

July 25, 2002

Honorable Judge Rodney S. Melville  
Presiding Judge of the Superior Court  
Santa Barbara, Ca. 93102

Dear Judge Melville,

Attached is our response to the 2001-2002 Grand Jury's Final Report on Voter Registration.

We appreciate the opportunity to respond to the Grand Jury's findings on Voter Registration and other associated programs in the Elections Division. We wish to thank those members of the Grand Jury who worked on this review for their professionalism, dedication and interest in the elections process. They were thorough, knowledgeable, and respectful; and made a credible assessment of the voter registration process in Santa Barbara County.

Please express our appreciation for the time and effort this Grand Jury put into conducting this observation. If you or your Grand Jury members have any questions, please contact me or Bob Smith, the Elections Division Manager at 568-2204.

Respectfully submitted,

Kenneth A. Pettit  
Clerk-Recorder-Assessor &  
Registrar of Voters

Attachment

Cc: Chairperson, 2001-2002 Grand Jury  
Honorable Board of Supervisors (5)  
Clerk of the Superior Court  
County Administrator's Office  
Clerk of The Board of Supervisors  
Elections Division Manager

# DEPARTMENT RESPONSE TO FINDINGS AND RECOMMENDATIONS

## PREFACE

The County Registrar of Voters welcomes the opportunity to respond to the Santa Barbara County 2001-2002 Grand Jury Final Report entitled "Voter Registration".

Additionally, the Registrar wishes to acknowledge the importance of the Grand Jury's role in investigating public agency operations in order to improve internal processes and provide the best possible service to the public. Members of the Elections Division appreciate the way the Grand Jury members approached their task. They were cooperative, thorough, approachable, and consulted members of the Elections Division with dialogue, questions, and discussions to clarify issues.

The Registrar's position with respect to Grand Jury operations has not changed since the last review of County Elections operations. We believe that the democratic elections are the fiber that binds our society, and are far too important to ignore. The process must be free of fraud, corruption, and partiality in order to maintain public confidence. It must be available to all citizens and registered voters in order for government to be of, by, and for the people. The Grand Jury plays a significant role in protecting that public trust. We in elections recognize their efforts and pledge ongoing cooperation to this end.

## DEPARTMENT RESPONSE TO THE OBSERVATIONS AND CONCLUSIONS:

We have reviewed the observations and the conclusions of this report. In our opinion, the observations and conclusions reflect a fair assessment of Voter Registration rules and the processes that govern it.

The narrative that follows addresses our response to each of the Grand Jury's Findings and Recommendations. Their findings are accurate and their recommendations are thought provoking. We appreciate their insight and interest in making the voter registration as effective and efficient as possible.

<p><u>Finding 1:</u> Sample ballots not delivered are discarded by the U.S. Post Office.</p>
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**DEPARTMENT RESPONSE TO FINDING 1: The respondent agrees with the finding.** The U.S. Post Office does not

forward our sample ballots, because we mail them by non-profit instead of first class mail. Non-profit mailing is used because first class mail cost about \$.23 more per ballot. We mailed more than 208,000 Sample Ballots during the March 5, 2002 Primary Election.

**Recommendation 1:** The Elections

Division should, at periodic intervals, mail a group of sample ballots First Class mail to selected precincts. Undeliverable ballots would then be returned to the Elections Division, enabling records to be investigated and adjusted as appropriate.

**DEPARTMENT RESPONSE**

**TO RECOMMENDATION 1:** The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

This recommendation would be a way to identify voters that may no longer reside at their registration address. Unfortunately, if

we were to mail to selected precincts and not the entire county, we could be accused of targeting certain geographic areas or population groups. The courts have ruled this technique to be inappropriate in the past. Additionally, this approach to identifying the “deadwood” may not be the most economical. To have the sample ballot returned to us by to U.S. Post Office requires first class postage on the outgoing mailing and a charge of \$.37 for every piece of mail that they return.

**Finding 2:** Signatures on file with SIRS are recorded only at the time of registration or re-registration.

**DEPARTMENT RESPONSE TO**

**FINDING 2:** The respondent agrees with the finding.

The signature that is on file in the Election Information Management

System for each voter is scanned into the system from the voter registration card. The signature that is on file is updated each time the voter re-registers.

**Recommendation 2:** Establish residents who request an absentee ballot, should be advised in the absentee ballot mailing to re-register every five or six years, in order to record and updated signature.

**DEPARTMENT RESPONSE TO**

**RECOMMENDATION 2:** The recommendation has been implemented, with summary regarding implementation action.

Re-registering periodically would ensure that we have the most current

signature on file for each voter. We did not send a separate mail to inform the voters of this recommendation, because of the cost (a post card cost \$.23 x approximately 208,000 voters = \$47,840). We have added a statement on the Absentee Voter Application in the Sample Ballot advising the voters to re-register to ensure that their current signatures are on file.

Finding 3: Inability to verify an individual's signature will invalidate the ballot.

**DEPARTMENT RESPONSE TO FINDING 3:** *I respectfully disagree with the phrase, "Inability to verify an individual signature..." Inability infers a quality or*

*state of being unable. Elections staff are, in fact, able to compare signatures. Otherwise, the respondent agrees with the finding.* One of the steps in determining whether an absentee ballot is valid is to verify that the signature on the absentee ballot envelope compares with the current signature we have on file for the voter. If the signature does not match, the ballot will not count.

Finding 4: The Elections Division Annual Report was discontinued in 2001.

**DEPARTMENT RESPONSE TO FINDING 4:** *The respondent agrees with the finding.* The Elections Division did

create an annual Report for Fiscal Years 98-99 and 99-00. These reports were requested by the Department Head for internal use, and were not required after that time. Also, much of the statistical information in that report is in the Workload Section of the Department's Annual Budget.

Recommendation 3: The 2001-2002 Grand Jury recommends that the Annual Report be reinstated.

**DEPARTMENT RESPONSE TO RECOMMENDATION 3:** *The recommendation has been implemented, with summary regarding implementation*

*action.* The Elections Division will reinstate the Annual Report. Although much of the statistical information is found in the Budget, this report can be a useful historical reference.

We appreciate the sincere interest the Grand Jury displayed in reviewing the registration and absentee voter elements of election operations. They conducted the interviews in a professional manner, treated Elections Staff with respect, and reported their findings in a fair and impartial manner. I believe their effort focused due attention on this critical portion of the elections process and will enhance our efforts to ensure that all eligible citizens properly register to vote, and, then, exercise their right to vote in every election for which they are eligible to vote.