

May 25, 2017

Good morning Commissioners and attendees,

Thank you for the opportunity to testify today at the Little Hoover Commission's public hearing on voter participation.

My name is Gail Pellerin, and I am the elected County Clerk/Registrar of Voters from Santa Cruz County, California. I was appointed to this position in July 2004 after serving as the county's Elections Manager since 1993. I was elected to my third, 4-year term on June 3, 2014. I have more than 31 years of experience in public service: 7 years working for the State Legislature in Sacramento and 24 years serving as the primary elections official in Santa Cruz County. I have served on the State Voting Accessibility Advisory Committee since 2006. I have been a member of the Future of California Elections, a collaborative of voting rights groups and election officials, since its inception in 2011. I have also been a member of our California Association of Clerks and Election Officials since 1993, and served as its President from 2010-2012.

Election improvements

I applaud your focus on voter participation in California. Why people don't vote is a question that challenges me everyday. Since I started working on campaigns in 1988 and then for county elections in 1993, I have seen huge improvements to improve access to voter registration and voting, and efforts to improve the voter experience:

- The National Voter Registration Act in 1993
- Launch of Santa Cruz County's website www.votescount.com in 1999
- Expanded the vote-by-mail option to any voter for any reason in 2002
- Help America Vote Act in 2002
- Proposition 41 Voting Modernization Bond in 2004
- New voting system with scanners and touchscreens compliant with HAVA and accessible for persons with disabilities deployed in Santa Cruz County in 2006
- Online voter registration in 2012
- Vote-by-Mail postmark+3 in 2015
- Vote-by-Mail signature cure in 2016
- Vote Cal in 2016
- Online voter lookup tools on the Secretary of State's website in 2016
- Online pre-registration of 16 & 17-year olds in 2017
- Conditional same-day registration in 2017

Two significant new laws that will dramatically change the future of voter registration and the voting model for California are:

- California's new motor voter law that provides for automated voter registration through DMV. I understand that the DMV was recently sued by ACLU to fully comply with the federal motor voter law and there continues to be concerns about DMV's implementation of the California law.
- Voter's Choice Act that will be piloted in a few counties in 2018 that will implement the vote center model where all voters will be mailed a ballot and vote centers and drop boxes will be established in the county to serve voters.

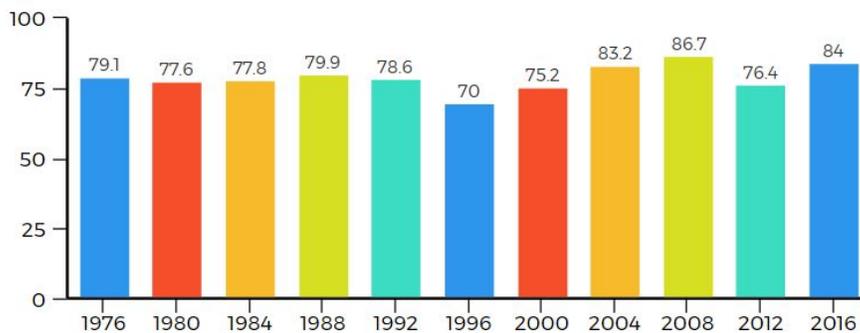
I remember in 2014 feeling very energized by many of these improvements in our elections processes, and the outstanding work produced by the Future of California Elections such as toolkits to promote voting by mail and online voter registration as well as a number of improvements in language and disability access, and my project with the Center for Civic Design to redesign our county Voter Information Guide to make it more usable and understandable, and yet – turnout was a record low number. Especially for young voters – a person age 18-19 was more likely to be arrested in 2014 than vote.

Clearly, there are other factors that impact voter turnout.

