voters, has never been performed before anywhere in the country. We wanted to create a model that was driven by voter behavior, and there were serious concerns about mass VBM distribution to a voter base that was unfamiliar with the process. Additionally, the impact of such a dramatic change

would have resulted in increased upfront costs and resources associated with staffing, equipment and facilities.

With those concerns in mind, we worked closely with the bill's authors, legislative staff, and the Secretary of State to create an option that is responsive to the unique demographics, voting trends and administrative challenges in Los Angeles County. More importantly, we sought a solution that reflected voter behavior and preferences. These provisions contain higher vote center ratios and other elements to ensure that voters are not negatively impacted. The ratios proposed are based on good data from analysis of multiple jurisdictions that have had experience with vote centers. We believe that this will provide the County with the necessary time to plan operational and fiscal changes needed to transition successfully into a new, voter-responsive voting model.

Similar to the general anxiety of moving to the vote center model mentioned previously, there has also been some concern that the reduction in overall polling locations is a reduction in voting options for an individual voter. I believe very strongly that this is a false narrative. In reality, the VCA in conjunction with VSAP expands exponentially the options (date/time/location/equipment) for every individual voter [Appendix 4 – Modernizing the Voting Experience]. Mobile and pop-up vote center locations, which were sought by the County and are permitted under the law, will further enable the expansion of options that could address difficulties in communities facing the most significant barriers to access. In particular, the expansion of options and services for voters who need language assistance and voters with disabilities is unprecedented.

As a part of our VSAP implementation we will also be undertaking an extensive Vote Center Placement Analysis that will guide the siting and distribution of vote centers throughout the County. A significant component of this effort will be a geo-spatial analysis that will consider the following:

- Demographic data, including (but not limited to) income, ethnicity, language isolation, and access to transportation.

- Population density.
- Traffic data and patterns.
- Street connectivity, walkability and barriers to movement.
- Distribution of key hubs such as transportation centers, employment centers, shopping centers, downtowns, sports centers, entertainment, hospitals and major schools and institutions.
- Voter and consumer behavior, considering preferences such as completing errands near home vs. work, and on weekends vs. weekdays.

Data will not be the only factor in this process and we remain aware of the diverse communities that make up Los Angeles County, so we will stay true to our principle to prioritize our voters' needs. This will be done through numerous grassroots community meetings held throughout the County that seek to inform and educate the public as well as seek its input on the process.

In our ongoing effort to maximize the County's readiness for VCA and VSAP implementation, we will continue to engage our voters with disabilities and voters who need language assistance to ensure an effective rollout. We worked closely with both communities on the design of our new equipment, including multiple rounds of user testing at locations selected by our stakeholder partners. We fully anticipate that this level of collaboration will continue in order to achieve successful implementation.

Through our VSAP Advisory Committee, Language Accessibility Advisory Committee and Voting Accessibility Advisory Committee we hope to leverage our strong partnerships to engage with these specific communities as we prepare for this transformational change. It is vital that our voters understand the new process and that we provide accessible locations where all voters have the opportunity to vote an independent ballot with secrecy and dignity.

While we believe very strongly that this is the direction that the electorate is seeking, we do not assume that they will know or anticipate that this is coming. We know that a

robust education and outreach campaign will be necessary to ensure that the public is aware of and understands this transition. We are currently developing a strategy that will ensure that this critical component does not get overlooked or under resourced. It is important that we get this right. If we are going to make this type of fundamental change to the voting process across the State and here in Los Angeles County, we cannot afford to have missteps that will ultimately further degrade the participation in our elections.

We are working very aggressively to meet our implementation goals for VSAP. Our current plans are to fully rollout our new VBM experience along with a new tally system by June 2018. While very ambitious, we hope to follow this up with a small number of vote centers using our new Ballot Marking Devices during the early voting period in November 2018. As Los Angeles County is not permitted to implement VCA until 2020, these new elements will be in addition to our traditional election day polling place model, which will remain in place throughout the 2018 cycle. We utilize any elections in 2019 to continue to refine and pilot new equipment and processes prior to full implementation.

Our ultimate goal is to fully implement both VSAP and VCA in time for the Presidential Primary in 2020, which given current legislation could be as early as March 2020 but no later than June 2020. Finally, we hope that we can allow Los Angeles County voter behavior to guide how we proceed with elections leading up to and including the 2024 cycle. Using actual data on voter behavior from 2020 and with further analyses of ongoing issues like challenges with signature verification and concerns about the postal service, we hope to deliberate with our Board of Supervisors and the Legislature on the best path forward for Los Angeles County.

In closing, we continue to believe that within appropriate parameters, voters should be able to vote when, where and how they want. I'm optimistic and encouraged about where we are going and I believe that it will have the end results to help us increase voter participation. I do not think that any of these elements can do it alone but they can be an important part of the process and I look forward to the continued dialogue. I

believe we have the opportunity here to make a real difference for the voters in Los Angeles County and across California as a whole.

Thank you again for the opportunity to share our vision for Los Angeles County's new voting experience and I would be glad to answer any questions that you may have.