



December 23, 2015

State Senator Ben Allen, Chairman
Senate Elections and Constitutional Amendments Committee
State Capitol, Room 2203
Sacramento, CA 95814

RE: SB 450 - Requested Amendments

Dear Senator Allen:

The California Voter Foundation (CVF) has been closely monitoring your bill, SB 450, which if enacted will allow counties to opt in to a new voting process where every registered voter is mailed a ballot and polling places are eliminated and replaced with a combination of ballot drop-off locations and voting centers that, while less numerous, could be utilized by any voter in the county over a multiple-day period. We believe this proposal has merit but are concerned that it may exacerbate California's already high mail ballot rejection rate, one of the highest in the nation.

The Secretary of State has reported that in June 2014, 2.9 percent of mail ballots cast were rejected. While the November 2014 percentage was lower, at 1.9 percent, that is still very high, especially considering this is the rejection rate being experienced by California voters who *choose* to vote by mail.¹

A statewide study conducted by the California Civic Engagement Project (CCEP) found that late returns, missing signatures, and signatures not matching are the top three reasons why some mail ballots cast are rejected.² CCEP also found that while younger and non-English speaking Californians were the least likely to vote by mail, their ballots were the most likely to be rejected due to late arrival or signature problems.³

We are concerned that when counties opt in to the SB 450 model, the vote-by-mail ballot rejection rate will climb even higher, particularly among those portions of the California electorate already underrepresented among the voting public. Through our research and experience we have found that counties have varying practices and instructions when it comes to the vote-by-mail process, which adds to voter confusion and uncertainty about whether their ballots are successfully cast and counted.⁴

¹ See the Secretary of State's Excel spreadsheet for data on total number of mail ballots cast and rejected, 2003-2014, <http://elections.cdn.sos.ca.gov/vote-by-mail/vbm-2003-2014.xls>.

² See "California's Uncounted Vote-by-Mail Ballots: Identifying Variations in County Processing," September 2014, <http://regionalchange.ucdavis.edu/ourwork/UCDavisVotebyMailBrief2.pdf>.

³ See "Disparities in California's Uncounted Vote-by-Mail Ballots: Youth, Language Preference and Military Status," October 2014, <http://regionalchange.ucdavis.edu/ourwork/projects/ccep/UCDavisVotebyMailBrief3.pdf>.

⁴ See "Improving California's Vote-by-Mail Process: A Three-County Study," August 2014, <http://www.calvoter.org/votebymail>.

This past year, CVF helped draft and supported two bills to improve California's vote-by-mail process:

- SB 365/Pavley establishes the right of counties to offer ballot drop-off locations and requires the Secretary of State to create regulations that establish best practices for the use of vote-by-mail ballot drop-off locations, including chain of custody, pick-up times, proper labeling, and security of the boxes.
- AB 477/Mullin allows voters who forget to sign their mail ballot envelope to send their signature in separately from the ballot and envelope and "cure" their ballot so that it can be counted, up to eight days after the election.

While these bills could potentially help reduce California's mail ballot rejection rate, they are both voluntary in that counties are not obligated to contact voters in the first place if they fail to sign their ballot envelope, and counties are not required to adhere to the best practices regulations to be established per SB 365.

In order to ensure ballot security and acceptance for voters living in counties that opt in to the SB 450 model, CVF respectfully recommends you consider improving your bill by amending it to require counties that opt in do the following:

- 1) Adhere the Secretary of State's best practices regulations for ballot drop-off locations;
- 2) Conduct outreach to voters with missing ballot envelope signatures and notify voters whose signatures are challenged in order to maximize the number of problem ballots that can be cured and counted; and
- 3) Provide post-election ballot rejection rate data to the Secretary of State by demographic characteristics including age and language.

We are happy to provide additional information or answer any questions you may have and appreciate your consideration of these amendments.

Sincerely,



Kim Alexander
President

cc: Darren Chesin, Senior Consultant, Senate Elections and Constitutional Amendments
Committee
James Schwab, Legislative Director, California Secretary of State Alex Padilla