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Santa Clara County Registrar of Voters

Insufficient Policies and Procedures Have Led to Errors That May Have Reduced Voters' Confidence in the Registrar's Office

Background

Serving the State's sixth largest county and with nearly 1.9 million residents, the Santa Clara County Registrar of Voters (Santa Clara) administers federal, state, judicial, county, municipal, school districts, and special elections within the county. Santa Clara administers three to five elections each year and is responsible for creating and distributing county voter information guides and official ballots. The California Secretary of State's Office (Secretary of State) prepares the state voter information guide before statewide elections and regulates the election process and outlines what all counties must do for certain program implementation, reporting, and elections management.

Our Key Recommendations

- Santa Clara should take the following actions:
 - » Formalize policies and procedures for creating, reviewing, and distributing election-related materials and address some of its most frequent and egregious errors to prevent reoccurrence.
 - » Implement a contingency plan to ensure that it consistently and effectively addresses errors in the election-related materials it provides to voters and ensure voting district maps are verified as accurate.
- The Secretary of State should:
 - » Adopt regulations for defining what constitutes reportable errors in election-related materials.
 - » Require counties to report such errors in order to enhance its guidance to election officials.
 - » Conduct annual reviews of county election officials' offices to ensure compliance with election laws and rules.

Key Findings

- Although in most cases it identified and notified voters of errors before relevant elections, from 2010 through 2016 Santa Clara published and distributed some election-related materials that contained errors.
 - » It did not confirm it had the voting districts' most accurate and up-to-date boundary maps, which caused some voters to receive ballots or information for the wrong districts.
 - » Vendors caused errors involving election-related materials, yet Santa Clara did not always seek reimbursement for the costs in remedying those errors.
 - » Santa Clara's staff were responsible for over a third of the errors which included omitting candidate statements or arguments from voter information guides.
- Santa Clara does not have comprehensive written policies and procedures nor does it formally train its staff in helping to prevent errors from recurring.
- Five other counties we interviewed generally stated that they have developed comprehensive policies and procedures related to creating, reviewing, and distributing election-related materials to voters.
- Lacking written procedures, Santa Clara relies on staff judgment when responding to errors and thus has addressed similar types of errors inconsistently and, at times, did not adequately notify voters about errors in election-related materials—in one instance it may have provided a candidate with an unfair advantage.
- The Secretary of State's oversight of county election officials should be enhanced.

Types of Errors Involving Santa Clara's Election-Related Materials From 2010 Though 2016