Voter turnout in Santa Cruz County

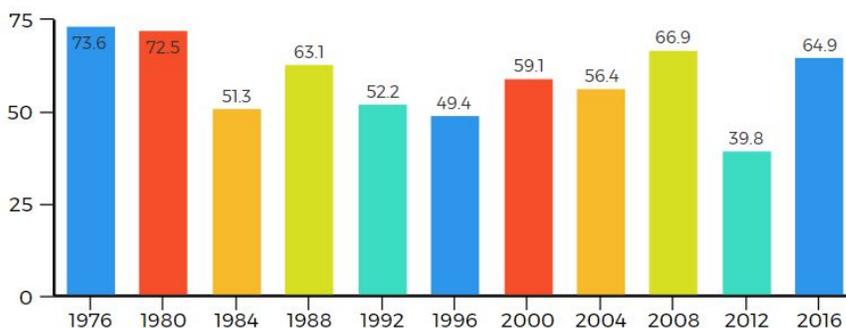
Looking at turnout in Santa Cruz County for November Presidential General Elections since 1976, our lowest turnout was in 1996 with 70% (Clinton vs. Dole) and our highest turnout was in 2008 with 86.7% (Obama vs. McCain).

November Presidential Election Turnout



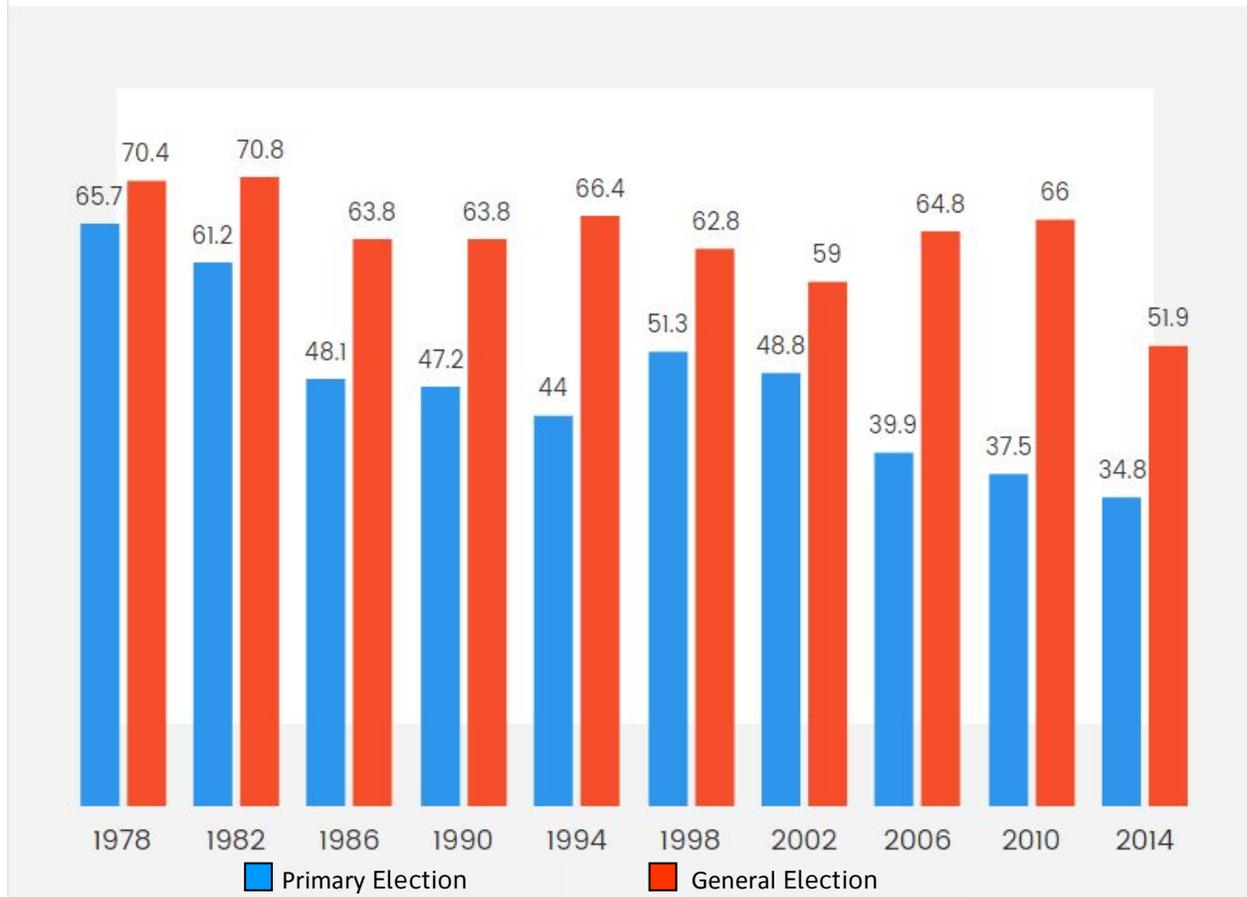
Presidential Primary Elections are a different story. Turnout was highest in 1976. The California Primary was moved to March in 2000 and 2004, and it was bifurcated in 2008 with the Presidential Primary held in February and the Direct Primary with all other offices was held in June. Turnout in February 2008 was 66.9%; however, turnout dropped to 39.2% for the Direct Primary in June.

