


Audit Reveals Evidence of Voter Fraud in California's 2022 Election

*California Receives Failing Grades on the Election Integrity Scorecard
and Reflects "Worst Election Practices" in Nation*

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Contents

CALIFORNIA ELECTION INTEGRITY PROBLEMS BY THE NUMBERS	3
EXECUTIVE SUMMARY	4
ABOUT THE 10 POINT ELECTION INTEGRITY SCORECARD	7
CRITERIA 1: Public Trust and Confidence (Fail)	8
CRITERIA 2: Accurate Maintenance of Voter Lists (Fail)	11
CRITERIA 3: Verifying Identity of Voters (Fail)	17
CRITERIA 4: Confirmation of Eligibility/Citizenship (Fail)	22
CRITERIA 5: Accessibility of Voting (Fail)	23
CRITERIA 6: Security of Election Systems (Fail)	26
CRITERIA 7: Interference in Elections (Fail)	28
CRITERIA 8: Unbiased and Accurate Ballot Titles (Fail)	30
CRITERIA 9: Individual Ballot Tracking and Curing (Pass)	32
CRITERIA 10: Post-Election Auditing (Fail)	34
Appendix A – Secure the Vote California Initiative	37
Appendix B – Ballot Rejection Data for Selected California Counties	40
Appendix C: California Secretary of State Ballot Signature Review Regulations	44
ENDNOTES	46

California Election Integrity Problems BY THE NUMBERS

14.17%

Voters with rejected ballots for signature mismatch who told investigators someone else must have voted their ballot without their permission

56%

Ballots rejected for bad signatures that remained uncured statewide

438%

The deviation in Sacramento County's signature rejection rate when compared with the statewide average

9.2%

Households who received an "erroneous" ballot for someone who doesn't live there, is dead, or a duplicate/triplicate ballot

6.6 Million

The number of people that have fled California and moved to another state since 2010 – resulting in millions of ineligible voters on registration rolls because California does not properly capture and remove people from its voter lists who move to other states

1.18 Million

The estimated number of inactive voters that are currently listed as active by counties on California voter registration rolls statewide – not including the 1.2 million inactive voters already identified by the Los Angeles County Registrar of Voters alone

87%

Reduction in polling locations in one county in November 2022 – raising concerns of an attempt to suppress conservative votes

0%

Percentage of editorials in the LA Times, San Francisco Chronicle, or Sacramento Bee that raised concerns about these problems in the 2022 election cycle.

60%

Percentage of California voters concerned about election fraud

Executive Summary

During the 2021-2022 election cycle, the Transparency Foundation applied its 10-Point Scorecard on Election Integrity methodology to the elections in California.

As part of its scoring process, the Foundation formed an investigation team to conduct research and audits on how California implemented its election laws, regulations, and processes both at the state level and in individual counties.

The investigation documented a number of critical deficiencies in how California conducts its elections – leading to failing scores in all but one of the 10 Election Integrity Criteria.

From its failure to maintain accurate voter registration lists to its refusal to verify identity and eligibility of voters, California by far has the worst election practices in the nation.

CRITERIA	CALIFORNIA'S GRADE
CRITERIA 1: Public Trust and Confidence	FAIL
CRITERIA 2: Accurate Maintenance of Voter Lists	FAIL
CRITERIA 3: Verifying Identity of Voters	FAIL
CRITERIA 4: Confirmation of Eligibility/Citizenship	FAIL
CRITERIA 5: Accessibility of Voting	FAIL
CRITERIA 6: Security of Election Systems	FAIL
CRITERIA 7: Interference in Elections	FAIL
CRITERIA 8: Unbiased and Accurate Ballot Titles	FAIL
CRITERIA 9: Individual Ballot Tracking and Curing	PASS
CRITERIA 10: Post-Election Auditing	FAIL

► Substantial and Easily Obtained Evidence of Potential Voter Fraud in California

California's politicians and the liberal media continue to blindly dismiss concerns raised by election integrity problems in the state. The media claims that there is no proof of voter fraud occurring – but refuses to perform even basic investigations and queries to find out.

It is not difficult to analyze voting data to detect evidence of potential fraud. One simple way to detect potential fraud is to examine the rate of signatures rejected on ballots cast – and to further investigate voters who failed to “cure” their rejected signature. One would presume that a voter whose signature was rejected on their ballot would want to verify their identity to make sure their vote counted. If they fail to do that, that attempted vote should be further scrutinized.

That's why our investigators pulled lists of “uncured” ballots where the voter failed to respond to attempts to get them to verify their signature. Our investigators spent months calling and texting these individuals.

The audit conducted by our investigators shows that 14.17% of audited “uncured” ballots rejected for a missing or an invalid signature during the 2022 California November Election were likely fraudulently cast – as the voters for those ballots vehemently denied ever voting in the election.

Confirmed Attempt to Vote	81.7%
Denied They Voted	14.17%
Unsure of Whether They Voted	4.12%
Completed survey sample size = 388	

14.17% of audited “uncured” ballots rejected for a missing or an invalid signature during the 2022 California November Election were likely fraudulently cast – as the voters for those ballots vehemently denied ever voting in the election.

► California’s Voter Registration Rolls Are Woefully Out-of-Date

Both the interviews with county election officials and the audit show that California has failed to maintain even a reasonably accurate voter registration list. In fact, we found California politicians have intentionally imposed policies that make it impossible to maintain accurate voter registration lists. Among the findings:

- **Voters Who Left California:** Since 2010, more than 6 million people have fled California and moved to another state. Unfortunately, the VoteCal data system fails to provide county election officials with the data they need to remove someone from the voter rolls when they move out-of-state.
- **Inactive Voters:** There are millions of inactive voters still on California’s voter rolls – many who are still receiving mail ballots at their old address. Los Angeles County admitted to having more than 1 million inactive voters – our statewide audit reflects at least 1.18 million inactive voters still on the state’s voter rolls.
- **Erroneous Ballots:** A survey shows nearly one-in-ten California households have received “erroneous” ballots for someone who does not live there, for a dead person, or a duplicate/triplicate ballot for the same person.

Nearly one-in-ten California households have received “erroneous” ballots for someone who does not live there, for a dead person, or a duplicate/triplicate ballot for the same person.

► California Fails to Properly Review Signatures on Ballots

On top of having the poorly maintained voter registration lists, our investigation found that California has the worst practices of any state when it comes to verifying the identity of individuals submitting ballots. Our

investigation concludes that the flawed signature review regulations imposed by the California Secretary of State have resulted in massive disparities across counties in the percentage of ballots rejected for a signature mismatch.

For example, in both the 2022 Primary and General Elections, Sacramento County rejected a significantly lower percentage of signatures (.24% in the Primary and .23% in the General) than San Joaquin County (2.18% in the Primary and 2.10% in the General.) Sacramento County was also wildly outside the statewide average of rejected signatures of .70% in the Primary and 1.01% in the General.

Put another way, Sacramento County's ballot rejection rate was 438% below the statewide average.

52% of ballots in the 2022 Primary that were rejected for a signature mismatch remained uncured; 56% of ballots in the 2022 General that were rejected for a signature mismatch remained uncured. If those voters really did cast those ballots, why did they not verify their intent to vote?

The flawed signature review regulations imposed by the California Secretary of State have resulted in massive disparities across counties in the percentage of ballots rejected for a signature mismatch. Sacramento County's ballot rejection rate was 438% below the statewide average.

► California Politicians Are Manipulating and Interfering in Elections

The bedrock concept of a "free and fair election" is the notion that the politicians in power refrain from any attempt to manipulate the outcome. California's elections have been routinely tainted by inappropriate and potentially illegal actions by state and local politicians.

- **False and Misleading Ballot Titles:** Our investigation documented numerous instances at the state and local levels where politicians intentionally misled voters by placing false and biased titles on ballot measures.
- **Potential Voter Suppression by Eliminating Polling Locations:** California politicians have deliberately eliminated polling locations on Election Day – a reduction of 87% in one county alone – in a possible attempt to suppress conservative votes who prefer to vote on Election Day at polling stations.
- **Election Interference by Government Officials:** Millions in taxpayer funds have been inappropriately used to manipulate election outcomes. Our investigation identified numerous instances of taxpayer funds being used to promote ballot measures and to fund lobbyist groups to manipulate the drawing of redistricting maps to benefit the ruling political party and incumbent politicians.

► California Voters Lack Confidence in the State's Voting System

Polls show California voters do not have trust and confidence in the state's elections and want immediate improvements in election integrity.

In fact, the Berkeley IGS poll in November 2022 shows **sixty percent** of all California voters surveyed said that people voting or casting ballots illegally was a threat, with 39% of them saying it was a major threat.

Significant policy changes in California are essential to building back the public's trust and confidence.

For these changes to become a reality, we need honest reporting by the media and leadership by elected officials willing to stand up for election integrity regardless of which political party may benefit.

“From its failure to maintain accurate voter registration lists to its refusal to verify identity and eligibility of voters, California by far has the worst election practices in the nation.”

About the 10-Point Election Integrity Scorecard



CONFIDENCE IN
DEMOCRACY

The concept of “election integrity” has become a controversial topic in the United States – with both political parties making claims that elections have not been conducted with sufficient integrity or outright stolen. Both Democrats (in 2016) and Republicans (in 2020) have made completely unsubstantiated claims – but they have also raised a number of legitimate problems as well.

Our concern about election integrity transcends the partisan claims and individual election cycles. We believe the false accusations from both political parties and the media – combined with easily-documented deficiencies in our election processes – constitutes the real threat to our American democracy.

America cannot have a healthy democracy if significant blocks of voters across the political spectrum harbor grave concerns regarding the way elections are conducted across the United States. Multiple national and state polling studies show the lack of confidence in our electoral process is both a Democrat and Republican issue – with nearly a third of voters overall expressing grave doubts as to the legitimacy of the outcome of elections in their area and nationally.

That’s why the Transparency Foundation launched its “Confidence in Democracy Initiative” to pursue a non-partisan and evidence-based examination of how our elections are conducted. Our goal is to remediate problems while promoting fact-based education of voters on the numerous internal controls many states have enacted that protect the integrity of our elections.

As part of this initiative, the Foundation has developed a 10-point Scorecard on Election Integrity that it uses to grade individual states on their election processes and make recommendations for remediation.

CRITERIA 1: Public Trust and Confidence: Do polls show the general public expresses a significant amount of confidence in the integrity of how the state conducts its elections?

CRITERIA 2: Accurate Maintenance of Voter Lists: Do state and local officials maintain accurate voter registration lists – removing individuals that move or die?

CRITERIA 3: Verifying Identity of Voters: Does the state require Voter ID and other reliable forms of verification of identity for in-person and mail-in balloting?

CRITERIA 4: Confirmation of Eligibility/Citizenship: Does the state properly confirm the citizenship and eligibility of individuals prior to adding them to the voter registration rolls?

CRITERIA 5: Accessibility of Voting: Has voting been made as easy as possible to promote maximum turnout – through mail-in balloting and ample polling locations and hours of operation?

CRITERIA 6: Security of Election Systems: Do state and local election officials use state-of-practice controls to ensure the chain-of-custody of physical ballots and the security of any technology or devices used to count and tabulate votes?

CRITERIA 7: Interference in Elections: Do state and local officials refrain from using taxpayer resources to try to influence the outcome of an election – either through biased information or using taxpayer funds or grants from special interests to boost a certain election turnout?

