



**County of Ventura  
COUNTY CLERK AND RECORDER**

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May 4, 2015

The Honorable Donald D. Coleman  
Presiding Judge, Superior Court of California  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

Mr. Robert Stewart  
Foreperson, Ventura County Grand Jury  
800 South Victoria Avenue  
Ventura, CA 93009

**Re: County Clerk and Recorder Response to 2014-15 Ventura County Grand Jury  
March 5, 2015 Final Report: Elections and Polling Place Observations**

Dear Judge Coleman and Mr. Stewart:

Please find enclosed in the requested format the County Clerk and Recorder's Response to the 2014-15 Ventura County Grand Jury's March 5, 2015 Final Report: Elections and Polling Place Observations.

If you have any questions or require additional information, please contact me at (805) 654-2266. I appreciate the opportunity to respond to this report.

Respectfully submitted,

**MARK A. LUNN, CERA, REO**  
County Clerk Recorder/Registrar of Voters

Enclosures

*Preserving History • Protecting Democracy*

## Response to Grand Jury Report Form

**Report Title:** Final Report: Elections and Polling Place Observations

**Report Date:** March 5, 2015

**Response by:** May 5, 2015      **Title:** County Clerk and Recorder

### FINDINGS

I agree with the findings numbered: FI-04.

I disagree wholly or partially with the findings numbered: FI-03 (partially), FI-05 (partially), FI-07 (wholly), FI-08 (partially), and FI-09 (partially).

FI-03: The training material provided to poll workers is comprehensive and detailed due to the breadth and depth of knowledge and skills required to serve as an election officer on Election Day. Many first-time poll workers are able to absorb this material in a single three-hour training session. Although the training material is written in a style and format that is designed to be understood by the general public, the learning comprehension and retention abilities of poll workers vary, as do those of the general public, so not all first-time poll workers are able to absorb this material with the same ease or at the same rate.

FI-05: Polls are open even if the AVC Edge (touchscreen voting machine) is not set up by 7 a.m., when the polls open. Voters are able to sign the Roster of Voters and receive a ballot at that time. If a voter chooses to vote on the AVC Edge, the voter is able to receive the programmed card that allows the voter to activate the AVC Edge. If the names of the three polling place locations in FA-16 that were observed to not have had the AVC Edge set up by 7 a.m. can be provided, the Elections Division will follow up with the Inspectors for those polling places and attempt to ascertain, to the extent now possible, the reasons for those delays, if any, and the times that the AVC Edges were ready for use by voters at those polling places.

FI-07: The South Oxnard Library and South Oxnard Center polling places were not located in one building. These were two separate buildings and addresses. Each voter's sample ballot includes the name and address of the voter's polling place location. The Elections Division did not receive any telephone inquiries or complaints related to signage at either of those two polling place locations. If the specific signage at the South Oxnard Library that was observed to be missing can be identified, the Elections Division will follow up with the Inspector for that polling place and attempt to ascertain, to the extent now possible, the types and location of signage that was placed at that polling place location.

FI-08: All voter materials, including bilingual signage, are provided in a bilingual (English and Spanish) format except for the Voters' Bill of Rights, which is provided by the California Secretary of State in separate English and Spanish versions. Roving Inspectors visit each polling site on Election Day and are required to verify that all voting material is posted as required. If the names of the specific polling place locations that were observed to have had missing bilingual signage in FA-16 can be provided, the Elections Division will follow up with the Inspectors for those polling places to determine the locations that bilingual signage had been posted at those polling places and attempt to ascertain, to the extent now possible, the reasons for any bilingual signage that was observed to have been missing. In addition, current strategies and potential improvements for all polling site signage will be reviewed by the Elections Division prior to the next major election in June 2016 and the need for clear and sufficient signage at polling sites will be further highlighted during future poll worker trainings.

FI-09: The inclusion of multiple precincts within a single polling place location, which is at times necessitated due to changes in the availability of sufficient polling place locations for an election, do have the potential to create confusion on the part of some voters. Voters are encouraged to return their voted ballots to the Inspector from whom they received their ballots so that their ballots can be inserted into the Optech Insight (ballot scanner) for their precinct. However, even if voters insert their ballots into a different Optech Insight, their ballots are still tabulated and counted. Further, the Elections Division will review its procedures before the next major election in June 2016 in order to clearly identify voting machines by precinct or alphabet to minimize potential confusion for voters at multiple precinct polling places.

## **RECOMMENDATIONS**

Recommendations numbered R-01, R-02, and R-07 have been implemented.