Presidential Primary Election Turnout



Turnout in Gubernatorial election years is lower than Presidential election years. Turnout in Santa Cruz County was highest in 1982. In 2014, Santa Cruz County, like the State of California, had a record low turnout for elections held that year. For the most part, our turnout in gubernatorial general elections is in the 60% range and primaries are below 50%. If that were a grade on a test, we would be failing.

Turnout in Gubernatorial Elections



Vote by mail numbers growing

In June 2008, more voters in Santa Cruz County voted by mail than voted at the polls. In November 2008, more went to the polls, but that was the last time poll voters outnumbered vote-by-mail voters. Every election since November 2008, more voters have voted by mail than voted at the polls.

In November 2012, more than half of our registered voters chose to vote by mail and that trend has continued ever since. As of today, we have 156,528 voters registered to vote in Santa Cruz

County, and 88,290 have signed up to be permanent vote-by-mail voters. We had a record number of vote-by-mail voters in November 2016: 83,021.

The number of voters opting to vote by mail in Santa Cruz County has grown over the years, especially since the law was changed in 2002 to allow any voter to sign up to be a permanent vote-by-mail voter.

Vote-by-Mail Stats for Santa Cruz County									
Election	Issued		Returned		Final Election Results				
	Reg	% VBM	Cast VBM	% Ret VBM	Polling Place Voters	Total Voters	% Voting at Polls	% Voting by VBM	Percent Turnout
Nov-16	157,204	67.72%	83,021	77.98%	49,144	132,165	37.18%	62.82%	84.07%
Jun-16	146,193	60.05%	57,357	65.33%	37,571	94,928	39.58%	60.42%	64.93%
Nov-14	142,405	52.94%	43,744	58.02%	30,296	74,040	40.92%	59.08%	51.99%
Jun-14	141,107	50.99%	31,153	43.30%	16,546	49,143	33.67%	63.39%	34.83%
Nov-12	158,641	50.94%	64,372	79.65%	56,951	121,323	46.94%	53.06%	76.48%
Jun-12	146,936	44.04%	34,855	53.87%	23,671	58,526	40.45%	59.55%	39.83%
Nov-10	148,500	46.19%	50,401	73.49%	47,636	98,037	48.59%	51.41%	66.02%
Jun-10	146,821	40.71%	31,037	51.92%	24,047	55,084	43.66%	56.34%	37.52%
Nov-08	148,361	46.35%	60,502	87.99%	68,053	128,555	52.94%	47.06%	86.65%
Jun-08	139,827	36.40%	29,519	57.99%	25,329	54,848	46.18%	53.82%	39.23%
Feb-08	136,144	38.34%	38,433	73.63%	52,700	91,133	57.83%	42.17%	66.94%
Nov-06	142,428	38.98%	42,047	75.74%	50,189	92,236	54.41%	45.59%	64.76%
Jun-06	142,525	31.24%	26,422	59.35%	30,449	56,871	53.54%	46.46%	39.90%
Nov-04	148,185	36.01%	46,993	88.07%	76,282	123,275	61.88%	38.12%	83.19%
Mar-04	132,307	25.32%	25,950	77.45%	48,721	74,671	65.25%	34.75%	56.44%
Nov-02	135,553	24.87%	26,428	78.38%	53,595	80,023	66.97%	33.03%	59.03%
Mar-02	127,582	17.47%	16,025	71.90%	46,292	62,317	74.28%	25.72%	48.84%

There is no perfect election

Since elections are conducted and exercised by humans, they are not perfect. And, I do have concerns with our current vote-by-mail system in California:

- Comparing the voter’s signature on the envelope to the signature on record poses problems when voters’ signatures have changed or their signature entered at DMV does not reflect how they really sign.
- Mail delivery takes longer. It used to take 3-5 days for mail to be delivered. Now it could take as long as 7 days and in some cases it has taken 10 days. That impacts ballots being mailed to the voter and voters who mail the ballot back. Even with the new law that allows ballots postmarked on or before Election Day and received by the 3rd day following the election to be added to the count, ballots still are returned too late.