CRITERIA 8: Unbiased and Accurate Ballot Titles: Are the titles on ballot measures accurate and serve to explain in simple terms what voters are voting on?

CRITERIA 9: Individual Ballot Tracking and Curing: Can voters track and verify that their ballot was received and counted? If a ballot is rejected, is a voter given a sufficient chance to cure their ballot?

CRITERIA 10: Post-Election Auditing: Do state and local officials conduct independent full-range audits and release the findings to the public to ensure election processes were properly implemented?

The Transparency Foundation's 10-Point Election Integrity Scorecard should find favor among both Republicans and Democrats because it is based on best practices and is rooted directly in the values and expectations that the American people have expressed.

There is a cancer growing on American democracy and it must be diagnosed and treated correctly and fairly. The Transparency Foundation is committed to supporting non-partisan policy changes that fix the problems with our elections and restore the public's trust and confidence in our democracy.

CRITERIA 1: Public Trust and Confidence (Fail)

Our first criteria examines the perception of the general public and whether they have confidence in the way in which elections are handled in their state and if they trust the outcome of elections.

In our review of various recent public opinion polls that are California-specific, there was an overwhelming and recurring theme: deep public distrust and a lack of confidence in our elections in California.

► **FINDING: California Voters Do Not Have Sufficient Confidence and Trust in the Integrity of the State’s Election Processes**

While many factors have contributed to California voters’ loss of confidence, one of the primary reasons for the loss of trust in California’s elections is concerns about the integrity of the electoral process.

A Berkeley Insitute of Governmental Studies (IGS) poll released in 2022 had very concerning data that stood out to our researchers. More than half – 52% of voters – said that election security is “under threat.” And only 35% of total California voters surveyed said that election security is “strong.”

These are staggering numbers across the board as almost half of Democrats, 74% of Republicans, and about half of Independents all agree on something: election security needs to be better and stronger.

Table 4 Do you consider (election security/voting rights) in the U.S. to be strong or under threat? (among California registered voters)				
	Total CA voters %	Democrats %	Republicans %	No Party Preference /other %
<u>Election security</u>				
Is strong	35	44	18	34
Under threat	52	44	74	46
No opinion	13	12	8	20
<u>Voting rights</u>				
Is strong	30	23	41	32
Under threat	61	70	53	51
No opinion	9	7	6	17

Figure 1: Berkely IGS poll: <https://escholarship.org/uc/item/2t69t02q#main> (1)

In addition, voters in the Berkeley IGS poll showed concerns with individuals casting ballots illegally in elections. **Sixty percent** of all California voters surveyed said that people voting or casting ballots illegally was a threat, with 39% of them saying it was a major threat. Indeed, 69% of Republicans and 37% of Democrats said that people voting or casting ballots illegally in elections was a major threat.

<u>People voting or casting ballots illegally in elections</u>				
Major threat	39	25	69	37
Minor threat	21	20	21	22
Not a threat	35	50	6	33
No opinion	5	5	4	8

Figure 2: Berkely IGS poll: <https://escholarship.org/uc/item/2t69t02q#main> (1)

While California politicians and media outlets continue to report that everything is fine, this polling proves that the general public – even in California – clearly does not agree.

Deniers of the public’s concerns on election integrity argue that even if some ballots are cast illegally, it won’t affect the outcome of any race because it would be such a small percentage of overall votes. This argument can be easily refuted in several ways.

First, the argument is as unsubstantiated as the claim of widespread fraud. Deniers offer no evidence to prove

the basis of their blind dismissal of the potential for voter fraud.

Second, the polling suggests the argument that “any voter fraud is so minor that it won’t impact the outcome” has clearly not been reassuring enough – otherwise the previously analyzed polling data would show voters having no concerns or doubts.

Third, voters are aware that in every election there are races decided by as few as one vote in either direction – so any potential voter fraud can result in an invalid outcome.

In San Diego County in the city of La Mesa, Laura Lothian, a Republican, won her race for City Council by a margin of just 11 votes. In an election where 21,937 ballots were cast. (2).

It’s not just local seats that are decided by handfuls of votes. In the 2022 election, there was an extremely narrow margin for a California State Assembly seat where accuracy in vote counting was paramount. In fact, the race was described as one of the closest legislative elections in California history. This race took place in California’s 47th Assembly District which covers parts of both San Bernardino and Riverside County. Republican Greg Wallis won by just 85 votes out of more than 169,000 that were cast. It was a slow, painful process as the race took weeks to be officially called. (3).

Some will argue that we should not make policies based on polling. In this case we completely disagree.

First, the polling shows California voters have significant concerns about the lack of integrity of elections in their state. One of the goals of an election is not just to determine who the winners are, but to use a process that gives the public maximum confidence that the election was conducted with integrity.

Second, some may argue that public polling merely reflects the lies spread to undermine public confidence in elections. While it is certainly true that lies from both political parties – and the media – have had a corrosive effect on public confidence, so are blanket denials that nothing is wrong.

Furthermore, we believe this report presents ample evidence to prove that the concerns are not stemming from misinformed public perception, but documented and proven weaknesses that the public sees.

The bottom-line problem remains clear: California is failing to maintain public trust and confidence in its elections.

California politicians and the media ignore this sentiment at the risk of losing more credibility with the public – and further eroding confidence and trust in our elections.

Sixty percent of all California voters surveyed said that people voting or casting ballots illegally was a threat, with 39% of them saying it was a major threat.

California is failing to maintain public trust and confidence in its elections.

CRITERIA 2: Accurate Maintenance of Voter Lists (Fail)

Our second criteria examines whether state and local officials maintain accurate voter registration lists.

According to the February 2023 report from the California Secretary of State's office, California has almost twenty-two million registered voters. There is no doubt that maintaining accurate voter registration lists is a big job – as people move, die, or become ineligible to vote. However, election integrity begins with proper maintenance of the voter registration list.

Federal law also makes it a legal duty of each state to maintain accurate voter lists. The National Voter Registration Act (NVRA) passed in 1993 specifically “requires States to implement procedures to maintain accurate and current voter registration lists” (4).

As part of our investigation, interviews were conducted with several county election officials to understand their list maintenance processes and get their assessment of any deficiencies or weaknesses in California's current approach to list maintenance.

Our investigation team also performed a multi-level audit of the state's voter registration list.

Both the interviews with county election officials and the audit show that California has failed to maintain even a reasonably accurate voter registration list. In fact, we found California politicians have intentionally imposed policies that make it impossible to maintain accurate voter registration lists.

California politicians have intentionally imposed policies that make it impossible to maintain accurate voter registration lists.

► Finding: The VoteCal System Has Serious Flaws that Undermine Voter List Maintenance

Every state needs to establish some centralized database for tracking voter registrations and facilitating the exchange of various datasets to help maintain accurate lists.

- As people move within the state or out of state, data should be harvested from various databases and voter registration records updated.
- As people die, public health agencies should upload that information so deceased voters are removed.
- As people are convicted of a crime that disqualifies them from voting, courts should upload that information so those criminals can be suspended on the voter registration list.

Fortunately, California does not have to figure this out on its own. In fact, there are 49 other states that all have the same voter database and data exchange challenges that California can learn and borrow from. Nevertheless, California has struggled – perhaps intentionally so.

In California the job of maintaining voter lists is a split responsibility shared between the state (led mainly by the Secretary of State) and each individual county (led by the Registrar of Voters.) To facilitate this split responsibility, all 58 counties in the state of California use a centralized voter registration database called, “VoteCal” (5).

California’s road to eventually using VoteCal was a long, expensive boondoggle. A San Diego Union Tribune Watchdog Report in 2014 offered this assessment of the system:

“A statewide database mandated by federal law to streamline the elections process is running 12 years behind in California and \$29 million over its cost estimate, leaving the door open for certain kinds of voter fraud. Without that centralized tool, registrars managing 58 separate county voter databases have struggled to scrub duplicate registrations and deceased voters from the rolls. A U-T Watchdog investigation last month found 26 ballots cast in the names of 10 dead voters in San Diego County registration records, highlighting the rare but remaining risk of fraud. One voter was shown in county records as casting 14 ballots after she died in 1998” (37).

Interviews with county election officials surfaced major dissatisfaction with the VoteCal database.

Officials report that while the database is good for handling intra-state moves among voters (albeit only if a county office wants to stay on top of that issue), significant flaws and deficiencies remain on the challenge of removing voters who have deceased and those with felony criminal records.

The biggest failure of VoteCal is it does not track voters who move out of the state!

This is a huge concern particularly as California has seen a net migration of population fleeing the state. Since 2010 more than **6.6 MILLION** Californians have moved out of the state (6)(7).

Unless the Registrar of Voters receives a change of address from the voter (which rarely happens), there is no feature within VoteCal to harness data to detect that someone has moved out of state.

There are solutions to this problem – but the California Secretary of State has inexplicably refused to act on this issue.

VoteCal can utilize a number of datasets from federal and state government agencies, but it has chosen not to. In addition, there are databases that many other states participate in that can address the inter-state voter registration to prevent an individual from being registered to vote in more than one state at a time – but California refuses to participate in those collaborations.

After a decade and over \$100 million spent, our researchers were repeatedly told by county officials that VoteCal continues to be inadequate for helping state and local officials fulfill their duty under federal and state law to maintain accurate voter registration lists.

► **Finding: Audits of Voter Registration Rolls Reveals Unacceptable Inaccuracy Rates**

In the 2020 election, California politicians used Covid-19 as their justification to order an all-mail ballot election be conducted. In other words, every voter on the voter registration list would receive a ballot whether they requested one or not. This policy has since been made permanent.

Because so many harbored concerns that an all-mail ballot election using an out-of-date voter registration list would result in households receiving ballots in error, Reform California conducted a statewide survey to track how widespread the problem was.

Between October 10-13, 2020, using online and text screens, Reform California asked 1,251 registered voters (4.4% MOE) if their household received any erroneous ballots in the mail – e.g. for a wrong person who didn’t live at that address, a duplicate or triplicate ballot for the same person, or a ballot for a dead person. The results were alarming:

Received a Duplicate or Triplicate Ballot	9	.8%
Received a Ballot for Wrong Person	98	7.8%
Received a Ballot for Dead Person	8	.6%
TOTAL CONFIRMED ERROR RATE	115	9.2%
Didn’t Receive Ballot Yet	106	8.5%
No Problems with Ballots	915	73.1%

Citation: Reform CA Study, October 10-13, 2020 (8)

The Reform California survey in the 2020 election demonstrated that the state obviously had a significant problem with outdated voter registration rolls.

As part of our investigation the Transparency Foundation decided to conduct an audit of the voter registration rolls in California to verify the findings of the Reform California survey.

In March of 2022, the Transparency Foundation pulled a sample file of roughly 7.1% of voters that were listed on California’s voter rolls to evaluate voting behavior in the September 2021 California Gubernatorial Recall Election.

Our first audit analysis focused on determining how many “inactive” voters were on the list who the state and local officials still considered “active.”

- **INACTIVE VOTER AUDIT RESULTS:** Voters who received a ballot in the 2021 Recall Election and haven’t voted since at least 2016 **See discussion of “inactive voters” below.
 - Number of inactive voters directly found in audit sample: **83,725**
 - Statewide count based on audit sample: 1.18 million inactive voters

The Transparency Foundation then evaluated the voter registration list in San Diego County for the potential that duplicate or triplicate registrations existed. Our methodology examined individuals with the same exact birthday and age living at the same residence. We then compared the names of these individuals to see if they shared the same or similar names.

