

Testimony to the Little Hoover Commission provided by James Schwab on behalf of Secretary of State Alex Padilla

In 2016, California experienced surges in voter registration and participation. Over 19.4 million citizens were registered to vote, the highest rate in twenty years. Over 14.6 million Californians cast a ballot—nearly 1 million more than the record turnout year of 2008.

These are numbers to celebrate, yet we still have work to do. Registration hit a record high, yet 5.4 million California citizens are still not registered to vote. Voters cast the most ballots ever in the history of California, yet 10 million eligible voters did not vote. We still have much work today to maximize citizens' participation in our elections.

To ensure the fullest voter participation possible in this year's election, the Secretary of State has several initiatives I would like to highlight.

In 2016, we partnered with The Pew Charitable Trusts and their Voting Information Project (VIP) which will utilize tools and existing partnerships to better expand the reach of voter information. Using county polling place and ballot information we are able to submit official information from counties directly to VIP for use in tools like the embeddable polling place look up, iOS and Android mobile applications, and a texting service that can respond with your polling location by a text.

One of the challenges raised with reaching California voters, particularly the youth vote, is to educate voters on deadlines, requirements and options for casting a ballot. Our office needs modernized tools like those offered by VIP to meet the voters where they already are, on their smart phones. Providing the official county information to VIP and utilizing the information in multiple formats allows for a broader reach to increase the availability of election information. VIP will expand the reach of state and local election information by using the preferred communication platform of young voters.

Building upon our success with VIP, we developed our agency's first ever smart phone app, "Vote California" available for both android and Apple phones. The application allows votes to register to vote, look up the status of their voter registration, find their polling place and access our "Quick Guide to Props".

Our Democracy at Work program is a partnership between our office and California employers. Businesses, government agencies, and nonprofit groups partner with our office to increase participation by reaching out to employees, customers, or members to encourage them to register and vote as well as distribute voting information. Participating employers are provided with nonpartisan outreach tools, featured on the Democracy at Work website, and have the opportunity to join in special public events. For example, the Los Angeles County Metropolitan Transportation Authority has agreed to provide free advertising space at the transit stops, buses and trains to promote voting information to their customers. Other partners include

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NBCUniversal, AltaMed, Starbucks, Jack-In-The-Box, Los Angeles Public Library, Golden State Warriors, San Diego Padres and many others.

Every two years our office partners with the California Department of Education (CDE) to conduct a statewide Student Mock Election. Supply kits are provided to teachers approximately 30-45 days prior to Mock Election Day so they can include the program in their lesson plans. We encourage teachers to have their students participate on the designated Mock Election Day, but we allow teachers to incorporate the Mock Election into their lesson plans any time prior to the scheduled date. Providing materials in advance allows them the flexibility to report at their convenience, as long as results are provided by Mock Election Day. Students cast mock votes for real contests such as President/Vice President, US Senate, and state propositions. The Student Mock Election is geared towards middle school and high school aged students; however, we accept any and all student participation. For our October 2016 Mock Election, 1003 schools representing 598,507 students registered for the program

California law requires our office to ensure that every college student receives a meaningful opportunity to register to vote. Accordingly, we have established The California Students Vote Project; a public-private effort led by the California Secretary of State's office in partnership with the California Lieutenant Governor's office, and three nonprofit organizations; CalPIRG, California Common Cause, and Asian Americans Advancing Justice – Asian Law Caucus.

The California Students Vote Project is advocating for the implementation of student voter registration best practices at all of California's public colleges and universities. These include: asking students during optimal time periods or via their student portals to register to vote, sending all-campus emails and notifications about the importance of voting before voter registration deadlines and elections, signing an MOU that outlines best practices for voter registration efforts, and implementing said practices for on-the-ground voter registration efforts. In 2016, 113 community colleges, 23 California State University campuses, and 9 University of California campuses participated in the program.

California is home to the largest number of newly naturalized citizens in the country every year. Through attending these ceremonies, the goal is to provide each new citizen, as well as others in attendance, the opportunity to register to vote once they are naturalized. As these ceremonies directly serve persons of diverse ethnic and racial backgrounds, this program plays an important role in reaching minority voters. As the rate of naturalized citizens is increasing every year, and the majority of those new citizens are residents of California, it is important to reach these voting-eligible communities and assure that minority groups are registered to vote and can have fair representation in our state. Our office works collaboratively with local county registrar of voters and the United States Citizenship and Immigration Services (USCIS) field offices to offer voter registration to all newly naturalized citizens. Currently, all counties that have a USCIS field office presence are participating in naturalization ceremonies in their area. County staff works together with our staff to engage new citizens at the naturalization ceremonies with voter

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registration applications. In 2016, Secretary of Padilla spoke to 12,747 new citizens and their family and friends and ceremonies in Fresno, Keen, Oakland, Point Reyes National Seashore, Sacramento, San Diego, and Yosemite.

