

6/2008 Election



# City and County of San Francisco Department of Elections PROVISIONAL ENVELOPE

Precinct # _____	Supervisory District # _____	Ballot Type# _____
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1. Poll Worker must check the political party of the ballot issued:

- American Independent       Democratic       Green       Libertarian
- Peace and Freedom       Republican       Decline to State-American Independent
- Decline to State-Democratic       Decline to State-Republican       Nonpartisan

2. Poll Worker must select the reason(s) for Provisional Voting:

Voter is listed in the Roster of Voters as vote-by-mail voter and is unable to surrender the ballot

Voter's name is not listed in the Roster of Voters (inform of voting options listed on Job Card prior to issuing this envelope)

Voter is casting a different party ballot than is listed in the Roster of Voters

Voter is listed in the Provisional Roster. Voter must write his/her valid CA Drivers License or CA ID #: \_\_\_\_\_

If voter has not been issued either a license or ID, voter must write the last 4 digits of his/her SSN:

Other reasons: \_\_\_\_\_

**Voter must complete sections 3-6**  
選民必須填寫以下 3-6 部份  
El Elector debe de completar secciones 3-6

**WARNING: VOTING TWICE IN THE SAME ELECTION IS A CRIME**  
警告: 在同一選舉中投票兩次違反加州法構成犯罪。  
**AVISO: EL VOTAR MÁS DE UNA VEZ EN LA MISMA ELECCIÓN ES UN DELITO**

6. d. (1)

現居住地址 Domicilio	Date of birth 出生日期 Fecha de nacimiento
Zip Code 郵區號碼 Código Postal	

4. PLEASE NOTE: this section should be filled out ONLY if you have moved and did NOT re-register  
請注意: 此部份只供搬遷但沒有重新登記的人填寫

ATENCIÓN: Esta sección deberá ser llenada SOLAMENTE si usted se ha cambiado de domicilio y NO ha reinscrito.

Previous residential address 前居住地址 Domicilio anterior	Date moved 搬遷日期 Fecha de mudanza
Zip Code 郵區號碼 Código Postal	

5. I declare under penalty of perjury that I am a U.S. Citizen, a resident of California, not on parole for a felony conviction, and at least 18 years of age. I am a registered voter in San Francisco whose name and signature appears on this envelope. I have not previously voted in this election, either by absentee ballot or at any other polling place.  
依偽證罪法例宣誓: 本人是美國公民及加州居民, 並非正服刑或被假釋的罪犯及年滿18歲以上。本人是三藩市登記選民及其姓名及簽名與信封相同。本人先前並沒有在此選舉投票包括缺席選票或在任何投票站。  
Declaro bajo pena de perjurio que soy ciudadano de los Estados Unidos, residente de California, no estoy en libertad condicional debido a una condena por un delito grave y he cumplido los 18 años de edad. Soy elector registrado en San Francisco y soy la persona cuyo nombre y firma aparece en este sobre. No he votado previamente en esta elección, ni mediante boleta de elector ausente ni en ningún otro lugar de votación.

Signature  
簽名  
Firma

Date of signature  
簽名日期  
Fecha de firma

6. For your ballot to count you MUST:

<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Sign this envelope</li> <li><input checked="" type="checkbox"/> Insert the ballot into this envelope</li> <li><input checked="" type="checkbox"/> Seal this envelope</li> <li><input checked="" type="checkbox"/> Place this envelope in the Red Ballot Box</li> </ul>	<p>為確保這張選票被接受和點算, 你必須:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> 在信封上簽名</li> <li><input checked="" type="checkbox"/> 將選票放入信封內</li> <li><input checked="" type="checkbox"/> 將信封封口</li> <li><input checked="" type="checkbox"/> 將信封放入紅色選票箱內</li> </ul>	<p>Para que se cuente su boleta electoral DEBE:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Firmar este sobre</li> <li><input checked="" type="checkbox"/> Introducir la boleta dentro de este sobre</li> <li><input checked="" type="checkbox"/> Sellar este sobre</li> <li><input checked="" type="checkbox"/> Colocar este sobre en la urna roja de boleta electoral</li> </ul>
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OFFICIAL USE ONLY	PRECINCT	REASON CODE	DATE PROCESSED	INITIALS
	BALLOT TYPE			
	POLITICAL PARTY			

6. d. (2)

THIS ENVELOPE IS TO BE OPENED ONLY BY THE CANVASSING BOARD OF THE DEPARTMENT OF ELECTIONS

For this ballot to be accepted and counted, voter must complete sections 3-6 sign and seal the envelope

選民必須填寫第3-6部份並簽名和將信封封口, 否則你的選票不會被接納和點算

Para que esta boleta electoral se acepte y cuente, el elector tendrá que completar las secciones 3-6 firmar y sellar el sobre

PROVISIONAL VOTER RECEIPT- PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RECIBO DE ELECTOR PROVISIONAL- SEPARALO Y GUARDELO CON SUS DOCUMENTOS

To determine the status of your provisional ballot, call 1-866-325-9163 or visit the Department's website at www.sfgov.org/elections no sooner than 40 days after the election and provide the reference number printed below.