- **DUPLICATE OR TRIPLICATE REGISTRATIONS:** Voters who are listed on the county's voter registration list that are high-risk for having a duplicate or triplicate registration.
 - Percent detected in the sample: **.37%**
 - Statewide count based on audit sample: 81,421 potential duplicates/triplicates
 - NOTE: This is within one single county; a higher rate would result if the audit examined the statewide list

The Transparency Foundation then utilized one single government database to run an eligibility review on those registrations that were mailed ballots during the Recall. Our investigation utilized the US Postal Service's National Change of Address (NCOA) database because it is publicly available. (State and local government officials have access to multiple more powerful and reliable government databases such as tax returns, property tax records, etc.) It should be noted that the vast majority of people (roughly 80%) who move do not use NCOA – meaning our NCOA analysis likely would detect less than 1-in-5 voters who had moved.

- **ERRONEOUS BALLOTS FOR VOTERS WHO MOVED:** Voters who received a ballot in the Recall election even though they are listed on the US Postal Service's National Change of Address (NCOA) database as having moved from the residence listed on their voter registration
 - Number of voters who had moved directly found in audit sample: **910**
 - Statewide count based on direct NCOA 20% participation rate: 12,817
 - Statewide projected count: 64,085
 - NOTE: The NCOA is the weakest tool to use in evaluating whether someone has moved from a residence. Using more reliable government databases would certainly produce a higher erroneous ballot rate.

► **Finding: California Counties Have Failed to Properly Manage Removals of Inactive Voters**

Deniers of California's election integrity problems will dismiss concerns over the inadequacy of the VoteCal database by promising that each county has additional ways to flag and remove "inactive" voters from their voter lists. They argue if someone moves from the state they presumably would not vote and after several cycles (4 or more years) they become an inactive voter.

This excuse is alarming because it requires that the county continue to mail ballots out to non-existent voters for at least four years – and likely more!

Worse, if someone intercepts and fraudulently votes even one of those ballots, the voter registration is not flagged as inactive and ballots will continue to be mailed to that non-existent voter.

The Secretary of State's office is sending out conflicting messages regarding voter list maintenance. On the one hand their regulations make it hard for a county election official to remove an individual from the voter list. On the other hand, the Secretary of State covers itself from a federal lawsuit for non-compliance with the National Voter Registration Act by publishing these requirements on its website:

NVRA List Maintenance Requirements

The NVRA requires counties to do the following in order to maintain an up-to-date list of voters within the county:

- *Accept voter registrations, including those from the Department of Motor Vehicles (DMV) offices and VRAs;*
- *Send notices to newly registered voters, or current voters who update their registrations. These notices are called Voter Notification Cards (VNCs);*
- *Send residency confirmation mailings to voters pursuant to California Elections Code sections 2220 to 2227.*
- *Send address confirmation notices to voters who move; and*
- *Mail address confirmation notices and place voters on inactive status if they have moved out of state or have their mail returned as undeliverable with no forwarding address provided. An inactive voter is removed from the voter list and cancelled if two federal general elections have passed from the mailing of an address confirmation notice that complies with Section 8(d)(2) of the NVRA and the voter has not voted in any election, or responded to the address confirmation notice, or confirmed their residential address in California. State law also contains change of address, inactive, and cancellation procedures in California Elections Code sections 2220 to 2227.*

In 2019, Los Angeles County was caught not complying with these requirements.

In a federal lawsuit, Judicial Watch, Inc. et al. v. Dean C. Logan, et al. (No. 2:17-cv-08948), Judicial Watch sued Los Angeles County alleging they had not properly maintained their voter registration list. Judicial Watch found hundreds of thousands of registered voters were considered “inactive” (9).

The lawsuit alleged that Los Angeles County, with more than 10 million residents, has more voter registrations than it has citizens old enough to register with a registration rate of 112 percent of its adult citizen population. The lawsuit also uncovered that neither California nor Los Angeles County had been removing inactive voters from the voter registration rolls for the past 20 years, according to Judicial Watch (10).

The National Voter Registration Act outlines the process in which these inactive voters can be removed from the voter rolls but Judicial Watch presented evidence that Los Angeles County was simply not doing it.

In a county with more than five million registered voters, Judicial Watch wanted LA County to clean up their voter rolls by removing 1.5 million inactive voters – almost a quarter of all registered voters. (11).

Judicial Watch ultimately prevailed in its lawsuit and forced Los Angeles County into a settlement:

Under the terms of the settlement agreement, Los Angeles County sent almost 1.6 million address confirmation notices in 2019 to voters listed as “inactive” on its voter rolls. Under the federal National Voter Registration Act (NVRA), voters who do not respond to the notices and who do not vote in the following two federal elections must be removed from the voter rolls. The settlement also required an update to the state’s online NVRA manual to make it clear that ineligible names must be removed and to notify each California county that they are obliged to do this (12).

In the most recent of a series of progress reports to Judicial Watch, Los Angeles County confirmed that a total of 1,207,613 ineligible and inactive voters were recently removed from the rolls. Los Angeles County confirmed last year that over 634,000 of its inactive voters hadn't voted in at least 10 years (12).

The scandal surrounding Los Angeles County reflects just one single California's failure to remove inactive voters – and the problems detected in our audit show this problem exists in many more counties.

► **Finding: California's Motor Voter Act is a Threat to Election Integrity**

In 2015, California passed one of the worst pieces of legislation to undermine its state's election integrity. Assemblymember Lorena Gonzalez authored Assembly Bill 1461 (AB 1461) which was more commonly referred to as the "New Motor Voter Act" (13).

The law required automatic registration of voters at the California Department of Motor Vehicles (DMV) through regular transactions or appointments from residents. Yes, the government agency that can barely handle managing your driver's license and car registration was now put into the business of being state's lead agency for registering voters.

A key part of AB 1461 made voter registration an opt-out process rather than an opt-in. In short, unless someone specifically asked to NOT be registered to vote, the default option was to register the person to vote right then and there, no matter what.

The problems and issues with this law were massive and that was evident shortly after the law went into effect.

Within the first few months of the law being implemented, the DMV admitted that they had "botched" more than 23,000 voter registrations. (14).

California officials also admitted that at least 1,500 "noncitizens" were registered to vote because of the Motor Voter law (15). In a letter from the DMV to the California Secretary of State at the time, Alex Padilla, the agency called this mistake an "error."

"Randall Marquis has lived in California for 31 years, but he knew it was a mistake when he received a notice last month that said he was newly registered to vote. He may have a state driver's license, but he's a citizen of Canada." Los Angeles Times, October 18, 2018 (16).

Interviews with county election officials surfaced immense concerns over ineligible and inaccurate registrations coming from the DMV system.

► **Finding: Numerous Reports of Erroneous Ballot Problems Reported**

As part of its Secure the Vote California initiative (see Appendix A), the Transparency Foundation maintains an Election Integrity Help Desk where voters can report problems with voting in California. Problems are reported primarily through an online portal at www.ProblemBallots.org.

The number one complaint received at this portal (63% of complaints) relates to an individual receiving an erroneous ballot for someone who does not live at their address, a dead person or a duplicate/triplicate ballot.

Here are just some of the verbatim reports received:

“As of this date I have received ballots for 11 people who do not live at this address.”

– Anthony from Jamul

“We have been trying to get Kern County to purge my son’s name from the election rolls, he has been a citizen of Texas for the last 13 years.”

– Bob from Bakersfield

“Not sure how 3 different Voter IDs can be issued 3 times to the same person, email address and home address.”

– Michael from Chula Vista

“An employee of ours who is a Mexican citizen and lives in TJ, has a CA driver’s license and got a ballot in his name here at the office.”

– Will from San Diego

“In 2001, I dated this girl named Sue, and Amanda was her daughter – but we broke up a year later. I have not heard from Amanda since and do not know of her whereabouts but I got a ballot for her in the mail.”

– Keith from Hanford

“I received a ballot for my deceased father, Joseph Reid. He passed on 12-24-2016 in Garden Grove.”

– Jeanette from Orange County

CRITERIA 3: Verifying Identity of Voters (Fail)

Our third criteria on the scorecard relates to whether the state adequately verifies the identity of voters. This verification can be done a number of ways – most reliably through Voter ID in person and strong signature checks and referencing a government ID number when using a mail-in ballot.

Our investigation finds California has the worst practices of any state when it comes to verifying the identity of individuals submitting ballots.

Specifically, there is a clear lack of accuracy when it comes to verifying the signatures on mail-in ballots, which are overwhelmingly used in elections now in California. In fact, over 90% of ballots are now returned through the mail or through a ballot harvester in California – versus less than 10% of ballots that are cast by an individual using the polling station.

As a result, the Transparency Foundation took a closer look at the signature verification process on mail-in ballots. It is important to know how much scrutiny is actually given to verify that the signature that is on the ballot matches up to the voter’s original signature.

► FINDING: California Secretary of State Signature Verification Rules Are Inadequate

When a voter uses a mail-in ballot to cast their vote, they must sign and date an envelope containing the ballot. Under the law, county election officials must “review” the signature to ensure it matches the signature on the voter’s voter registration.

The California Secretary of State issues regulations that county election officials are required to follow in evaluating signatures on mail-in ballots. Unfortunately, our investigation concludes that the regulations imposed by the Secretary of State are so broad and generic that they allow little to no room for actual review of signatures or adequate ways to challenge and reject signatures.

Section 20960 of the California Regulatory Code outlines the Secretary of State’s specific rules for signature verification on mail-in ballots. The Secretary of State demands that county election officials be biased in presuming every signature is valid:

“*The comparison of a signature shall **begin with the basic presumption that the signature on the petition...is the voter’s signature.***”

To make it easier for workers to review signatures, California counties use digital scans of signatures from the voter registration files to compare to the signatures on the mail-in ballots.

Several counties also use a machine to conduct an initial examination of signatures – but this machine can produce wildly different results based on how high its review standard is set by county election officials.

While California regulations require a manual review of signatures rejected by these machines, there is no regulation of the risk that the machines will inappropriately accept ballots that it should not.

Unfortunately, the standard for rejecting a signature is higher in California than any other state in the nation – with this requirement set in the regulations:

“*A signature that the initial reviewer identifies as possessing multiple, significant, and obvious distinctive differing characteristics from the signature(s) in the voter’s registration record shall **only be rejected if two different elections officials unanimously find beyond a reasonable doubt** that the signature differs in multiple, significant, and obvious respects from all signatures in the voter’s registration record.*”

Remember that a signature rejected by the county election officials is not a final determination to reject that vote. In fact, a ballot with a rejected signature simply is set aside and the voter is given an opportunity through a process called “ballot curing” to verify they submitted a vote.

Because this opportunity exists for every rejected signature to be cured by a voter, we find the California regulations to be overly restrictive and biased in favor of allowing ineligible signatures to be accepted.