R-01: During poll worker training, poll workers are verbally instructed to walk around their polling site and verify that all the requirements are in place. During the poll worker training for the next major election in June 2016, Inspectors will also be reminded to conduct a walking inspection of their polling place, including all required interior and exterior signage, prior to opening the polls and, as time/lines permit, throughout Election Day.

R-02: The preference and practice of the Elections Division is to avoid co-locating two polling places in a single building whenever sufficient polling places are available within a specific geographical area. As described under FI-07 above, the South Oxnard Library and South Oxnard Center polling places were not located in a single building in that particular example.

R-07: The current poll worker training instructions emphasize the placement of bilingual signage at all polling places and not just at those polling places with high numbers of Spanish-speaking voters. All voting materials are provided in both English and Spanish. As mentioned under FI-08, if the names of the specific polling place locations that were

observed to have had missing bilingual signage in FA-16 can be provided, the Elections Division will follow up with the Inspectors for those polling places to determine the locations that bilingual signage had been posted at those polling places and attempt to ascertain, to the extent now possible, the reasons for any bilingual signage that was observed to have been missing. Further, the Elections Division will continue to review and evaluate current practices and make any needed improvements to ensure the placement of bilingual signage at all polling places.

Recommendations numbered R-03 and R-06 have not yet been implemented but will be implemented in the future.

R-03: The Elections Division is implementing a procedure for future elections in which poll workers will place a sign on each Optech Insight identifying which portion of the alphabet is assigned to that Optech Insight in polling places containing more than one precinct.

R-06: The poll worker online and classroom training for the next major election in June 2016 will emphasize a summary of changes from the previous election cycles as a component of the entire poll worker training. However, due to the infrequency and increasing complexity of elections, I respectfully am not comfortable that reviewing an online update of recent changes would be an acceptable and equivalent alternative to completing the full three-hour training even for experienced poll workers, especially given that many of those same experienced poll workers would be called to serve in a capacity as Inspector or Roving Inspector on Election Day. These leadership roles require the highest level of knowledge, judgment and responsibility to ensure that their respective polling places conform to all requirements on Election Day.

Recommendations numbered R-08 require further analysis.

R-08: I appreciate and share the Grand Jury's concern that poll workers be provided during their training adequate "hands on" experience in learning how to set up and operate the AVC Edge voting equipment. "Learning by doing" is a critical ingredient of any successful technical education and that is the reason that practical, hands on training in the operation of both the AVC Edge and Optech Insight are an integral part of the three-hour poll worker training sessions. Poll worker training classes are currently designed to allow poll workers to take as long as they need to learn how to set up the AVC Edge and Optech Insight. The Elections Division will evaluate if the poll worker classroom training could be restructured to provide either longer or more focused hands on training in the operation of the voting equipment. Additionally, poll workers will continue to be able to repeat the hands on training during other available training sessions if they feel they require additional practice to confidently operate the voting equipment.

Recommendations numbered R-04 and R-05 will not be implemented because they are not warranted or are not reasonable.

R-04: Although the Grand Jury's alternative recommendation that a curtain or portable divider be utilized to separate Optech Insights assigned to different precincts in the same polling place is noted and appreciated, the Elections Division will be addressing this concern by placing alphabet signage on individual Optech Insights as described under R-03.

R-05: I appreciate and understand the Grand Jury's interest in ensuring that new poll workers fully understand their responsibilities by recommending that the training for new poll workers be increased from three hours to four hours or longer. However, I respectfully am concerned about the unintended practical consequences that could have on the ability of the Elections Division to recruit and maintain the attention of new poll workers during their initial training. Rather than increase an already lengthy poll worker training and risk the loss of the audience's alertness and attention, new (and even experienced) poll workers will continue to be able to repeat portions or entire training sessions during other available training sessions if they feel they require additional training to better understand their responsibilities.

I sincerely appreciate the Grand Jury's commendation of our hardworking and experienced Elections Division staff, our many dedicated and selfless volunteer poll workers, and myself. I want to also extend to you and the other members of the Grand Jury our deeply felt appreciation for the countless hours and coordinated effort you devoted to observing the November 4, 2014 Gubernatorial General Election with the goal to assist us in making even further enhancements to our election procedures and practices. Please be assured that my staff and I have thoroughly reviewed and considered the findings and recommendations in your final report. We view the Grand Jury as our vital and necessary partner in providing this office valuable oversight and insight to help us continue to achieve our common goal: protecting the ongoing integrity and accessibility of the elections process for the citizens of Ventura County.

Date: May 4, 2015

Signed:



MARK A. LUNN, CERA, REO  
County Clerk Recorder/Registrar of Voters

Number of pages attached: 4