條件性選票收據一請將其翻下存儲  
Para determinar el estado de su boleta electoral provisional, llame al 1-866-325-9163 o visite la página cibernética del Departamento al www.sfgov.org/elections no antes de 40 días después de las elecciones y provee el número de referencia escrito impreso abajo:

Voter Information - Provisional Ballot (Elections Code § 14310 and §14311)

You have been asked to vote a provisional ballot for one of the following reasons:

1. Records indicate that you have requested an absentee ballot that you cannot surrender to the pollworker. The Department of Elections will check the records, and if you did not vote an absentee ballot, your provisional ballot will be counted; OR
2. Your name does not appear on the official roster of registered voters for this precinct and your voting eligibility cannot be verified by the pollworker today. The Department of Elections will check your registration records. If further research determines you are eligible to vote, your provisional ballot will be counted. If you are not in the correct precinct and your ballot contains candidates or measures, which you are not entitled to vote, the Department of Elections shall count only the votes for the candidates and measures which you are entitled to vote in your assigned precinct; OR
3. You have moved within the City of San Francisco but did not re-register to vote. Your prior registration will be verified by the Department of Elections before your provisional ballot will be counted. Your registration will then be updated with your current address; OR
4. You want to vote a ballot from a party other than the party you are registered with; OR
5. You are a new first-time voter listed in the Provisional Roster and were unable to provide a valid California Driver's License, California ID or the last 4 digits of your Social Security number at the time of registering to vote.

All provisional ballots must remain sealed until they are processed and opened by the Canvassing Board after Election Day. Your ballot will be counted and opened if the Department of Elections establishes your eligibility to vote and can verify that the signature on the provisional envelope compares to your record of registration.

Provisional Ballots will not be included in any semi-official or official canvass, except upon as follows:

1. The Elections Official's office establishes prior to the completion of the official canvass, from voter registration records, the claimant's eligibility to vote; OR
2. By order of a Superior Court in the county of the voter's residence. A voter may seek the court order specified in the section regarding his or her own ballot at any time prior to completion of the official canvass. Any judicial action or appeal shall have priority over all other civil matters.

請看背面詳情資料 PARA MAS INFORMACION VEA EL REVERSO

6. 2. (3)



To: Elections Commissioners

From: Commissioner Gleason

RE: Voter Registration Issues and Voters Not Listed on Voter Rolls and Precinct Rosters.  
For consideration at the May 21, 2008, Commission Meeting

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At our meeting of April 16, 2008, we discussed the issue of citizens who arrive at precincts on Election Day only to discover that their name is not on the roster of voters. As a Commission, we decided to draft a letter to the California Secretary of State to investigate whether some of this is due to imperfect transfer of voter registration information from the DMV to the SOS office, or from the SOS to the respective county registrars, or just what the issue is. I have drafted such a letter, yet continue to be concerned that this Commission fully understand the issue. Further, according to news reports (see attached), the Secretary of State appears to be investigating a wide range of voter registration issues. However, in thinking this over, I believe the issue is in many ways much less complex if we focus solely on whether a voter is actually registered or not.

*The Issue: Potentially disenfranchised would-be voters*

I have worked as a precinct inspector for the past five years and almost every election I have encountered people who arrive at the precinct to vote and find their name is not on the roster. Some of these people state that they recall registering to vote when obtaining a driver's license or changing their address with the California State Department of Motor Vehicles (DMV). Many poll workers I have spoken to report the same experience.

The California Voter Foundation's *Strategies for Improving California Voter Participation* includes the following suggestion:

**4. Review the Department of Motor Vehicles' handling of voter registration data**

18 percent of nonvoters surveyed say they thought they were registered to vote through the Department of Motor Vehicles (DMV). Currently, 25 percent of California's eligible voter population—an estimated 5.5 million Californians—are not registered to vote. If 18 percent of those 5.5 million people think they are registered through the DMV but in fact are not, that represents nearly 1 million Californians. Organizations that promote voting and registration have heard anecdotal stories for years about problems with DMV registration. Potentially hundreds of thousands of Californians are falling through the cracks with so-called "motor-voter" registration. Those who think they were registered through the DMV often find out they are not only when they attempt to vote on Election Day and discover they are not listed as a registered voter at their polling place.

6. d. (5)

State and local officials should investigate the DMV registration process to determine how it can be streamlined and strengthened to make sure that there is less confusion about one's registration status when processed through the DMV.

Similarly, the California Voter Empowerment Circle (member list: [www.calvec.org](http://www.calvec.org)) is concerned about this issue. From conversations I have had with staff at the UC Berkeley, Institute for Government Studies, Election Administration Resource Center (<http://earc.berkeley.edu>), this appears to be an issue statewide. The California Secretary of State is looking into voter registration issues in San Diego County (April 1, 2008 article, *San Diego Union*).

At the April 16th meeting I gave all of you copies of the numbers of provisional ballots issued and the number on these same provisional ballots not counted during recent elections in San Francisco.

Election	Provisional Ballots Cast	"Not Registered" Provisional Ballot Not Counted
Feb 5 2008	19547	3169
Nov 6 2008	4691	407

The recent *Pollworker Post* newsletter from the San Francisco Department of Elections cites the US Elections Assistance Commission (EAC) stating that **700,000 provisional ballots** were not counted from the November 2004 US Presidential Election.