FINDING: California's Heavy Use of Mail-In Ballots Has Created a High-Risk Environment for Accepting Ineligible Votes

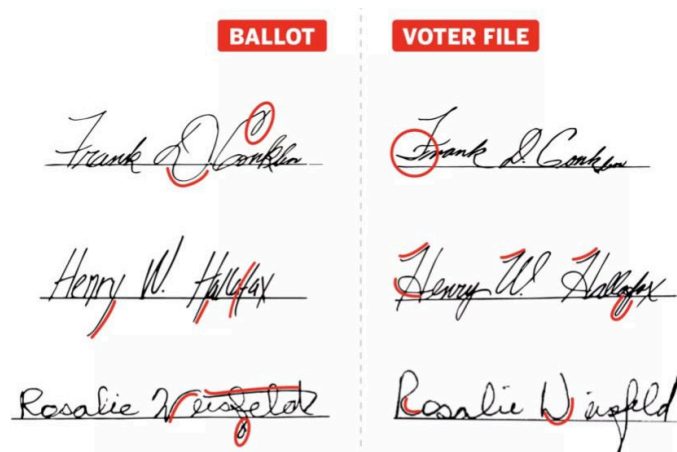


Figure 3: LA Times Graphic: <https://www.latimes.com/california/story/2020-10-28/2020-election-voter-signature-verification> (17).

With over 90 percent of ballots cast in California in 2022 coming from mail-in ballots, county election offices have become completely overwhelmed with signature reviews and ballot processing.

In fact, the processing of mail-in ballots begins a month before Election Day as ballots start trickling in – and can take up to 30 days after Election Day to complete. In the 2022 General Election, more than 2 million ballots remained uncounted in California three weeks after Election Day.

Our interviews with county election officials reveal many are overwhelmed by mail-in ballots and concede that quality control takes a backseat to, according to one interviewee, “just getting all the ballots processed and the election certified.”

In October 2020 the Los Angeles Times described the currently flawed process of ballot signature verification in this state and across the nation in their own piece titled, “‘Ripe for error’: Ballot signature verification is flawed — and a big factor in the election.”

*Election workers eyeball voter signatures on ballots one by one, comparing the loop of an “L” or the squiggle of an “S” against other samples of that person’s writing. When performed by professionals in criminal cases or legal proceedings, signature verification can take hours. But election employees in many states must do the job in **as little as five seconds** (17). (Los Angeles Times, October 20, 2020)*

The Los Angeles Times article goes on to show how important the signature verification process is in general by describing its impact in the 2016 election, “...mismatched signatures were the most common reason that mail ballots were rejected, according to federal officials. With record numbers of people voting by mail this cycle, ballots thrown out for signature problems and other issues have the potential to decide races where the margin of victory is slim.”

Mostly untrained temp workers are being tasked with perhaps one of the most important jobs when it comes to counting legal ballots. This can lead to good ballots being thrown out and bad ballots being counted in pivotal elections that determine which political party controls a respective city, county, or even state.

People tasked with verifying signatures often receive little or no instruction. According to one study, those without formal training are more likely to flag a genuine signature as a fake rather than identify false signatures as real.”

“It is just ripe for error,” said Linton Mohammed, a forensic document examiner in California who has been an expert witness in lawsuits over ballot signature rules.

*In some populous areas, like **Los Angeles County** and Clark County, Nev., a computer program takes the first pass at ballots, scanning for possible handwriting mismatches. If a discrepancy is found, the signature is given a second, and sometimes third, look by humans (17).*

California regulations are overly restrictive and biased in favor of allowing ineligible signatures to be accepted.

► **FINDING: Audit of Signature Rejection Rates Reveals Alarming Lack of Consistency Across California Counties**

The Transparency Foundation selected nine counties in California for an audit of signature rejection rates and received datasets from eight of the nine counties for our analysis.

Our investigation concludes that the flawed signature review regulations imposed by the California Secretary of State have resulted in massive disparities across counties in the percentage of ballots rejected for a signature mismatch.

In the Primary and General Elections, Sacramento County rejected a significantly lower percentage of signatures (.24% in the Primary and .23% in the General) than San Joaquin County (2.18% in the Primary and 2.10% in the General.) The statewide average of rejected signatures was .70% in the Primary and 1.15% in the General.

Sacramento County’s significantly low rate of rejecting signatures when compared to the statewide average raises concerns it has failed in its duty to properly review and reject illegitimate signatures. Is it possible that Sacramento voters have better penmanship and better signatures than voters in the rest of the state? Highly unlikely.

In fact, we can conclude that there is a high likelihood that Sacramento County is doing a poor job of signature reviews and has a higher risk of counting fraudulent votes.

Some may claim that San Joaquin’s high rate of signature rejections raises significant concerns that it has been too harsh on rejecting signatures. The uncured rate on rejected signatures in the Primary (57.5%) was towards the higher end of the statewide range – implying their signature rejection rate was probably valid. However, its uncured rate on rejected signatures in the General (34.3%) was far lower than statewide averages – implying their signature rejection rate was probably too harsh.

A state cannot have a fair election if one county is inappropriately accepting invalid signatures. Moreover, public trust and confidence is weakened when there are vast disparities in signature rejection rates as it implies a violation of equal protection of voter rights.

It is clear from the disparities in these figures that the California signature review regulations and implementation practices in each county need a complete overhaul.

PRIMARY

COUNTY	TOTAL BALLOTS CAST	TOTAL REJECTED	TOTAL CURED	TOTAL NOT CURED	PERCENT NOT CURED	PERCENT REJECTED	DEVIATION STATEWIDE	PERCENT DEVIATION FROM STATEWIDE
Alameda	308,909	2,009	1,041	968	48.2%	.65%	-0.05%	7% lower rejection rate
Kern	113,560	1,128	579	549	49.0%	.99%	+0.29%	41% higher rejection rate
Los Angeles	1,620,593	11,568	5,519	6,049	52.3%	.71%	+0.01%	1% higher rejection rate
Orange	636,497	3,384	2,030	1,354	40.0%	.53%	-0.17%	24% lower rejection rate
Sacramento	344,435	851	379	472	55.5%	.24%	-0.46%	65% lower rejection rate
San Diego	674,608	5,008	2,301	2,707	54.1%	.74%	+0.04%	6% higher rejection rate
San Joaquin	110,252	2,399	1,020	1,379	57.5%	2.18%	+1.48%	211% higher rejection rate
Stanislaus	81,965	848	299	549	64.7%	1.03%	+0.33%	47% higher rejection rate
Fresno	Not Responsive – violation of law	Not Responsive – violation of law	Not Responsive – violation of law	Not Responsive – violation of law	N/A	N/A	N/A	
TOTAL SURVEY	3,890,819	27,195	13,168	14,027	52%	.70%	NA	

GENERAL

COUNTY	TOTAL BALLOTS CAST	TOTAL REJECTED	TOTAL CURED	TOTAL NOT CURED	PERCENT NOT CURED	PERCENT REJECTED	DEVIATION STATEWIDE	PERCENT DEVIATION FROM STATEWIDE
Alameda	496,125	3,522	1,655	1,867	53.0%	.71%	-0.44%	38% lower rejection rate
Los Angeles	2,456,701	18,790	8,896	9,894	52.7%	.76%	-0.39%	34% lower rejection rate
Orange	994,227	17,669	7,565	10,104	53.8%	1.78%	+0.63%	55% higher rejection rate
Sacramento	484,315	1,100	525	575	52.3%	.23%	-0.92%	80% lower rejection rate
San Diego	1,043,490	12,522	4,873	7,649	61.1%	1.20%	+0.05%	4% higher rejection rate
San Joaquin	179,333	3,745	2,460	1,285	34.3%	2.10%	+0.95%	83% higher rejection rate
Stanislaus	132,142	1,469	498	971	66.1%	1.11%	+0.04%	3% higher rejection rate
Kern	190,705	2451	1093	1358	55.4%	1.29%	+0.14%	12% higher rejection rate
Fresno	Not Responsive- violation of law	Not Responsive- violation of law	Not Responsive- violation of law	Not Responsive- violation of law	N/A	N/A	N/A	
TOTAL SURVEY	5,786,333	58,817	26,472	32,345	56%	1.15%	N/A	

It is important to note that Fresno County violated the California Public Records Act law by not complying with our data requests. While the Foundation could have sued Fresno County for violating the law, we determined our audit could be completed without these datasets. It should be noted that failure to provide the public with full transparency on election-related data should be punished as it contributes to the erosion of public trust and confidence in our electoral process.

Finally, there were major shifts in signature rejection rates in two counties between the Primary and the General Election. San Diego County's rejection rate went from .74% in the Primary to 1.20 in the General while Orange County's rejection rate went from .52% in the Primary to 1.78% in the General.

While a number of factors could have influenced these shifts, the Secure the Vote Initiative of the

Transparency Foundation was actively recruiting and training election workers in those counties for the General Election. (See Appendix A)

Our goal was to encourage members of the public to take the seasonal election jobs to help review signatures and process ballots in those counties. We were quite pleased to see the significant increase in ballot rejection rates in those counties.

This intervention may prove that proper training and motivation is key to ensuring better reviews of signatures on ballots in California.

“The flawed signature review regulations imposed by the California Secretary of State have resulted in massive disparities across counties in the percentage of ballots rejected for a signature mismatch.”

CRITERIA 4: Confirmation of Eligibility/ Citizenship (Fail)

The fourth criteria of the scorecard relates to the confirmation of eligibility to vote – particularly their citizenship status. Does California properly confirm the citizenship and eligibility of individuals prior to adding them to the voter registration rolls?

Our investigation found that California lacks clear, consistent, and transparent rules and processes for verifying eligibility and citizenship of individuals registering to vote.

California election officials will say voter registration materials state that an individual should not register to vote unless they are eligible and a US citizen – but this admonition alone is not sufficient.

As a border state, California already has a massive problem with illegal immigration – but that problem has grown exponentially in the last twenty years as its liberal politicians have enacted laws to make the state a “sanctuary” for illegal immigrants and provide generous welfare programs to them.

Even worse, a number of legislative and regulatory changes in the last twenty years have established avenues for illegal immigrants to register to vote:

- As public welfare has been expanded to illegal immigrants, paperwork for receiving those benefits often includes a voter registration form per state law.
- Because California provides illegal immigrants with driver’s licenses, the Motor Voter Law now requires the DMV to ask illegal immigrants if they want to register to vote.
- Several California cities have passed laws allowing illegal immigrants to vote in local elections – such as for school board.

California officials should not only be restricting opportunities for illegal immigrants to register to vote, but it should also be doing a much more aggressive job at preventing them from inadvertently or intentionally registering to vote.

Some counties are attempting modest reviews to purge illegal immigrants from their voter rolls.

For example, the website for the San Diego County Registrar of Voters states that voter registrations in their county are checked for citizenship through the San Diego County Superior Court's Jury Administration Department (18).

The Jury Commissioner in each California county uses the voter registration list to send out Jury Summons. Individuals can request to be excused from jury service for a number of reasons – including if they are not a US citizen. In fact, the Jury Summons form has a box that can be checked to indicate someone is not a citizen.

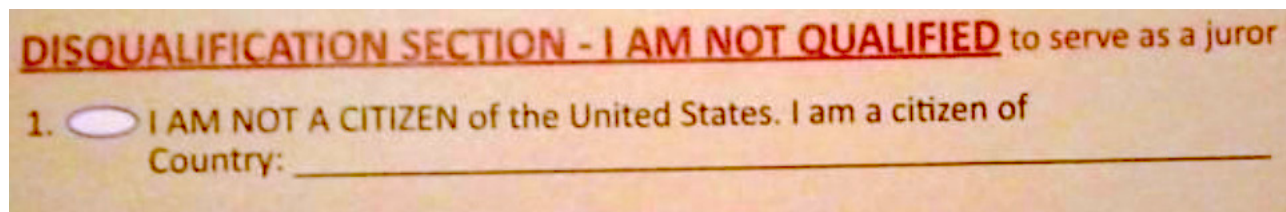


Figure 4: California Jury Summons – Question Regarding Citizenship (19).

