



EL DORADO COUNTY GRAND JURY 2009-2010

VOTE BY MAIL

Case No. GJ 09-004

REASON FOR REPORT

Upon receiving a citizen's inquiry, the Grand Jury initiated an investigation of the El Dorado County's ballot procedure for elections. The Grand Jury was asked whether El Dorado County could save money and improve voter turnout by implementing a Vote by Mail (VBM) program. This report is the result of the Grand Jury's investigation.

BACKGROUND

Currently, El Dorado County permits individual voters to vote by mail in all elections. However, countywide precinct polling sites must still be staffed, equipped and operated for those voters who prefer to vote in person.

The majority of this County's eligible voters currently vote by mail. In the November 2008 general election, 57 percent of the registered voters chose to vote by mail. Of the registered voters who voted by mail, 88 percent returned their ballot. Only 40 percent of those residents who chose to vote at a precinct actually voted. Therefore, polling places were opened countywide to service only 17.2 percent of registered voters.

The State of Oregon adopted a successful VBM program for local elections in 1981, and in 1998 implemented a statewide VBM requirement for all elections. According to Oregon's Secretary of State, in the November 2008 election, 85.64 percent of the eligible voters voted by mail.

The Sacramento County 2008-2009 Grand Jury recommended adoption of the VBM process for their county and projected a savings of \$1 million per election.

METHODOLOGY

Several members of the El Dorado County Grand Jury visited the El Dorado County Elections Office during the November 3, 2009 local election to observe and review County election procedures.

Interviews were conducted with the Registrar of Voters. Substantial data and information was received and reviewed. The Grand Jury also reviewed materials from the State of Oregon and several counties in Washington State, all of which have actually authorized a VBM program. The Sacramento County 2008-2009 Grand Jury Report, which recommended adopting a VBM program, was also reviewed.

FINDINGS

Voter turnout is substantially higher with those who vote by mail when compared to those who vote at a polling place. Additionally, the cost is substantially lower for those voting by mail than when voting in person.

For example, if there had been a VBM program in place in EI Dorado County for the special election held in February 2008, \$96,863 would have been saved. Most of these savings would have been from polling place operations and salary expense reductions.

Some concerns have been voiced regarding a greater likelihood of fraud with a VBM program than with ballots received at the polling places. The EI Dorado County Registrar of Voters has established major fraud prevention procedures, such as:

- Signatures on all mail-in ballots are now verified; first electronically and if uncertainty exists, those signatures are verified by senior staff. If necessary, staff will call the voter in question.
- Mail ballot procedures currently generate a paper trail for ready review should questions need to be resolved.

In accordance with the California Penal Code §933 and §933.05, each numbered finding and recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court.

The 2009-2010 EI Dorado County Grand Jury has arrived at the following findings:

1. A Vote by Mail program will save EI Dorado County significant amounts of budget funds each year.
2. A Vote by Mail program will likely increase the voter turnout in the county.
3. A Vote by Mail program will not increase the likelihood of voter fraud.

RECOMMENDATIONS

1. That the Board of Supervisors adopt a resolution to have all elections in EI Dorado County conducted by mail-in ballots pursuant to California Election Code §§4000-4108.
2. The Board of Supervisors should adopt a resolution to the State of California Legislature to initiate a Vote by Mail process for all special and general elections in the State of California.

RESPONSES

Response(s) to both Findings and Recommendations in this report are required in accordance with California Penal Code §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the EI Dorado County Superior Court, 1354 Johnson Boulevard, South Lake Tahoe, CA 96150.

COMMENDATION

The 2009-2010 EI Dorado County Grand Jury commends the EI Dorado County Registrar of Voters for his plans to save County budget funds and to take action to secure the accuracy of all ballots cast.