- Ballots mailed to several voters residing in one household can be mixed up and voters sign the wrong envelope requiring us to match up ballot envelopes signed by a completely different voter.

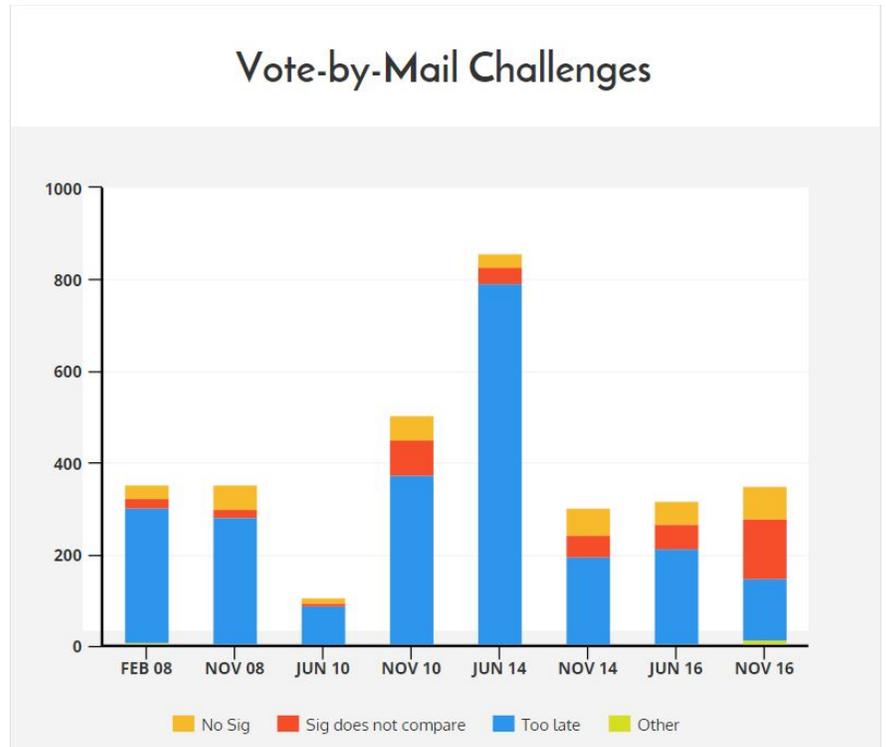
The top three reasons why vote-by-mail ballots are challenged are:

1. Ballot is received too late
2. Signature does not compare
3. No signature is on the envelope

Despite improvements to our vote-by-mail system such as the postmark +3 law, the addition of 24/7 drop boxes placed around the county for easy return of ballots, pre-paid postage on ballot envelopes in Santa Cruz County, and the law allowing voters to cure a missing signature up to 8 days following the election, too many vote-by-mail ballots are challenged.

In Santa Cruz County we attempt to contact the voter by phone, by email, on Facebook, through internet searches, and by mail to try to resolve signature challenges.

The worst year of challenges was in June 2014. We send people to the post offices in Santa Cruz and San Jose to pick up any vote-by-mail ballots at 8pm on Election Night, but in June 2014 there were just a few ballots available for pick up on Election Night in San Jose. The next day we received trays of mail that had to be challenged because they were received too late. The postmark +3 bill did not go into law until 2015 - one year too late for our June 2014 voters.



Voter's Choice Act

Santa Cruz County was not one of the counties who volunteered to be one of the 14 counties in SB 450 who are eligible to implement the vote center model in 2018. While I do believe all mail ballot elections with vote centers is in the future for Santa Cruz County, there are several issues that need to be resolved before we can implement this model:

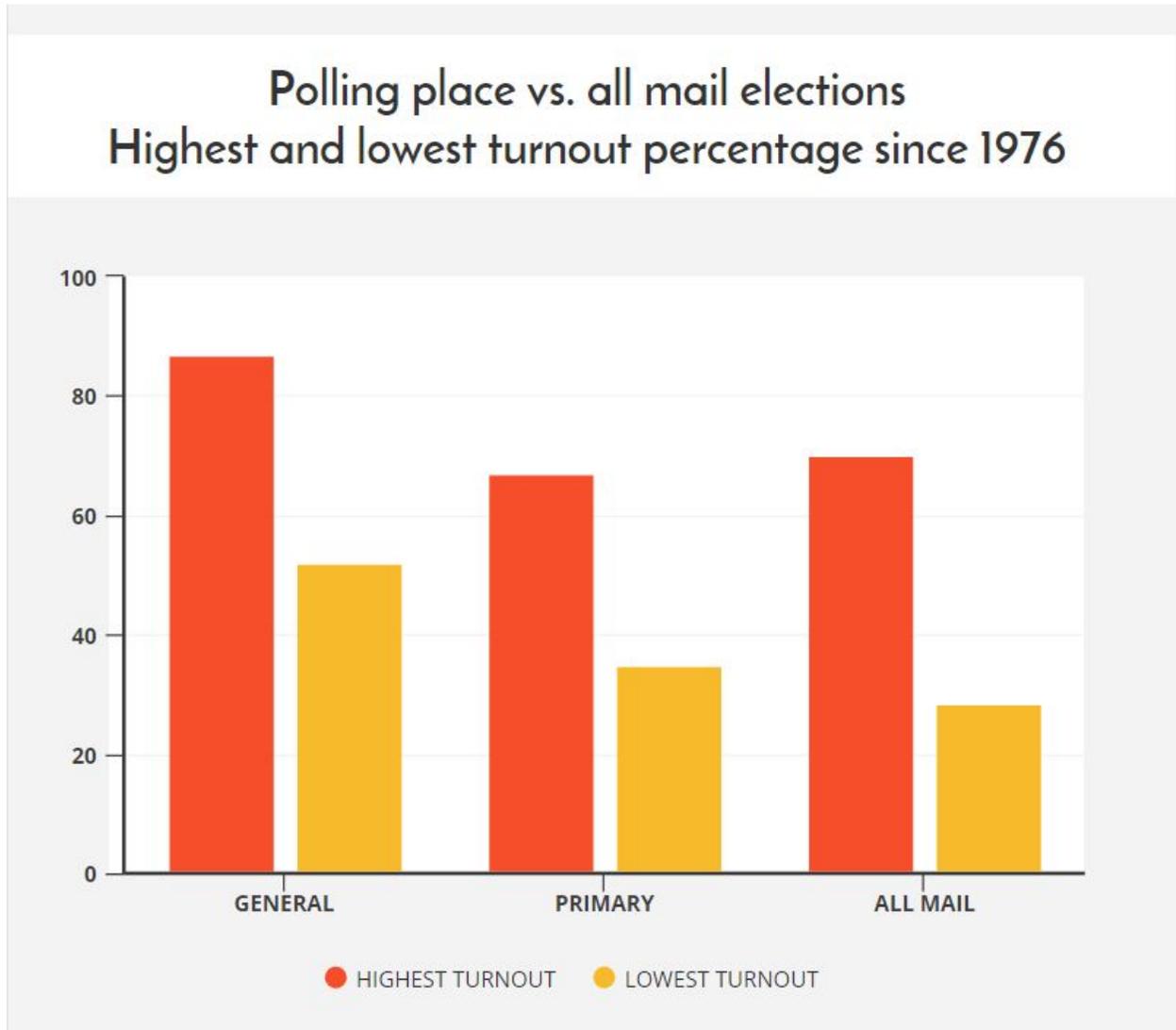
1. Funding - we would need to purchase or lease a new voting system to implement the vote center model, and we do not have the funds. I support legislation to provide funding to counties to purchase or lease new voting systems and systems like portable ballot on demand units. However, even if I had a bag full of money