In conducting this investigation, the Transparency Foundation inquired with several county Jury Commissioners about obtaining records relating to the number of Jury Summons returned with the “not a US Citizen” box checked – but all refused to provide the records. Some county Jury Commissioners even refuse to cooperate with the county Registrar of Voters in this data exchange request.

“An employee of ours who is a Mexican citizen and lives in TJ, has a CA driver’s license and got a ballot in his name here at the office.”

– Will from San Diego

“California lacks clear, consistent, and transparent rules and processes for verifying eligibility and citizenship of individuals registering to vote.”

CRITERIA 5: Accessibility of Voting (Fail)

Our fifth criteria on the scorecard deals with accessibility of voting – or the desire to make voting as easy as possible to promote maximum participation and turnout.

“Voter access” or “accessibility” are buzzwords that are often thrown around and frequently mentioned in

the news. The media will typically complain that a particular political party is trying to limit voting access to a specific group of people.

California politicians will claim that they should receive high marks on this standard because the state uses an all-mail ballot election. If every voter can easily vote by mail anytime during an “election month” then why is that not the most accessible way to hold an election?

The problem arises when you see overwhelming evidence that an alarmingly high percentage of conservative voters do not trust using their mail-in ballot but instead prefer to vote in person at a polling station on Election Day.

Switching to a mail-in balloting – by itself – does not satisfy the goal of ensuring the most accessible election possible. Worse, our investigation uncovered evidence that California is actually suppressing voting in several ways.

► **FINDING: California Has Reduced Polling Locations and May Be Intentionally Attempting to Suppress Conservative Votes**

Voting is a habit – even a ritual for many people. Many voters were used to being assigned to a specific precinct and then voting at their local church, school, or community center. They typically didn’t have to walk or drive very far to get there. And many voters always knew exactly where to go as their polling location tended to stay the same election after election.

Unfortunately, in 2020 and again in 2022, California significantly reduced the number of local polling stations on Election Day. Our investigation finds this decision has had a profoundly negative impact on state elections.

The San Diego Union Tribune (SDUT) reported this incredible shift in their own county as the nearly 1,600 neighborhood polling precincts that voters were familiar with were now shrunk down to just 218 “voter centers” (20). That is a shocking 87% decrease in available polling locations.

The consolidation of polling locations was fawningly described in the SDUT’s article as a new “California election model.”

Our investigation finds this model can have significant negative impacts on voter turnout – and can lead to the suppression of conservative votes in elections.

If there are fewer polling locations, voters may have to travel farther to get to the nearest location, which can be a significant barrier for older individuals with mobility or transportation issues or for families with children.

In addition, long lines at polling locations can greatly discourage people from voting, especially if the weather consists of heavy rain. Nobody wants to stand outside in the rain for hours to vote.

In fact, many of San Diego County’s most conservative communities are far out of the city limits in more rural, unincorporated areas. This surely had a negative impact on rural voters and their respective turnout.

It is no secret among political operatives that conservative voters prefer to vote on Election Day and Democrat voters have become accustomed to mail-in ballots.

A 1,500-person survey conducted by YouGov demonstrated this contrast in the 2022 election. Two-thirds of

Democrats said that they would vote early with about one-third saying they would vote in person on Election Day. In stark contrast about two-thirds of Republicans said that they would vote on Election Day with about one-third saying they would vote by mail.

As was the case during the 2020 presidential election, there are partisan differences in how Americans intend to cast their ballots in November's elections. The bulk of people who say they will vote on Election Day (November 8) will vote Republican, while most people who plan to cast their ballots before Election Day will vote Democratic.

"A majority of likely voters (57%) who say they will vote in-person on Election Day say they will vote for the Republican candidate in the district where they live. Meanwhile, 61% of likely voters who plan to vote by absentee ballot — either by mail or by dropping off their ballot at a vote center or drop box — say they will support the Democrats" (21)

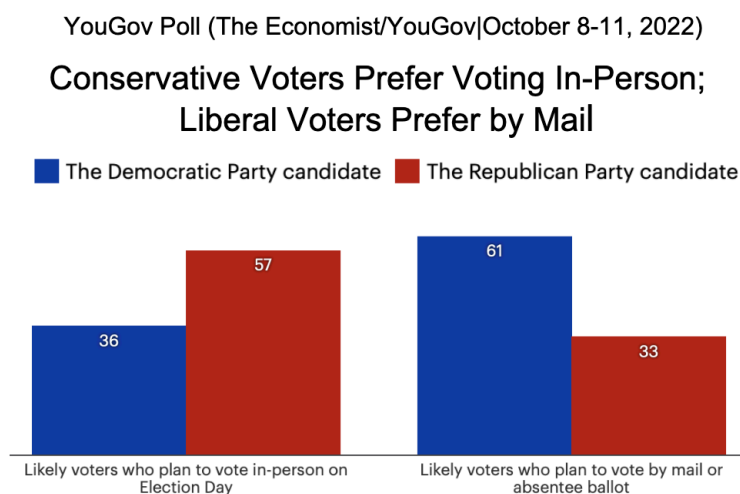


Figure 5: YouGov Graphic (21).

This polling is confirmed by actual voting data in California. In fact, by October 23, 2022, the number of Democrats who had voted by mail early in California exceeded Republicans by almost ten points.

CalMatters wrote about and described this in their breakdown from Political Data's ballot tracker as voters returned their mail in ballots:

About 32 percent of registered Democrats — upwards of 3.2 million — have already voted in the November general election...In comparison, 23 percent of Republicans and 21 percent of independents have had their ballots processed as of Thursday evening. Nearly 650,000 more Democrats have voted than Republicans and independents combined (22).

It's easy to see why the "California election model" of slashing polling locations has been so strongly advanced by Democrat politicians. By making it harder for individuals to vote on Election Day, the "California election model" suppresses conservative voter turnout.

On November 8, 2022, San Diego county's experiment with the "California election model" turned into a nightmare for voters when a massive winter storm hit and it rained all day.

Election Day turned into a soggy march to the polls across San Diego County on Tuesday when a storm out of the Gulf of Alaska tapped moisture from the subtropics and dropped from 1 to 6 inches of rain across a region badly in need of a good soaking (23).

Between an unpredictable storm and the greatly reduced polling centers, San Diego voters (mostly Republicans) faced incredibly long lines. Lori H., a poll worker at a vote center in San Diego County, confirmed exactly this in a statement to the Transparency Foundation:

“I was a poll worker at a 4-day vote center in north Escondido. I can tell you what happened. We had 35 people each day up to the election (Saturday, Sunday, and Monday). Then on Election Day, we had 485. People still like to vote on Election Day, whether due to tradition or conspiracy theories. Simply stated, we do not have enough in-person vote centers on Election Day. We need to go back to ONE Election Day with a ton of polling places, like we used to do.”

Voters across the political spectrum were used to and generally liked the precinct level system of voting. Lori’s statement said it all, “People still like to vote on Election Day.”

It is ironic as Democrat politicians and their friends in the media have frequently accused Republicans of “voter suppression” for years – all while California has implemented a very alarming system that substantially increases the likelihood of real voter suppression in California by cutting the number of polling locations just in San Diego County by 87%!

“California politicians have implemented a very alarming system that substantially increases the likelihood of real voter suppression.”

CRITERIA 6: Security of Election Systems (Fail)

The sixth criteria of the scorecard involve an evaluation of the security of state and local election systems.

Our investigation concludes that California state and local election officials do not use adequate controls to ensure the chain-of-custody of physical ballots and the security of their technology and devices used to count and tabulate votes.

► Finding: Ballot Harvesting Undermines Election Security by Eliminating Reliable Chain-of-Custody on Ballots

California was the first state in the nation to legalize the dubious practice of “ballot harvesting” whereby strangers can collect and handle mail ballots from voters. Previously only family members and those with power of attorney could collect and handle someone’s ballot.

After California passed a law making ballot harvesting legal, political campaigns (mainly on the Left) launched

aggressive harvesting operations in targeted seats.

California also fails to provide uniform oversight of the handling of ballots. For example, postal workers are required to use tracking software on the ballots sent through the mail. When a voter hands their ballot over to the US postal service, they can have confidence that this quasi-governmental agency has a rigorous process for handling and delivering the ballot.

In stark contrast no such system of tracking occurs for ballot harvesters – and no uniform process imposed by the state for ballot harvesting. As a result, there is no way to know who harvested a ballot, how long they held the ballot in their possession, and whether the ballot was provided to a different person or organization.

Ballot harvesting inherently undermines election security by eliminating reliable chain-of-custody on ballots. For this reason alone, California would fail to meet this standard.

► **Finding: California's Cybersecurity Office Falls Short on Election Security**

Controversies (both legitimate and illegitimate) surrounding the use of technology in voting have also contributed to the public's loss of trust in California's elections.

While technology can help to streamline the voting process and make it more efficient, it also poses security risks and can be vulnerable to hacking or other forms of manipulation.

But it's not just voting machines that can be manipulated, it's social media websites that billions of people use every day. Think about it, criminals can hack into social media websites and other mediums where they can then manipulate what a user sees or does not see as it pertains to an election, local news, or even their local polling center.

One of the best comprehensive reports detailing cybersecurity threats along with recommendation solutions moving forward comes from a 2018 study by the National Academies of Sciences, Engineering, and Medicine.

“The vulnerability of election infrastructure to cyberattacks became a growing concern during the campaign leading up to the 2016 presidential election, and in fall 2016, the federal government took the unusual step of issuing a joint statement from the U.S. Department of Homeland Security (DHS) and the Office of the Director of National Intelligence (ODNI) urging state and local governments to be “vigilant and seek cybersecurity assistance from DHS” (24).”

In 2018, California Governor Jerry Brown signed legislation which established the Office of Election Cybersecurity (25). California deserves some credit for having created a dedicated team to this issue but it's simply not enough.

We hear and read news stories almost daily of cybersecurity threats or attacks where personal information has been stolen. Large multi-billion-dollar companies, local governments, and even our own state government have experienced cyber-attacks. In fact, just last year, California's Department of Finance was victim to a cybersecurity attack from a “notorious ransomware group...The Russia-affiliated group dubbed LockBit claimed responsibility for the ransomware attack on the agency...” (26).

In the report *Securing the Vote: Protecting American Democracy*, a number of cyber-attacks are discussed:

Denial-of-service Attacks

Denial-of-service (DoS) attacks interrupt or slow access to computer systems. DoS can be used to disrupt vote casting, vote tallying, or election audits by preventing access to e-pollbooks, electronic voting systems, or electronic auditing systems.

When employed against even a limited number of jurisdictions, DoS disruptions could lead to a loss in confidence in overall election integrity. A DoS attack targeting select jurisdictions could alter the outcome of an election.

Malware

Malware—malicious software that includes worms, spyware, viruses, Trojan horses, and ransomware—is perhaps the greatest threat to electronic voting. Malware can be introduced at any point in the electronic path of a vote—from the software behind the vote-casting interface to the software tabulating votes—to prevent a voter’s vote from being recorded as intended.

Malware can prevent voting by compromising or disrupting e-pollbooks or by disabling vote-casting systems. It can prevent correct tallying by altering or destroying electronic records or by causing software to miscount electronic ballots or physical ballots (e.g., in instances where optical scanners are used in the vote tabulation process). Malware can also be used to disrupt auditing software.