The simple fact is this: either these people are registered to vote or they are not. The situation may be that many individuals have a mistaken recollection that they did register to vote. However, it is impossible to believe that 100% of these would-be voters are mistaken about having registered to vote. The possibility exists that some rejected provisional ballots may be due to government agency administrative or clerical error. A voter disenfranchised due to government agency error is utterly egregious and requires remedy for the voter.

At this point, discussion of "anecdotal stories" about individuals showing up to vote and learning that their name is not on the roster of voters suggests that a factual investigation be made by some authority such as the Secretary of State... but it also suggests that such an investigation might arrive at an acceptable percentage of voters who may be disenfranchised due to administrative or clerical error. This would be wrong. Protection of individual voters' rights should be the goal, not an allowable margin of error.

*Current procedure is inadequate to protect voter's chances of ensuring vote*

Currently, such voters are offered a provisional ballot. On the receipt from the provisional ballot envelope, voters are offered an opportunity to contact the Department of Elections to find out whether their ballot was counted. However the follow-up instructions on the provisional envelope state that the voter may check with the

Department of Elections “*no sooner than 40 days after the election*” – after the 29-day period within which the election must be certified. In other words, too late to do anything about if the voter learns his or her vote was not allowed.

The provisional ballot envelope receipt also states: “*The Department of Elections will check your registration records. If further research determines you are eligible to vote, your provisional ballot will be counted*”

This situation leaves document research into a voter’s eligibility and voting franchise entirely within the realm of the Department of Election, and such notification of counting or not counting the ballot until after the certification of the election.

Lastly, the provisional envelope receipt states that Provisional Ballots will not be included in semiofficial or official canvass unless:

1. The Election Official’s office establishes prior to completion of the official canvass, from the voter registration records, the claimant’s eligibility to vote; or
2. By order of Superior Court in the county of the voter’s residence. A voter may seek the court order specified in the section regarding his or her own ballot at any time prior to the completion of the official canvass. Any judicial action or appeal shall have priority over all other civil matters.

The problem again is that the above listed remedies are required to be sought and approved well before the 40-day period that the provisional ballot receipt states a voter can check on the status of counting a provisional ballot.

*Needed: Voter access to the source document, i.e., his or her registration form*

While issuing such a voter a provisional ballot allows for some measure of protection, this is not a full measure of protection. To further protect individual voter rights, such a voter, *if they so choose*, should be able to pursue source documents of voter registration from the various agencies involved: the San Francisco Department of Elections, the California Secretary of State and, particularly, the California DMV as it pertains to the federal Motor Voter law and its promise of access to voter registration. Informing voters of the ability to access source documents allows voters a greater protection of their ability to cast a vote and goes beyond the limited protection of the current provisional ballot system as offered.

Currently, offering a provisional ballot issued to such a voter could be interpreted as placating the voter. Currently no poll worker or staff at the Department of Elections is able to tell such a voter *on Election Day* if their provisional ballot will be counted. Rather, the voter is given information that they can inquire on the status of the provisional ballot in 40 days...again, a period well after the certification of the election.

Therefore it would increase voter protection to make known to voters that they have an opportunity to pursue remedy, including access to registration source documents.

I plan to propose the following:

- 1) That the conflicting time periods on the receipts for provisional ballots, referring to dates voters can inquire about status of their provisional ballot and the dates of election certification be an issue for the Commission to consider under policy directions,
- 2) That the Commission seek assistance of the Secretary of State on this issue.
- 3) That the Commission adopts a policy regarding voter access to registration source documents.



*The San Diego Union-Tribune* received dozens of complaints after the primary from frustrated voters who believed that their party registration had been changed without their knowledge. Many described themselves as Republicans.

The newspaper requested registration histories of each of the voters. Nearly every voter broke down into two categories: They filled out a registration form and neglected to check a party affiliation or they checked "decline to state" over privacy concerns.

The registrar needs to know a person's party to provide the correct ballot, whether by mail or at the poll.

Philip San Filippo, a construction inspector from Mira Mesa, was one of many Republicans upset about reports of disenfranchisement after the primary. He has since decided that voters have no one to blame but themselves.

"It's our responsibility as voters to check our records and files to show we are registered where we want to be," he said. "There could be (administrative) mistakes, but it's our responsibility to pay attention."

The county's top elections official, Registrar of Voters Deborah Seiler, said she has heard about possible DMV mistakes leading to changes in party affiliation. She checked the status of a few voters who had recently changed addresses with the DMV and didn't find any that had their party switched.

The county Republican Party investigated about 350 complaints but did not find any systemic problem.

Jonathan Buettner, the group's chief operating officer, said the most common scenario was a voter filling out a registration card outside of a store and neglecting to check a party affiliation.

Under state law, if a voter doesn't select a party, he or she is automatically considered nonpartisan.

"Every single voter was not a registered Republican but were dead certain that they were at one time," Buettner said.

The change of address form at the DMV does not allow the applicant to select a party. It does, however, recommend completing a new voter registration card if a person is moving to a new county or is not registered to vote. The DMV also provides the card.