Last year, we established the “Honor Veterans. Vote.” program which provides California citizens the opportunity to pay tribute and dedicate their vote to a veteran or active duty service member. By submitting a dedication via our website, a person can choose to receive a certificate or a lapel pin to proudly display appreciation for their honored veteran or active duty service member. The person can also choose to have an email notification sent to the veteran or active service member they are honoring, notifying them of their tribute.

I also want to take this opportunity to bring to your attention legislative efforts the Secretary has sponsored to increase voter registration and voter participation in future elections.

In 2015, we sponsored the “California New Motor Act” to automatically register all eligible citizens when they apply for or renew their driver’s license or state identification card at the Department of Motor Vehicles. Citizens would also have the opportunity to provide political party preference, provide language preference and opt-out of registration. Governor Brown signed the Act and it is scheduled to take effect in the summer of 2018. In 2016, Oregon became first state to launch automatic voter registration. Over 230,000 voters have been added to the voter rolls under the program, representing nearly 10% of their total registered voters. The number of monthly voter registrations tripled in Oregon.

In 2016, we sponsored “The California Voters’ Choice Act” to provide more options for where, when and how a voter may cast a ballot. Under the proposed Act, every registered voter receives a ballot 28 days before election. The voter then has the option of mailing the ballot, dropping it off a various ballot drop-boxes throughout their county, or dropping it off at a vote center. Vote Centers will be open at least 10 days before Election Day and will allow a voter to return their ballot, vote in-person, use accessible voting machines, access translation services, and utilize same day voter registration. The Act brings together proven best practices for increasing voter participation. Fourteen counties are allowed to adopt the model in 2018 and every county by 2020. The Act was signed by Governor Brown and we are currently in the midst of implementation.

Our office has formed a working group with the fourteen counties allowed to adopt the new model in 2018; Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne. Three of the counties, Shasta, Sierra, and Santa Clara have decided not to adopt the model in 2018. The remaining counties are working through the logistics, technology needs, budget, and local questions to find a way to adopt the model. While there is no statutory deadline for deciding to adopt we have suggested to the counties that they decide by August 1, 2017. Some of the challenges facing counties are the need for new voting equipment and budget constraints.

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Our office has also established a task force as required by law. The task force members represent civil rights groups, community advocates, researchers, and other county election officials. Specifically, here are the organizations represented on our task force; Los Angeles County Registrar of Voters, Future of California Elections, Assembly Committee on Elections and Redistricting, State Senate Committee on Elections and Constitutional Amendments, National Association of Latino Elected and Appointed Officials, Asian Americans Advancing Justice – California, American Civil Liberties Union, League of Women Voters, California Public Interest Resource Group, Common Cause, Disability Rights California, Center for Collaborative Policy, University of California at Davis, Bipartisan Policy Center, California Labor Federation, California Chamber of Commerce, Santa Barbara County Registrar of Voters, San Diego County Registrar of Voters, Shasta County Registrar of Voters, Yolo County Registrar of Voters.

The task force will be a forum to discuss best practices, educational materials, strategies for public education, development of metrics to analyze election participation, and other topics necessary to successful implementation of the Act.

This year we are sponsoring Assembly Bill 668, “The California Voting Modernization Bond Act of 2018” which would place a bond measure on the June 2018 ballot for voter approval to appropriate \$450 million to replace aging voting systems in all of California’s 58 counties.

A threat to California elections is on the horizon. California voting equipment is near its life expectancy. Our due diligence in upkeep of these aging systems helped prevent risk in the 2016 elections, but California must modernize our voting equipment for future elections. I clearly remember the 2000 presidential election that concluded with the United States Supreme Court settling the Bush v. Gore legal battle. Many believe the aging voting systems in Florida were responsible for the crisis. In response, Congress acted in a bipartisan manner to pass the Help America Vote Act that provided funding to modernize voting systems in all 50 states. That was more than 13 years ago, and we are back where we started with aging voting systems that may fail.

California counties alone cannot bear the financial burden of purchasing the new systems. They need state help. Our current voting systems were designed and engineered in the 1990s. We would not settle for 20-year old technology and reliability in our cell phones and computers; our voting systems should be no different.

The President’s Commission on Election Administration issued a report three years ago that included this passage: “Perhaps the most dire warning the Commission heard in its investigation concerned the impending crisis in voting technology. Well-known to election administrators, if not the public at large, this impending crisis arises from the widespread wearing out of voting machines purchased a decade ago ...”

In September of 2015, New York University’s Brennan Center for Justice also issued a report, “America’s Voting Machines at Risk.” It raised concerns including the failure of equipment to

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work as intended and the difficulty of finding replacement parts for machines that are no longer manufactured. The Brennan Center report points out that many voting systems rely on software that is out of date, making it impossible to find hardware that is compatible with the antiquated operating systems.

New equipment is an undeniable priority; elections are a government responsibility that must be funded. Their integrity is fundamental to our democratic form of government.

Thank you for the opportunity to discuss the Secretary of State's initiatives to increase citizens' participation in our elections.

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