California’s Vote by Mail Process

Presidential Commission on Election Administration
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California Voter Foundation
About the California Voter Foundation

Mission: Nonprofit, nonpartisan organization working through research, oversight, outreach and demonstration projects to improve the voting process so that it better serves the needs of voters.

www.calvoter.org
CA Vote-by-Mail Usage:

Usage has grown dramatically in recent years due to changes in CA law (2002) that allow no-excuse and permanent vote-by-mail (VBM) voting:

<table>
<thead>
<tr>
<th>General Election</th>
<th># of Voters (millions)</th>
<th># of VBM Voters</th>
<th>Percent of Voters</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>13.2</td>
<td>6.8</td>
<td>51</td>
</tr>
<tr>
<td>2008</td>
<td>13.7</td>
<td>5.7</td>
<td>42</td>
</tr>
<tr>
<td>2004</td>
<td>12.6</td>
<td>4.1</td>
<td>33</td>
</tr>
<tr>
<td>2000</td>
<td>11.1</td>
<td>2.7</td>
<td>25</td>
</tr>
</tbody>
</table>
Rise of Permanent VBM Voters:

The number of Californians registered as permanent vote-by-mail voters has grown dramatically in recent years:

<table>
<thead>
<tr>
<th>General Election</th>
<th># of Permanent VBM voters</th>
<th>% of Registered Voters</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>7,900,000</td>
<td>43</td>
</tr>
<tr>
<td>2008</td>
<td>5,600,000</td>
<td>32</td>
</tr>
<tr>
<td>2004</td>
<td>2,700,000</td>
<td>16</td>
</tr>
<tr>
<td>2000</td>
<td>281,000</td>
<td>2.7</td>
</tr>
</tbody>
</table>
The Rise of Unsuccessful VBM Ballots

- With expansion of access to vote-by-mail voters has come increased problems.
- Ballots fail to connect with voters for a number of reasons – many have moved, others aren’t proactively asking for it so they’re not awaiting/looking out for its delivery.
- More than one-third of LA County’s Nov. 2012 provisional ballots were cast by VBM voters who lost or discarded their ballots.
The Rise of Unsuccessful VBM Ballots

- Many ballots are returned but too late to be counted or have other problems like a lacking or not matching signature that prevent election officials from adding them to their tallies.

- California’s 2008 unsuccessful Vote-by-Mail ballot rate was 2% – the same percent as prescored punch card voting machines that were eliminated for lack of reliability.
The Rise of Unsuccessful VBM Ballots

- California’s Vote-by-Mail error rate in 2010 was even worse, 2.8 percent, and rated as the highest in the nation according to Pew Center for the States’ Election Performance Index.

- The state’s 2012 error rate dropped to 1%, a significant drop but still much higher than most states.
The Rise of Unsuccessful VBM Ballots

California's uncounted mail-in ballots read...
Who are the unsuccessful VBM voters?

- Preliminary research indicates those who returned their ballots too late to count are disproportionately younger than successful VBM voters.

- More county-by-county research is needed to understand the demographics of unsuccessful VBM voters and the mistakes they make.
Political Data, Inc. 18-county research:

MAIL VOTERS BY AGE

- 65+ 29%
- 18-29 13%
- 30-44 19%
- 55-64 21%
- 45-54 18%

LATE BALLOTS BY AGE

- 18-29 48%
- 55-64 9%
- 45-54 12%
- 30-44 24%
- 65+ 7%
Reasons why VBM ballots are rejected:

- Received too late to count (under current law, must be received by close of polls on Election Day; postmarks don’t count)
- Signature problems:
  - No signature
  - Signature did not match
  - Wrong person signed
- Other – wrong envelope, deceased, voted twice, unauthorized return
Ways to increase CA’s VBM Success Rate:

**Legal:**

- Change the law to allow VBM ballots postmarked by Election Day to be counted (SB 29/Correa) (11 states allow ballots postmarked on or the day before Election Day to be counted – AK, DC, IL IA, MD, NY, ND, OH, UT, WA & WV)

- Change the law to allow counties to use additional signatures on file to match VBM envelope signatures (AB 1135/Mullin)

**Administrative:**

- Follow up with unsuccessful VBM voters to help them vote successfully the next time
Ways to increase CA’s VBM Success Rate:

- Improve data sharing between counties through implementation of a new statewide voter registration database (VoteCal)

- Standardize and improve instructions; reduce text, add more images

- Coordinate with USPS offices (failure to do so in June 2010 caused over 12,563 Riverside VBM ballots to be received too late to count; it took a court order to get them counted)

Educational:

- Let voters look up online if their ballot was counted

- Educate voters about common mistakes so they will avoid making them
How can the Federal Government help?

- Establish official election material as “postage paid” and pay the cost of mailing VBM materials and ballots.

- Ensure USPS’ services do not further erode and negatively impact the VBM process.

- Empower the EAC to operate effectively and compile and share VBM best practices.

- Promote implementation of “administrative only” use of sensitive voter data like phone and email address & remove potential barrier to VBM use, especially for military voters.
In closing....

The only thing worse than people not voting is people trying to vote and not being able to do so. California and the nation’s voter participation rate could increase significantly by reducing the VBM error rate.

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