The address information is then sent to the Secretary of State's Office, which gives it to counties. At no point should a DMV address change trigger a change in party affiliation.

The Secretary of State's Office has a theory that the party status for some voters may have been lost in that process.

If the problem is systemic, it could potentially affect hundreds of thousands of voters. The California Voter Foundation, a nonpartisan nonprofit that focuses on voting issues, conducted a statewide survey in 2004 that showed about 18 percent of voters had registered through the DMV.

Kim Alexander, the foundation's president and founder, is on a committee Bowen created to examine changes to the voter registration card. She said the simplest explanation is sometimes correct, but she was glad Bowen was looking at the possibility of a DMV error.

"People are going to jump to conclusions when there is any error in the voting process," she said. "But my gut feeling is there is nothing wrong going on."

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# Frequently Asked Questions

The following are answers to frequently asked questions (FAQs) regarding the online Change of Address application.

**1. What is the Change of Address System?**

The Change of Address System allows eligible customers to submit a change of address via the Internet for their California driver license and/or identification card and vehicle(s).

**Internet driver license renewal:** If you change your address using the internet change of address process, you cannot use the internet driver license renewal process.

**Vehicle or vessel renewal:** Your change of address takes approximately three business days to be updated to DMV's records. **Before** using the internet vehicle or vessel registration renewal process, confirm that your current address has been updated to DMV's records.

**2. Who can use the Change of Address System?**

Most customers who have a California driver license or identification card can use the system.

**3. Is there a fee to change your address online?**

No. There is no fee to use this service.

**4. What steps does DMV take to verify the identity of the person submitting the change of address?**

You must pass an authentication process to enter the Change of Address System. This includes information from your most recent driver license or identification card and your social security number. The information entered must match what is on DMV's record.

**5. What information will I need to change my address on my driver license or identification card?**

You will need:

- a. Your most recent driver license or identification card
- b. Your social security number
- c. Your old and new address.

**6. When I change the address for my driver license will my vehicle(s) also be updated?**

No. You must complete a separate change of address transaction and enter information from your vehicle registration card(s) to change your address for your vehicle(s).

7. **What information will I need to change my address on my vehicle(s)?**  
You will need:
- Your most recent driver license or identification card
  - Your social security number
  - Your most recent registration card(s)
  - Your old and new address
  - The name of your leasing company, if your vehicle is leased
  - The address where your trailer coach or vessel is located, if applicable
8. **When I change the address for my vehicle(s) will my driver license and/or identification card also be updated?**  
No. You must complete a separate change of address transaction to change your address for your driver license and/or identification card.
9. **Can I use a post office box or temporary mailing address?**  
You may use a post office box for your mailing address; however, you must provide a residence address when your change of address includes your driver license or identification card. Temporary mailing addresses are not allowed
10. **Can I change the address for someone else?**  
You may only change the address for your driver license, your identification card, and up to three vehicles at the same address.
11. **Can I change the address for more than one vehicle?**  
Yes. You can change the address for up to three vehicles in one transaction, if they have the same address.
12. **Can I use the Change of Address System to change the address for my disabled person parking placard?**  
No. To change your address for your disabled person parking placard you may download a Change of Address (DMV 14) form. Complete the form and mail it to the address listed on the form.
13. **Will DMV send me a new driver license, identification card, or registration card?**  
No. New documents are **not** issued when you change your address
14. **Can I use the Change of Address System if my new address is in another state?**  
Yes. Be sure to check, however, with your new state regarding their driver license and/or vehicle registration requirements.
15. **Can I use the Change of Address System to change the address for my California commercial driver license (CDL) if I have moved to another state?**  
California residency is required for you maintain a California commercial driver

license. If you have established residency outside of California, you must transfer your CDL to your current state of residency.

**16. Can I use the Change of Address System to change the address for my occupational license?**

No. The Change of Address System cannot be used to change the address for an occupational license.

**17. What should I do if I entered my information incorrectly during the authentication process?**

Make sure you have your documents (i.e., driver license, identification card, social security number, registration card, etc.) before starting and try again after 72 hours.

**18. Why did I receive a message that I could not submit my change of address using the Internet?**

Certain records require special handling. When this happens you may download a Change of Address (DMV 14) form. Complete the form and mail it to the address listed on the form.

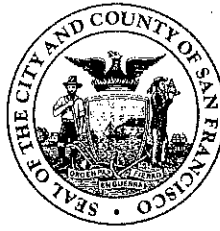
**19. Will my voter registration information be updated when I submit my change of address through the Internet?**

If you are a registered voter, you may ask DMV to notify the Secretary of State of your new address. If you opt **not** to have DMV forward your information, it is your responsibility to notify the Secretary of State of your address change.

**20. Will I be able to verify that my change of address was updated successfully?**

Yes. Simply revisit the Change of Address System after 72 hours, complete the authentication process, and choose "Check Status Update."