Malware is not easily detected. It can be introduced into systems via software updates, removable media with ballot definition files, and through the exploitation of software errors in networked systems. It may also be introduced by direct physical access, e.g., by individuals operating inappropriately at points during the manufacturing of the election system or at the level of elections offices. It is difficult to comprehensively thwart the introduction of malware in all these instances (24).

DoS attacks and Malware are on the rise. Setting up a new department does not eliminate the risk that these attacks pose to election integrity. In addition, transparency from the department is paramount. Californians should be receiving updates on what the Office of Election Cybersecurity does and the threats that it has stopped.

CRITERIA 7: Interference in Elections (Fail)

The seventh criteria examines whether state and local officials inappropriately try to influence the outcome of elections. Elections should be free and fair without those in power trying to tip the scale one way or another.

Our investigation documented numerous instances of state and local officials using taxpayer resources to try to influence the outcome of an election – either through biased information or using taxpayer funds or grants from special interests to boost a certain election turnout.

► Finding: California Politicians Interfere in Elections by Using Taxpayer Funds to Boost Turnout in Discriminating Ways

“Election are won by those that turn out.” This is an oft-repeated saying among political operatives in discussing how turnout can help or hurt political candidates or ballot measures.

Efforts to boost turnout by making everyone aware of an election and making voting as accessible as possible is crucial to a well-run election. However, when government manipulates turnout by targeting specific voting blocks that favor their preferred candidate or position, not only is it illegal, but it undermines election integrity.

The 2021 Gubernatorial Recall election in California provides an alarming case study in manipulation of turnout.

In May of 2021, when Governor Gavin Newsom and Sacramento Democrats saw that a Recall election was imminent after more than 1.6 million petition signatures to recall the Governor were verified, they quickly sprang into action to give themselves an advantage.

California lawmakers approved \$35 million for the secretary of state to spend on voter education in a party-line vote in June. It was part of a bill that allowed for an earlier recall, which Democrats hoped would help Newsom defeat it. (27)

Sixteen million taxpayer dollars were earmarked for what the politicians called “a statewide voter education campaign.” While Democrats told us they just wanted to “inform” voters and make sure that people knew there was a recall campaign, following the money trail always gives us the full and complete story.

Hoping to combat voter apathy, the effort could benefit the sitting governor by increasing turnout. The campaign will appear on billboards, radio, and digital ads, television, and other tactics to educate voters about the recall and casting a ballot. (28).

As these expenses were for an election, the contracts were handled through the California Secretary of State Shirley Weber’s office. Shirley Weber was a long time Democrat member of the State Assembly before being appointed to Secretary of State by Governor Newsom in 2020 and confirmed in early 2021. Weber’s office ended up awarding this lucrative recall campaign contract to an agency with deep ties to the national and California state Democratic Party. The Sax Agency of Los Angeles was chosen over only four other applicants.

Sax worked on behalf of the Democratic Congressional Campaign Committee in 2020 on a project aimed at motivating Black voters, according to its bid. (27)

The Sax Agency also had a very partisan post on Instagram after the 2020 presidential election. The Instagram post only contained a picture of the president-elect and vice president-elect Joe Biden and Kamala Harris, respectively with the caption, “No words, just a big sigh of relief.”

When special contracts are awarded to insiders, highly partisan agencies or firms, voters across the political spectrum know that this isn’t fair and that it is certainly a threat to election integrity. Election officials should be and act in a nonpartisan manner as standard practice. However, we continue to see more and more behavior that threatens election integrity in California.

Election interference by California government officials was also documented in a December 2022 report from the Transparency Foundation entitled “Follow the Money: How Left-Wing Organizations in San Diego County Get Inappropriate Taxpayer Funding While Engaging in Lobbying, Issue Advocacy, and Political Activities.” Among the findings of the report:

- **Funding for Left-Wing Groups to Turnout Voters:** Millions of dollars of taxpayer funds were given to

boost turnout in Democrat-oriented communities. The liberal Alliance San Diego even bragged in a news release in October 2021 that it “engaged over 1 million voters during the 2021 Recall Election.”

- **Manipulation of Redistricting Efforts:** Government officials used taxpayer funds to help liberal groups influence and lobby redistricting commissions. How district lines are drawn can benefit individual politicians and political parties.
- **Funding and Promoting Groups Involved with Ballot Measure Advocacy:** Taxpayer funds were given to several groups that take advocacy positions for and against candidates and ballot measures.

Finally, California state and local politicians have repeatedly been caught using taxpayer funds to try to influence voter decisions.

For example, cities have hired polling companies and marketing firms to help them organize political campaigns. Moreover, cities have paid for expensive mailers to voters during election season threatening that service cuts will be imposed if a tax increase ballot measure is not approved.

It is rare but sometimes a local government agency is caught and punished for this behavior – as summarized by this 2020 news release from the Howard Jarvis Taxpayers Association (29):

In August, the Fair Political Practices Commission imposed one of the largest fines in its history against Los Angeles County for using taxpayer funds to advocate for a ballot measure it had placed on the ballot.

Measure H was a massive sales tax increase, ostensibly for homeless programs. That same illegal behavior resulted in a lawsuit by the Howard Jarvis Taxpayers Association.

The \$1.3 million fine imposed by the FPPC against a local government entity for campaign finance disclosure and reporting violations sent shockwaves throughout the local government community which had grown accustomed to sending out campaign mailers thinly disguised as “informational” material.

The use of taxpayer funds to manipulate and influence voters and election outcomes must end in California.

California state and local politicians have repeatedly been caught using taxpayer funds to try to influence voter decisions.

CRITERIA 8: Unbiased and Accurate Ballot Titles (Fail)

The eighth criteria we examine relates to whether voters are given unbiased and accurate ballot titles on measures that appear on their ballot.

California is one of many states that allows voters to vote directly on ballot measures. Every election, ballots

aren't just filled with candidates to choose from, they are also filled with many ballot measures – sometimes at the state, county, and city level. These measures might ask voters to approve a tax increase, a state constitutional amendment, or a school bond.

When propositions come before the voters, the ballot title and summary should be as transparent as possible. It shouldn't be a puzzle for voters to solve and it shouldn't be confusing. But voters have been subjected to unfair and misleading ballot titles and summaries or descriptions again and again. Everyone can remember a proposition where a "Yes" vote indicated opposition to a measure while a "No" vote indicated support. This wasn't an accident.

Our investigation finds that California is by far the worst state in the nation when it comes to deception and manipulation in the description of measures on the ballot.

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► **Finding: The California Attorney General has displayed blatant bias in ballot titles and summaries to intentionally mislead voters affecting the outcome of elections**

The California Attorney General (AG) is responsible for writing, preparing the title and summaries for statewide propositions.

Normally, this would seem like a logical choice. The state's Attorney General should be the top law enforcement officer providing equal justice to all. The AG's own website states that his or her responsibilities include, "safeguarding Californians from harm and promoting community safety, preserving California's spectacular natural resources, enforcing civil rights laws, and helping victims of identity theft, mortgage-related fraud, illegal business practices, and other consumer crimes" (30).

But California politicians have corrupted this office, politicized the title and summary process, and the state's attorney general has become just another partisan pushing an agenda.

The problem of biased ballot measure titles is best illustrated by the 2018 Gas Tax Repeal Initiative.

That year California politicians enacted a massive car and gas tax hike. Citizens revolted against it and over 1 million signatures were collected and submitted by Reform California to overturn the costly tax hike.

The initiative drafted by proponents gave the measure a simple and accurate title: **The Gas Tax Repeal Initiative of 2018**

What did the ballot title and summary for Proposition 6 from then California Attorney General Xavier Becerra ultimately say? **"Eliminates certain road repair and transportation funding. Requires certain fuel taxes and vehicle fees to be approved by the electorate."**

Not a single word in the Gas Tax Repeal Initiative eliminated any road repair or transportation funding. That is a choice made exclusively by state legislators each year in the budget process. The measure simply rolled

back a tax hike. In addition, the title implied that voters would be “required” to approve certain fuel taxes and vehicle fees.

What is worse than the deceptive language adopted by the Attorney General is the fact that this language was later found to have been poll-tested and crafted by Democrat political consultants on the outside of the Attorney General’s office.

In corrupting the ballot title for the Gas Tax Repeal Initiative, then-Attorney General Xavier Becerra put his thumb on the scale of an election in a blatant disregard for the law and a deep violation of his office’s own mission statement. The voters in California were robbed of a fair, honest election.

Even the liberal-leaning CalMatters media outlet reported:

“The current attorney general, Xavier Becerra, has continued the unsavory practice that violates the spirit, if not the letter, of Election Code Section 9051. It states that “in providing the ballot title and summary, the Attorney General shall give a true and impartial statement of the purpose of the measure in such language that the ballot title and summary shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure” (31).”

CRITERIA 9: Individual Ballot Tracking and Curing (Pass)

The ninth criteria on the scorecard examines whether individual voters can track their ballot to make sure it was received and counted by election officials – and whether a process exists for voters to “cure” any rejection of their ballot prior to the election being certified.

While this report has listed many areas of concern and many issues with how California conducts elections, the Transparency Foundation was pleased with California’s efforts on this criterion.

In fact, California is a model in providing an easy process for individual ballot tracking and curing. Both of these are to be commended and the state deserves credit for offering them to voters.

► FINDING: California Has a Successful “Track-My-Ballot” System for Individual Ballot Tracking

California, like many other states (including both traditionally “Red” or Republican and traditionally “Blue” or Democrat states), has contracted with a company called “Ballot Trax.”

“The tracker[Ballot Trax] was rolled out after a 2018 bill that require the California Secretary of State to provide a tracking service to county elections offices. It was expanded statewide after Gov. Gavin Newsom’s order requiring vote-by-mail ballots be sent to all California voters to avoid large gatherings at polling places during the coronavirus pandemic (32).”

Ballot Trax is a Denver, Colorado based company which describes itself as:

an award-winning, patent-pending system which tracks mail ballot envelopes through the postal stream to the final destination at the election division. Through the simple web application, voters set up notification preferences, including language, delivery method and best times to be contacted. Voters can choose from email, text, and voice messaging.

With tracking, reports and branding customization, election officials have a valuable intelligent tool that simplifies and expedites the voting procedures while maximizing accountability and reducing operational costs. The unique tracking and communication system also builds voter confidence and turn-out in the vote-by-mail process.

The visibility benefit for counties and voters enables election offices to provide higher levels of customer service at a reduced administrative cost (33).

Starting in 2020, voters in California have been able to track their ballot, receive updates on when it is received by their local Registrar of Voters, and when it is counted.

Much like tracking a package from a delivery service, this technology and service is common sense and should be used and offered to every voter in every state.

The California Secretary of State's (SOS) office provides the following details regarding Ballot Trax (34):

- BallotTrax is contractually obligated to comply with both state and federal security requirements.
- BallotTrax is not allowed to share the data the SOS provides with a 3rd party and the data will only be used for the intended purpose of providing ballot tracking services.
- BallotTrax is prohibited from processing the data the SOS provides for unrelated commercial purposes, advertising, or any other purpose other than intended and permitted by the SOS.

► **FINDING: California Has a Reliable Process for Ballot Curing**

What does it mean to cure your ballot? Ballot curing is a process in which election officials attempt to fix or “cure” ballots that have been rejected or are at risk of being rejected due to errors or issues – like a missing signature.