- today and I went to the voting system store, there are only two systems available. I would certainly like my voters to consider more than two voting system options before buying a new voting system.
2. Remote accessible vote-by-mail ballot – the law requires a remote accessible vote-by-mail ballot for voters with disabilities to vote independently and privately in their homes. There is no system currently certified to provide this option to voters with disabilities. However, I am hopeful one will be certified soon.
 3. Connectivity – we would need to have a real time connection with our election information management system in order to implement vote centers. We currently operate a vote center in Watsonville to serve our voters in south County for the 29 days before an election. We often have issues with maintaining a connection. While we can manage that with one center, in a vote center model, we would need to ensure connectivity at 15 or more vote centers. Being a rural county where we don't even have cell phone coverage everywhere, we will need to find reliable internet connections at all of the voting sites.
 4. Voter Education – one of the most important aspects of implementing a vote center model is to do extensive voter outreach and education. To do a thorough job, we would need to hire an additional staff person or consultant, and we currently do not have funds for this purpose.
 5. Security – voting equipment and ballot paper would need to be secured at each vote center. We need to devise a failsafe system to ensure the integrity and security of the voting system and ballot paper.
 6. Accessible facilities – we need to identify a sufficient number of facilities in Santa Cruz County that would allow us to be present for the 10 days necessary to operate vote centers, and these facilities need to meet the requirements of ADA and Title 24. We are currently researching which facilities meet the requirements and would be able to commit to our consecutive multi-day usage.
 7. Staffing – we are exploring staffing options. Ideally, we would have some consistency in who staffs and operates each vote center.
 8. Ballot drop box regulations – we currently have six ballot drop boxes set up throughout the county where voters can drop off their vote-by-mail ballot 24/7 up until 8pm Election Day. We are awaiting adoption of Secretary of State regulations governing those drop boxes to ensure that we can continue to utilize them in our county. If, for example, a video security surveillance system needs to be installed at each drop box, we will need to evaluate cost and our ability to provide the drop box option for our voters.

To answer the question, “Will the Vote Center model increase turnout?,” I took a look at the highest and lowest turnouts for Generals, Primaries, and All Mail Ballot elections since 1976. I found that the highest turnout for All Mail Ballot elections is a bit higher than Primaries with polling places, but the lowest turnout was less than a Primary. Of course, our mail ballot elections were special elections held for a city, school, or special district, so the ballot excitement quotient probably impacted the turnout. Also, to be fair, we did have 100% turnout

in four All Mail Ballot elections that I did not include as the number of voters in each of those respective elections was 18, 11, 8 and 2!

Indeed, in General and Primary elections the turnout among voters who are mailed a ballot is greater than the turnout of voters who go to the polls. So, I would expect turnout to increase under the vote center model.



How to improve voter participation

We certainly need to do more to improve access to elections and make the process more understandable. Using plain language and infographics in election materials is imperative to improve communications with voters. We also need to remove barriers to registration and voting for persons with disabilities and those who speak other languages. Research shows that voter participation among voters with disabilities and language minorities are lower than average.

In Santa Cruz County we will continue our work with the Center for Civic Design, California Voter Foundation, League of Women Voters, ACLU, Disability Rights California, CalPIRG, Common Cause, Asian Americans Advancing Justice, NALEO, MALDEF, Verified Voting, Rock the Vote, California Forward, our California Association of Clerks and Election Officials, and local community groups and voters to continuously improve our processes to enhance the voter experience.

While efforts to improve the process are essential, I think people vote in elections when they feel a connection or want to be part of something exciting. Most people get motivated to vote in Presidential elections. I believe that is because the topic of the presidential election takes over all media and everyday conversations. Excitement builds up, debates heat up, and voters turn out in high numbers. However, I believe the local and state elections have a greater impact on a person's day to day life. Unfortunately, these local elections are not as exciting or talked about as much and voter apathy sets in.

I support a renewed effort to bring more civic education into our schools to inspire a sense of responsibility and duty in our young people so they are active voters when they are eligible. I would also like to see businesses, sports teams, and celebrities embrace the act of registering and voting in all elections – not just the presidential. I get discouraged when I hear the media talking about low voter turnout. I would rather they focus on why it is important to vote and encourage voters to make their voices heard. Social media also plays a huge roll. The day that Facebook posted an alert to register to vote, our online voter registration numbers exploded.

Finally, I think it's important for each of us to take responsibility for spreading the importance of voting. We need to talk about it with our friends and family, at our schools, religious institutions, community groups, and neighborhoods. If someone moves into your neighborhood, remind them to update their registration. When an election is going on, ask people if they have registered and voted. All of us can make an effort to promote the vote!

Thank you for your time and thank you for taking on this very important issue of voter participation. I look forward to seeing the results of your study and hope we find some innovative ideas to increase voter turnout and registration.