**ELECTIONS COMMISSION**  
*City and County of San Francisco*



Gerard Gleason, President  
Jennifer Meek, Vice President  
Richard P. Matthews  
Joseph B. Phair  
Arnold Townsend  
Winnie Yu

John Arntz  
Director of Elections

Shirley Rodrigues  
Commission Secretary

DRAFT  
**City and County of San Francisco**  
Elections Commission  
Approved:  
**Minutes of the Meeting held**  
City Hall, Room 421  
**May 7, 2008**

1. President Gleason called the meeting to order at 6:06 pm.
2. Commission members present: Commissioners Richard P. Matthews, Jennifer Meek, Joseph B. Phair, Commissioner Arnold Townsend (arrived at 6:11 pm), Deputy City Attorney Jon Givner. Excused: Commissioner Winnie Yu.
3. Discussion and possible action to approve the Minutes of the Wednesday, April 16, 2008 Commission meeting. Commissioner Matthews MOVED and Commissioner Phair SECONDED this item. Commissioner Phair presented minor typing corrections and a correction of his vote on 9(h), and Commissioner Matthews requested that his comment regarding Commissioner Townsend's remark that the BOPEC handles too many of the topics that should be generated by the full Commission be included. Secretary Rodrigues agreed to make these changes. Commissioner Meek MOVED and Commissioner Matthews SECONDED the changes in the minutes. The vote to allow the changes was UNANIMOUS. The Roll Call Vote to approve the Minutes was UNANIMOUS.
4. Discussion and possible action to approve the Election Plan for the June 3, 2008, Consolidated Primary Election. Commissioner Matthews MOVED and Commissioner Meek SECONDED this item. Commissioner Gleason presented his suggestions for changes in the Plan, and said he was particularly concerned that the Plan contain a disclosure of ballot tracking and vote counting. The proposed changes to the June Plan are in the addendum to these minutes. These changes will be made by the Commission Secretary and reviewed by the Director. Commissioner Meek highlighted areas in the Plan that she thinks are redundant and President Gleason agreed. Commissioner Meek questioned whether the Commission was overstepping its policy-making and getting involved in procedural matters when requesting information in the Election Plan. She said that a plan should cover a broad overview of how things

*7. a (1)*

operate on Election Day, not procedural elements. She suggested that there could be another document to explain the process, but that it should not be the Election Plan. Commissioners Gleason and Meek agreed that after the June Election, the template for the Election Plan should be reworked. The roll call vote to approve the edits presented was UNANIMOUS. The roll call vote to accept the Election Plan was UNANIMOUS.

5. Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees of officers to work on the June 3 2008 Consolidated Statewide Direct Primary Election. Commissioner Matthew MOVED and Commission Meek SECONDED the item. President Gleason said that the template for the waiver that was created several years ago is still viable. Commission Secretary Rodriques said that if the letter is approved at tonight's meeting, it will be forwarded to the Board of Supervisors tomorrow. The roll call vote was UNANIMOUS to approve the request for a waiver.

6. Discussion regarding items for future agendas. President Gleason passed out information to each member regarding voter registration concerns that he will place on the agenda for the full Commission meeting on May 21, 2008.

ADJOURNMENT at 6:30 pm.

Attachment:

Attached are the additions, with the changes as approved, that need to be added to page 14 of the election plan. The heading should be changed to appear as:

IX: Election Results -- (just the title, then as follows)

IX a) Election Tabulation and Results (new section attached to this e-mail)

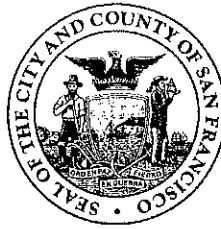
IX b) Election Results Reporting (as appears now 1. Election Night, 2. Updates 3. RCV)

IX d) Post Election Canvas (Current 4. "Final Report and Certification of Election Results" is renumbered here and re-titled. Remove the "4." that now appears on the paragraph at the beginning of this section.

NOTE: The corrected Election Plan will be posted to the Department of Elections website.

7. a. (2)

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John Arntz  
Director of Elections

Shirley Rodrigues  
Commission Secretary

DRAFT

**City and County of San Francisco**  
Elections Commission

Approved:

**Minutes of the Special Meeting held**  
City Hall, Room 48 Conference Room  
**May 27, 2008**

1. President Gleason called the meeting to order at 6:17 pm.
2. **Commission members present:** Commissioners Richard P. Matthews, Jennifer Meek, Joseph B. Phair, Gerard Gleason, Deputy City Attorney Andrew Shen, and Director John Arntz. EXCUSED: Commissioner Winnie Yu and Commissioner Arnold Townsend.
3. **Director's Report: Preparations for and Status of June 3, 2008 Consolidated Primary Election.** Director John Arntz reported that the San Francisco Elections Department is prepared for the election and has received 32,000 ballots from vote by mail voters.
4. **Discussion and possible action to determine areas of Commission interest and observation for the June 3, 2008 Consolidated Primary Election, and which Commissioners will make those observations, allowing for evaluation of the Election Plan.**

President Gerard Gleason agreed to observe polling precincts located in commercial establishments as time permits because he will be working as a pollworker, and reminded members that former Commissioner Victor Hwang had mentioned in the past that there are interactions in these establishments (i.e. Starbucks where customers should be able to sit and read a newspaper and have conversations among one another), which may be cause for concern regarding electioneering.