California deserves credit for allowing voters to “cure” their ballot, which is something that is not done or permitted in every state. In fact, slightly less than half (only 24) of states, according to the National Conference of State Legislatures, “require election officials to notify voters when there is a missing signature or a signature discrepancy—and require that voters must be given an opportunity to correct it” (35).

California's process is typically used for those who have voted by mail or by absentee ballot and involves notifying voters of problems with their ballots and providing them with an opportunity to correct or “cure” those issues before the election results are certified.

For example, a ballot may be rejected because the voter's signature on the ballot does not match the signature on the voter registration record or because the voter forgot to sign the envelope altogether. In these kinds of cases, local election officials may contact the voter to inform them of the problem and then provide instructions on how to correct it. This could include providing a new signature or signing an affidavit.

“Voters have until 5 p.m. two days prior to certification of the election to provide a signature verification statement in person. If a voter fails to sign the absentee ballot envelope, they have until 5 p.m. on the eighth day after the election to submit an unsigned ballot statement” (36).

Ballot curing is intended to ensure that as many valid ballots as possible are counted in an election, and that voters are not disenfranchised due to technical errors or mistakes. However, the specifics of ballot curing can vary depending on the jurisdiction and the specific election laws in place. Ballot curing has become increasingly used for voters in California as the state has switched to mailing every voter a ballot.

Voters deserve this chance to cure their ballot, and this is an important policy to protect votes that would otherwise not count.

CRITERIA 10: Post-Election Auditing (Fail)

The final criteria in the scorecard involves a post-election audit of the integrity of the election. The Transparency Foundation believes it is crucial that state and local officials conduct independent full-range audits and release the findings to the public to ensure election processes were properly implemented.

Doing these post-election audits not only provides a vehicle to identify problems and make improvements in the election process, but it also serves to enhance public trust and confidence.

We find that while California has conducted rudimentary risk-limiting audits to evaluate whether there are machine tabulation errors, these audits are woefully inadequate.

The Transparency Foundation recommends that a program of regular independent election audits evaluate the following issues:

- Whether the voter registration list is being accurately and properly maintained (ideally complete the audit 90 days prior to the Primary Election each cycle)
- Whether signatures have been properly reviewed and rejected (this can be a random sample audit post-election)
- Whether inactive voters suddenly reactivated (this should be a full audit post-election)
- Whether rejected ballots that were not cured were actually returned by the voters themselves (this should be a full audit post-election)
- Whether wait times at polling locations were acceptable (this will help provide guidance on expanding or contracting polling stations going forward)

When we conducted our audit of California voter rolls looking to flag “inactive voters” we discovered voters who were inactive between 2016 and September 2021, but suddenly returned a ballot in the 2021 Recall Election. This greatly concerned our investigation team.

While it is possible these voters suddenly activated for this special election in 2021, is it credible to believe

they skipped voting altogether in 2016 and 2020 Presidential elections with such a big personality as Donald Trump on the ballot?

- **HIGHLY QUESTIONABLE VOTES:** Voters who were inactive between 2016 and September 2021, but suddenly returned a ballot in the 2021 Recall Election.
 - Number of questionable votes cast in audit sample: **17,715**
 - Statewide count based on audit sample: 249,507 highly questionable votes cast

In addition to this audit query, the Transparency Foundation was able to perform an audit of a sample of rejected ballots that were not cured that were reported by seven counties.

This audit consisted of contacting the individuals in the sample by phone, text, email, and in-person to determine their eligibility as voters and whether or not anyone interfered with or intercepted their ballots — or voted on their behalf. This long and tedious process was an essential piece of this investigation.

The findings of this audit are quite alarming.

We found that 14.17% of audited uncured” ballots rejected for a missing or an invalid signature during the 2022 California November Election were likely fraudulently cast – as the voters for those ballots vehemently denied to investigators that they ever voted in the election.

Confirmed Attempt to Vote	81.7%
Denied They Voted	14.17%
Unsure of Whether They Voted	4.12%
<i>Completed survey sample size = 388</i>	

Many individuals even claimed they lived out-of-state. Our investigators struggled with a high rate of no responses to the survey – raising the probability that the fraud rate on these ballots is likely much higher than 14.17% detected.

In just the seven counties that provided data for this audit, the total number of ballots rejected where the voter did not confirm their intent to vote is alarming:

Primary Election – 8 Counties:
14,027

General Election – 7 Counties:
32,345

PRIMARY

COUNTY	TOTAL BALLOTS CAST	TOTAL REJECTED	TOTAL CURED	TOTAL NOT CURED	PERCENT NOT CURED
Alameda	308,909	2,009	1,041	968	48.2%
Kern	113,560	1,128	579	549	49.0%
Los Angeles	1,620,593	11,568	5,519	6,049	52.3%
Orange	636,497	3,384	2,030	1,354	40.0%
Sacramento	344,435	851	379	472	55.5%
San Diego	674,608	5,008	2,301	2,707	54.1%
San Joaquin	110,252	2,399	1,020	1,379	57.5%
Stanislaus	81,965	848	299	549	64.7%
Fresno	Not Responsive – violation of law	Not Responsive – violation of law	Not Responsive – violation of law	Not Responsive – violation of law	N/A

GENERAL

COUNTY	TOTAL BALLOTS CAST	TOTAL REJECTED	TOTAL CURED	TOTAL NOT CURED	PERCENT NOT CURED
Alameda	496,125	3,522	1,655	1,867	53.0%
Los Angeles	2,456,701	18,790	8,896	9,894	52.7%
Orange	994,227	17,669	7,565	10,104	53.8%
Sacramento	484,315	1,100	525	575	52.3%
San Diego	1,043,490	12,522	4,873	7,649	61.1%
San Joaquin	179,333	3,745	2,460	1,285	34.3%
Stanislaus	132,142	1,469	498	971	66.1%
Fresno	Not Responsive-violation of law	Not Responsive-violation of law	Not Responsive-violation of law	Not Responsive-violation of law	NA
Kern	190,705	2,451	1,093	1,358	55.4%

“We found that 14.17% of audited “uncured” ballots rejected for a missing or an invalid signature during the 2022 California November Election were likely fraudulently cast – as the voters for those ballots vehemently denied to investigators that they ever voted in the election.”

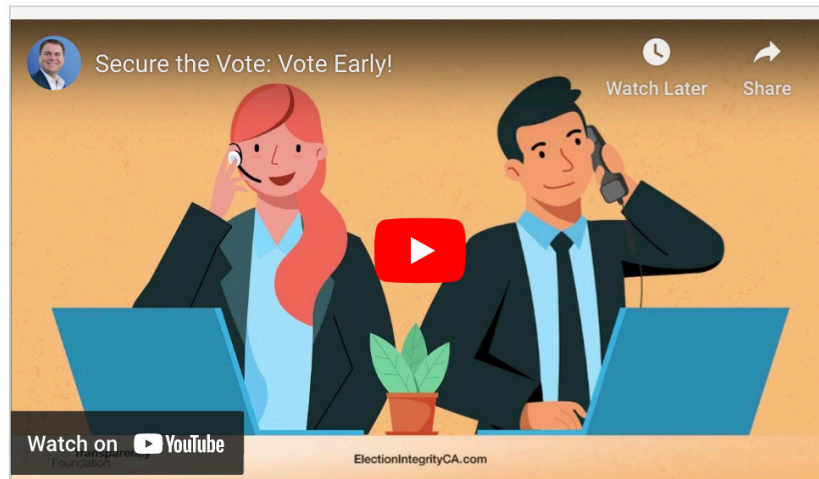
Appendix A - Transparency Foundation

“Secure the Vote” initiative

While problems and challenges may persist, the Transparency Foundation has been proactive in developing our own program to protect election integrity.

One of the Transparency Foundation’s signature programs is the “Secure the Vote” initiative. The Secure the Vote Initiative is dedicated to identifying and training voters to vote quickly and legally. The effort also aims to track and report problem ballots in our push for election integrity and security.

YouTube video link: [Secure the Vote: Vote Early!](#)



How to Vote the S.A.F.E. Way

Many voters are rightfully worried about the integrity of the election. The first step in securing the vote... is to vote! Here’s how to do so quickly and legally, and how you can track your ballot to make sure it’s counted. Just follow the S.A.F.E. method below!

SEND: Mail in your ballot on Day 1 of the election! Do NOT wait until the day of the election, as the state has cut back on polling places and long lines will suppress the vote! Voting on Day 1 gives you the full 30 days of the election to verify your vote is counted or resolve any problems.

AUDIT: Track and verify your vote was 1) received and 2) counted online at WheresMyBallot.sos.ca.gov. Check often until your vote is counted and verified!

FIX: If you have a problem OR your ballot isn’t counted by Day 20 of the election, go to the nearest polling location and demand a second “provisional” ballot, then vote in-person. DON’T wait until Election Day!

EXAMINE: Share this information with your friends and family! Then sign up as a volunteer below to examine and monitor the processing and counting of ballots.

Safe Vote Sunday

The Secure the Vote California Initiative is declaring the first Sunday of each election season as “Safe Vote Sunday” and is seeking to partner with churches, community groups, and others to encourage voters to return their ballots for California’s election on or before that day.

How Organizations Can Partner in “Safe Vote Sunday”

The foundation is seeking partners (such as churches and civic groups) to help promote “Safe Vote Sunday” to their members. Contact us to hold an informal consultation where the program can be explained. Inquire [HERE](#).

How Individuals Can Participate in “Safe Vote Sunday”

Aside from seeking organizational partners, even individual voters can participate in Safe Vote Sunday in the following ways:

1. Make the commitment to vote on or by the first Sunday of the election
2. Tell your friends, family, neighbors, church community, and others about Safe Vote Sunday and the S.A.F.E. voting method
3. Share the Transparency Foundation’s Safe Voting video (above) explaining the S.A.F.E. voting method, and tag @transparencyfdn
4. Use hashtag #SafeVoteSunday
5. Get involved in counting ballots or monitoring the count with information below.

Report Problems

Have you come across a problem on your ballot or witnessed suspicious election activity? Let us know, and a member of our team will review your case. We’re dedicated to making sure every ballot is legal! You can file a report below or at ProblemBallots.com — share the website with your friends!

[FILE REPORT](#)

Sign Up to Work in Your Local Elections Office

We Need YOU to Count the Votes with Integrity!

Across California, each county election office needs to recruit part-time temporary paid workers to process ballots in each election. We want to make sure only individuals who are FAIR and IMPARTIAL take these jobs.

If you are willing to do this paid job and commit to doing it with integrity, please sign up and we will forward your name and information to the county election office nearest you!

[SIGN UP](#)

Volunteer to Poll Watch

Are you interested in helping to ensure election integrity? You can help by signing up to be a nonpartisan election monitor. Help us audit the voting process and make sure it's done right! Sign up below for information. These unpaid volunteer positions exist to aid in the fight for election integrity and do not work for any county governments.

[SIGN UP](#)

Poll Watcher Training

Are you interested in being a poll watcher/election monitor? We invite you to watch our training session to learn more about our S.A.F.E. voting method and how to be an effective election integrity poll watcher.

You can also download our template for taking notes on what you witness while monitoring the count.

[OBSERVATION NOTES TEMPLATE](#)

[TRAINING SLIDESHOW PDF](#)

[CA Election Integrity Volunteer Orientation](#)

Help Desk

Have questions or concerns? We're ready to help.