Commissioner Joseph Phair agreed to visit and review precincts in commercial establishments as well. Director Arntz advised the Commission that these are good locations because they are accessible to voters, and provide warm, clean restrooms for pollworkers. He added that he prefers not to have polling sites in businesses, but when

7. a. (3)



there are no other places available, they are the only alternative. Director Arntz also advised the Commission that he has never received an electioneering complaint relating to the use of a commercial establishment as a polling precinct.

Commissioner Gleason said that precinct 2513 had one hundred-plus provisional ballots in the February election. Director Arntz responded that this is often the case at college area precincts because students are encouraged to participate/vote by their professors.

Commissioner Jennifer Meek will review provisional ballot numbers, voter issues and compare these to last February's election. Commissioner Phair suggested using the numbers from one year ago, as well, for a good comparison.

Commissioner Richard Matthews will observe and report on the DRE ((Direct Recording Electronic) machine issues from the election.

Commissioner Matthews MOVED and Commission Meek SECONDED these election assignments. The Roll Call Vote was UNANIMOUS.

**5. Discussion regarding items for future agendas**

The Commission requested an update on Sequoia Voting Systems' RCV (Ranked Choice Voting) implementation for the upcoming November election. Items from the cancelled May 21, 2008 meeting should be calendared for the next full Elections Commission meeting.

ADJOURNMENT at 6:47 pm.

7.a. (4)

## CALIFORNIA ELECTIONS CODE

### ELECTIONS CODE

#### SECTION 15270-15281

15270. This article applies to all elections in which ballots are counted by hand.

15271. As soon as the polls are finally closed, the precinct board shall commence to count the votes by taking the ballots cast, unopened, out of the box and counting them to ascertain whether the number of ballots corresponds with the number of signatures on the roster. The precinct board shall make a record upon the roster of the number of ballots in the ballot box, the number of signatures on the roster, and the difference, if any.

15272. The count shall be public and shall be continued without adjournment until completed and the result is declared. During the reading and tallying, the ballot read and the tally sheet kept shall be within the clear view of watchers.

15273. Unless otherwise provided in this code, the precinct board members may not constitute themselves into separate squads in an attempt to conduct more than one count of the ballots at the same time.

15274. The members of the precinct board may relieve each other in the duties of counting ballots.

15275. Those ballots not rejected shall be placed in one pile, and the board shall proceed to count by tallying the vote for one or more offices or measures at a time.

15276. The precinct board members shall ascertain the number of votes cast for each person and for and against each measure in the following manner:

One precinct board member shall read from the ballots. As the ballots are read, at least one other precinct board member shall keep watch of each vote so as to check on any

possible error or omission on the part of the officer reading or calling the ballot.

15277. (a) Two of the precinct board members shall each keep a tally sheet in a form prescribed by the elections official. Each tally sheet shall contain all of the following:

(1) The name of each candidate being voted for and the specific office for which each candidate is being voted. The offices shall be in the same order as on the ballot.

(2) A list of each measure being voted upon.

(3) Sufficient space to permit the tallying of the full vote cast for each candidate and for and against each measure.

(b) The precinct board members keeping the tally sheets shall record opposite each name or measure, with pen or indelible pencil, the number of votes by tallies as the name of each candidate or measure voted upon is read aloud from the respective ballot.

(c) Immediately upon the completion of the tallies, the precinct board members keeping the tally shall draw two heavy lines in ink or indelible pencil from the last tally mark to the end of the line in which the tallies terminate and initial that line. The total number of votes counted for each candidate and for and against each measure shall be recorded on the tally sheets in words and figures.

15278. On completion of the canvass of the returns for each election, the elections official shall compare the vote by mail voters' list with the roster of voters in each precinct to determine if any voter cast more than one ballot at that election.

15278.5. No precinct board member may make any tally of votes in any other manner than is provided in this article, nor in any place other than on the tally sheets provided for that purpose.

15279. The ballots, as soon as all of the names and measures marked on them as voted for are read and tallied, shall not thereafter be examined by any person, but, as soon as all are counted, shall be carefully sealed in a strong envelope. The signatures of each member of the precinct board shall be written across the seal.

15280. The precinct board shall complete, sign, and return to the elections official all furnished forms requiring its signatures.

When votes are counted at the precinct, all members of the precinct board, upon the completion of their duties, shall sign the following certificate of performance, which shall be substantially in the following form:

Certificate of Performance for \_\_\_\_ precinct, for the \_\_\_\_ election, held on the \_\_\_\_ day of \_\_\_\_, (year).

We hereby certify that the total number of votes received by each candidate for each office and the total number of votes cast for and against each measure is as indicated on the tally sheets.

We further certify that the results of votes cast forms posted outside the polling place and transmitted to the county elections official show the total number of votes received by each candidate for each office and the total number of votes cast for and against each measure is as indicated.

\_\_\_\_\_

\_\_\_\_\_

Inspector

Clerk

\_\_\_\_\_

\_\_\_\_\_

Assistant Inspector

Clerk

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Judge

Clerk

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Judge

Clerk

15281. The precinct board shall sign and post conspicuously on the outside of the polling place a copy of the result of the votes cast.

The copy shall remain posted for at least 48 hours after the official time fixed for the closing of the polls.

**CHARTER CITY & COUNTY OF SAN FRANCISCO**

SEC. 13.107.5. POSTING OF BALLOT COUNTS AT POLLS.

After the closing of the polls, each precinct board shall cause to be posted outside of each polling place an accounting that includes the number of ballots delivered to that precinct board and the number of voted ballots, unused ballots, spoiled ballots, cancelled ballots, absentee ballots and provisional ballots returned to the Department of Elections by the precinct board at any time on election day. After the closing of the polls, each precinct board shall also post outside each polling place any computer record indicating the number of ballots cast for each candidate and for or against each ballot measure.

(Added November 2001)

6/2008 Election



# City and County of San Francisco Department of Elections PROVISIONAL ENVELOPE

Precinct # _____	Supervisory District # _____	Ballot Type# _____
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## 1. Poll Worker must check the political party of the ballot issued:

<input type="checkbox"/> American Independent	<input type="checkbox"/> Democratic	<input type="checkbox"/> Green	<input type="checkbox"/> Libertarian
<input type="checkbox"/> Peace and Freedom	<input type="checkbox"/> Republican	<input type="checkbox"/> Decline to State-American Independent	<input type="checkbox"/> Nonpartisan
<input type="checkbox"/> Decline to State-Democratic	<input type="checkbox"/> Decline to State-Republican		

## 2. Poll Worker must select the reason(s) for Provisional Voting:

<input type="checkbox"/>	Voter is listed in the Roster of Voters as vote-by-mail voter and is unable to surrender the ballot
<input type="checkbox"/>	Voter's name is not listed in the Roster of Voters (inform of voting options listed on Job Card prior to issuing this envelope)
<input type="checkbox"/>	Voter is casting a different party ballot than is listed in the Roster of Voters
<input type="checkbox"/>	Voter is listed in the Provisional Roster. Voter must write his/her valid CA Drivers License or CA ID #: _____
<input type="checkbox"/>	If voter has not been issued either a license or ID, voter must write the last 4 digits of his/her SSN: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	Other reasons:

**Voter must complete sections 3-6**  
**選民必須填寫以下 3-6 部份**  
**El Elector debe de completar secciones 3-6**

**WARNING: VOTING TWICE IN THE SAME ELECTION IS A CRIME**  
**警告: 在同一選舉中投票兩次違反加州法構成犯罪。**  
**AVISO: EL VOTAR MÁS DE UNA VEZ EN LA MISMA ELECCIÓN ES UN DELITO**

N  
A  
E

現居住地址 Domicilio	Date of birth 出生日期 Fecha de nacimiento
Zip Code 郵區號碼 Código Postal	

4. PLEASE NOTE: this section should be filled out ONLY if you have moved and did NOT re-register  
請注意: 此部份只供搬遷但沒有重新登記的人填寫

ATENCIÓN: Esta sección deberá ser llenada SOLAMENTE si usted se ha cambiado de domicilio y NO ha reinscrito.

Previous residential address  
前居住地址  
Domicilio anterior

Zip Code 郵區號碼 Código Postal	Date moved 搬遷日期 Fecha de mudanza
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5. I declare under penalty of perjury that I am a U.S. Citizen, a resident of California, not on parole for a felony conviction, and at least 18 years of age. I am a registered voter in San Francisco whose name and signature appears on this envelope. I have not previously voted in this election, either by absentee ballot or at any other polling place.  
依偽證罪法例宣誓: 本人是美國公民及加州居民, 並非正服刑或被假釋的罪犯及年滿 18 歲以上。本人是三藩市登記選民及其姓名及簽名與信封相同。本人先前並沒有在此選舉投票包括缺席選票或在任何投票站。

Declaro bajo pena de perjurio que soy ciudadano de los Estados Unidos, residente de California, no estoy en libertad condicional debido a una condena por un delito grave y he cumplido los 18 años de edad. Soy elector registrado en San Francisco y soy la persona cuyo nombre y firma aparece en este sobre. No he votado previamente en esta elección, ni mediante boleta de elector ausente ni en ningún otro lugar de votación.

Signature  
簽名  
Firma

Date of signature  
簽名日期  
Fecha de firma

For your ballot to count you <b>MUST</b> :	為確保這張選票被接受和點算, 你必須:	Para que se cuente su boleta electoral <b>DEBE</b> :
<input checked="" type="checkbox"/> Sign this envelope <input checked="" type="checkbox"/> Insert the ballot into this envelope <input checked="" type="checkbox"/> Seal this envelope <input checked="" type="checkbox"/> Place this envelope in the Red Ballot Box	<input checked="" type="checkbox"/> 在信封上簽名 <input checked="" type="checkbox"/> 將選票放入信封內 <input checked="" type="checkbox"/> 將信封封口 <input checked="" type="checkbox"/> 將信封放入紅色選票箱內	<input checked="" type="checkbox"/> Firmar este sobre <input checked="" type="checkbox"/> Introducir la boleta dentro de este sobre <input checked="" type="checkbox"/> Sellar este sobre <input checked="" type="checkbox"/> Colocar este sobre en la urna roja de boleta electoral

OFFICIAL USE ONLY	PRECINCT	REASON CODE	DATE PROCESSED	INITIALS
	BALLOT TYPE			
	POLITICAL PARTY			

7. d. (2)

6.