Contact us at electionintegrity@thetransparencyfoundation.org or call (619) 210-0543

Support S.A.F.E. Voting Effort

Our Secure the Vote campaign is crucial to maintaining transparency and the integrity of our elections, but our ability to sponsor this effort is entirely dependent on financial support from contributors like you. If you are interested in supporting election integrity, please contribute today!

[CONTRIBUTE](#)

Appendix B: Data from Selected Counties Used in Audit

JUNE 2022 PRIMARY

Alameda County

Ballots cast: 308,909
Number of ballots rejected for no signature: 805
After curing: 322 (483 cured)
Number of ballots initially rejected for non-matching signature: 1,204
After curing: 646 (558 cured)
Total rejected: 2,009. Rejection rate: 0.65%
Total Cured: 1,041. Cure rate: 51.81%

Fresno County – NOT RESPONSIVE: in violation of the law

Kern County

Ballots cast: 113,560
Number of ballots initially rejected for no signature and non-matching signature: 1128. Rejection rate: 0.99%
After curing: 549 (579 ballots cured)
Cure rate: 51.33%

Los Angeles County

Ballots cast: 1,620,593
Number of ballots initially rejected for no signature: 4,344.
After curing: 1,979
Number of ballots initially rejected for non-matching signature: 7,224.
After curing: 4,070 Non-Matching Signatures
Total rejected: 11,568. Rejection rate: 0.71%
Total cured: 5,519. Cure rate: 47.71%

Orange County

636,497 ballots cast
Number of ballots rejected for no signature: 1,042. 0.16%
Number of ballots initially rejected for non-matching signature: 2,342. 0.36%
Total rejected: 3,384. Rejection rate: 0.53%
no signature 1,289 were cured
non-matching 741 were cured
Total cured: 2,030. Cure rate: 59.99%

Sacramento County

Ballots cast: 344,435
Number of ballots initially rejected for no signature and non-matching signature: 851 Rejection rate: 0.24%
After curing: 472 (379 ballots cured).
Cure rate: 44.5%

San Diego County

Ballots cast: 674,608

Number of ballots initially rejected for non-matching signature: 4,367.

After curing: 2,396 (1,971 ballots cured)

Number of ballots initially rejected for no signature: 641

After curing: 311 (330 cured)

Total rejected: 5,008. Rejection rate: 0.74%

Total cured: 2,301. Cure rate: 45.95%

San Joaquin County

Ballots cast: 110,252

Number of ballots initially rejected for no signature and non-matching signature: 2,399

Rejection rate: 2.17%

After curing: 1,379 (1,020 ballots cured)

Cure rate: 42.5%

Stanislaus County

Ballots cast: 81,965

Number of ballots rejected for no signature or non-matching signature: 848

After curing: 549 (299 cured)

Total rejected: 848. Rejection rate: 1.03%

Total Cured: 299. Cure rate: 35.26%

Total VBMs Initially Challenged for non-matching signature or no signature: 848

Total Ballot Cures Returned & Cleared:	299
Total VBMs Not Cured; Rejected:	549
Total Missing Signature Challenges:	78
Total Missing Signatures Cured:	30
Total Missing Signatures Rejected:	48
Total Signature Mismatch Challenges:	734
Total Signature Mismatch Cured:	255
Total Signature Mismatch Rejected:	479
Total VBMs Signed by Wrong Person:	36
Total Wrong Person Signed Cured:	14
Total Wrong Person Signed Rejected:	22

NOVEMBER 2022 GENERAL

Alameda County

Ballots cast: 496,125

Number of ballots rejected for no signature: 1,178

After curing: 513 (665 cured)

Number of ballots initially rejected for non-matching signature: 2,344

After curing: 1,354 (990 cured)

Total rejected: 3,522. Rejection rate: 0.71%

Total Cured: 1,655. Cure rate: 46.99%

Kern County

Ballots cast: 190,705

Number of ballots rejected for no signature and non-matching signature: 2,451

After curing: 1,357 (1,093 cured)

Total rejected: 2,451. Rejection rate: 1.285%

Cured: 1,093. Cure rate: 44.59%

Los Angeles County

Ballots cast: 2,456,701

Number of ballots rejected for no signature: 6,264

After curing: 3,269 (2,995 cured)

the amount rejected for non-matching signature: 12,526

After curing: 6,625 (5,901 cured)

Total rejected: 18,790. Rejection rate: 0.76%

Cured: 8,896. Cure rate: 47.34%

Orange County

Ballots cast: 994,227

Number of ballots rejected for no signature: 2,935

After curing: 1,555 (1,380 cured)

the amount rejected for non-matching signature: 14,734

After curing: 8,549 (6,185 cured)

Total rejected: 17,669. Rejection rate: 1.78%

Total Cured: 7,565. Cure rate: 42.82%

Sacramento County

Ballots cast: 484,315

Number of ballots rejected for no signature: 607

After curing: 204 (396 cured)

Number of ballots initially rejected for non-matching signature: 493

After curing: 315 (129 cured)

Total rejected: 1,100. Rejection rate: 0.227%

Total Cured: 525. Cure rate: 47.727%

San Diego County

Ballots cast: 1,043,490

Number of ballots initially rejected for non-matching signature: 11,480.

After curing: 7,083 (4,397 ballots cured)

Number of ballots initially rejected for no signature: 1,042.

After curing: 566 (476 cured)

Total rejected: 18,563. Rejection rate: 1.78%

Total cured: 4,873. Cure rate: 26.25%

San Joaquin County

Ballots cast: 179,333

Number of ballots initially rejected for no signature and non-matching signature: 3,745

Rejection rate: 2.08%
After curing: 1,285 (2,460 ballots cured)
cure rate: 65.69%

Stanislaus County

Ballots cast: 132,142
Number of ballots rejected for no signature or non-matching sig: 1,469
After curing: 971 (498 cured)
Total rejected: 1,469. Rejection rate: 1.11%
Total Cured: 498. Cure rate: 33.90%

Total VBMs Initially Challenged for non-matching signature or no signature: 1,469

Total Ballot Cures Returned & Cleared:	498
Total VBMs Not Cured; Rejected:	971
Total Missing Signature Challenges:	155
Total Missing Signatures Cured:	85
Total Missing Signatures Rejected:	70
Total Signature Mismatch Challenges:	1,236
Total Signature Mismatch Cured:	388
Total Signature Mismatch Rejected:	848
Total VBMs Signed by Wrong Person:	78
Total Wrong Person Signed Cured:	25
Total Wrong Person Signed Rejected:	53

In Violation CPRA

Fresno County (Initial contact: 07/18/2022. Monday Jan 16, 2023 poke; Follow-up sent: 01/23/2022; Last follow-up sent: 02/24/23)

Appendix C: California Secretary of State Ballot Signature Review Regulations

20960. Signature Verification Process

(a) For signature verification, the elections official must compare the signature on an initiative, referendum, recall, nominating petition or paper, signature in-lieu of filing fee, and any other petition or paper must be compared to the voter's signature(s) in the voter's registration record. In addition, the elections official must compare the signature on a voted vote-by-mail envelope and a voted provisional ballot envelope to the voter's signature(s) in the voter's registration record prior to counting a ballot.

(b) On initial review, elections officials shall seek to eliminate the visibility of identifying information. When comparing signatures, the elections official shall not review or consider a voter's party preference, race, or ethnicity.

(c) The comparison of a signature shall begin with the basic presumption that the signature on the petition, the vote-by-mail identification envelope, signature verification statement, unsigned ballot statement, or provisional ballot envelope is the voter's signature. (emphasis added)

(d) Exact matches are not required for an elections official to confirm a valid signature. The fact that signatures share similar characteristics is sufficient to determine that a signature is valid. (e) Similar characteristics between a signature being compared and any signature in the voter's registration record are sufficient to determine a signature is valid.

(f) In comparing the signatures, the elections official may consider the following characteristics when visually comparing a signature to determine whether the signatures are from the same signer:

- (1) Slant of the signature.
- (2) Signature is printed or in cursive.
- (3) Size, proportions, or scale.
- (4) Individual characteristics, such as how the "t's" are crossed, "i's" are dotted, or loops are made on the letters f, g, j, y, or z.
- (5) Spacing between the letters within the first and/or last name and between first and last name.
- (6) Line direction.
- (7) Letter formations.
- (8) Proportion or ratio of the letters in the signature.
- (9) Initial strokes and connecting strokes of the signature.
- (10) Similar endings such as an abrupt end, a long tail, or loop back around.
- (11) Speed of the writing.
- (12) Presence or absence of pen lifts.
- (13) Misspelled names.

(g) In comparing signatures on a petition, vote-by-mail identification envelope, signature verification statement, unsigned ballot statement, or provisional ballot envelope, elections officials shall consider as explanations for the following discrepancies in signatures:

- (1) Evidence of trembling or shaking in a signature could be health-related or the result of aging.
- (2) The voter may have used a variation of their full legal name, including, but not limited to the use of initials, or the rearrangement of components of their full legal name, such as a reversal of first and last names, use of a middle name in place of a first name, or omitting a second last name.
- (3) The voter's signature style may have changed over time.
- (4) The signature may have been written in haste.
- (5) A signature in the voter's registration file may have been written with a stylus pen or other electronic signature tool that may result in a thick or fuzzy quality.
- (6) The surface of the location where the signature was made may have been hard, soft, uneven, or unstable.

(h) In addition to the characteristics listed in subdivisions (f) and (g), the elections official may also consider factors applicable to a particular voter, such as the age of the voter, the age of the signature(s) contained in the voter's record, the possibility that the voter is disabled, the voter's primary language, and the quality of any digitized signature(s) contained in the voter's record.

(i) Only a signature possessing multiple, significant, and obvious differing characteristics with all signatures in the voter's registration record will be subject to additional review by the elections official.

(j) A signature that the initial reviewer identifies as possessing multiple, significant, and obvious distinctive differing characteristics from the signature(s) in the voter's registration record shall only be rejected if two different elections officials unanimously find beyond a reasonable doubt that the signature differs in multiple, significant, and obvious respects from all signatures in the voter's registration record.

(k) When evaluating signatures, elections officials may review using broad characteristics to evaluate an entire signature as a unit or they may narrow the scope of their examination to that of specific letters within a signature.

(l) A signature made using a mark, such as an "X", or made by a signature stamp is presumed valid and shall be accepted if it meets the requirements set forth in Elections Code section 354.5.

Note: Authority cited: Section 12172.5, Government Code. Reference cited: Sections 354.5, 3019 and 14310, Elections Code; Section 12172.5, Government Code. (2).

20961. Signature Verification Technology

In the event the elections official uses signature verification technology to compare the signature on a vote-by-mail ballot identification envelope to the signature(s) in the voter's registration file, and the technology rejects the signature, the elections official shall utilize the provisions of Elections Code section 3019 and Section 20960 to manually compare the signature.

Note: Authority cited: Section 12172.5, Government Code. Reference cited: Section 3019, Elections Code; Section 12172.5, Government Code (38).

ENDNOTES

Criteria 1

- 1 - Figure 1: <https://escholarship.org/uc/item/2t69t02q#main>
- 2 – SDUT: <https://www.sandiegouniontribune.com/communities/east-county/story/2022-12-08/lothian-squeaks-to-victory-in-razor-thin-la-mesa-race-keeping-a-republican-voice-on-a-liberal-council>)
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