THIS ENVELOPE IS TO BE OPENED ONLY BY THE CANVASSING BOARD OF THE DEPARTMENT OF ELECTIONS

For this ballot to be accepted and counted, voter must complete sections 3-6 sign and seal the envelope

選民必須填寫第3-6部份並簽名和將信封封口, 否則你的選票不會被接納和點算

Para que ésta boleta electoral se acepte y cuente, el elector tendrá que completar las secciones 3-6 firmar y sellar el sobre

PROVISIONAL VOTER RECEIPT- PLEASE DETACH AND RETAIN FOR YOUR RECORDS  
條件性選票收據- 請將其撕下存儲  
RECIBO DE ELECTOR PROVISIONAL- SEPÁRELO Y GUARDELO CON SUS DOCUMENTOS

To determine the status of your provisional ballot, call 1-866-325-9163 or visit the Department's website at www.sigov.org/elections no sooner than 40 days after the election and provide the reference number printed below:  
想知道你的條件性選票是否被接納和點算,請至少在選舉日40天後致電 1-866-325-9163 或查詢選務處網址www.sigov.org/elections 查詢時請提供以下的編號號碼。  
Para determinar el estado de su boleta electoral provisional, llame al 1-866-325-9163 o visite la página cibernética del Departamento al www.sigov.org/elections no antes de 40 días después de las elecciones y provee el número de referencia escrito impreso abajo:

Voter Information - Provisional Ballot (Elections Code § 14310 and §14311)

You have been asked to vote a provisional ballot for one of the following reasons:

1. Records indicate that you have requested an absentee ballot that you cannot surrender to the pollworker. The Department of Elections will check the records, and if you did not vote an absentee ballot, your provisional ballot will be counted; OR
2. Your name does not appear on the official roster of registered voters for this precinct and your voting eligibility cannot be verified by the pollworker today. The Department of Elections will check your registration records. If further research determines you are eligible to vote, your provisional ballot will be counted. If you are not in the correct precinct and your ballot contains candidates or measures, which you are not entitled to vote, the Department of Elections shall count only the votes for the candidates and measures which you are entitled to vote in your assigned precinct; OR
3. You have moved within the City of San Francisco but did not re-register to vote. Your prior registration will be verified by the Department of Elections before your provisional ballot will be counted. Your registration will then be updated with your current address; OR
4. You want to vote a ballot from a party other than the party you are registered with; OR
5. You are a new first-time voter listed in the Provisional Roster and were unable to provide a valid California Drivers License, California ID or the last 4 digits of your Social Security number at the time of registering to vote.

All provisional ballots must remain sealed until they are processed and opened by the Canvassing Board after Election Day. Your ballot will be counted and opened if the Department of Elections establishes your eligibility to vote and can verify that the signature on the provisional envelope compares to your signature on your record of registration.

Provisional Ballots will not be included in any semi-official or official canvass, except upon as follows:

1. The Elections Official's office establishes prior to the completion of the official canvass, from voter registration records, the claimant's eligibility to vote; OR
2. By order of a Superior Court in the county of the voter's residence. A voter may seek the court order specified in the section regarding his or her own ballot at any time prior to completion of the official canvass. Any judicial action or appeal shall have priority over all other civil matters.

請看背面詳情資料 PARA MAS INFORMACION VEA EL REVERSO

7. d. (3)



**A SEPARATE FORM IS NEEDED  
 FOR EACH DRIVER OR VEHICLE OWNER**  
**NOTICE OF CHANGE OF ADDRESS**

DMV USE ONLY  
 DL address  
 updated by FO  
 24002

Please Print Characters in Capital Letters Using Black or Dark Blue Ink only.

1	2	3	4	5	6	7	8	9	0	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

- INSTRUCTIONS:**
- Enter the information as shown on the document, i.e. California driver license, ID card, or vehicle registration card, for which a change is being requested.
  - Names not matching DMV records and/or unreadable information cannot be updated.
  - Type or write your new address on a small piece of paper with your signature and date. Keep it with your driver license or ID card.
  - A commercial licensed driver must maintain a California residence address or the driver license will be downgraded to non commercial status.

**Personal Information**

LAST NAME  DRIVER LICENSE/ID CARD NO.

FIRST  INITIAL  BIRTH DATE

**Voter Change of Address** We will change your voting address if you have moved and still live in the same county. If you have moved to a new county or are not registered to vote, you must complete a new voter registration card. DMV provides the form or call 1-800-345-VOTE or logon to the Secretary of State's website at [www.ss.ca.gov](http://www.ss.ca.gov).

Use only with DL Change of Address  Mark this box if you do not want to change your voting address.

**New or Correct Residence Address**

STREET NUMBER ONLY  STREET NAME

APT NO.

CITY - DO NOT ABBREVIATE - USE FIRST 22 CHARACTERS IN CITY NAME  STATE  ZIP CODE

**New or Correct Mailing Address**

STREET NUMBER ONLY  P. O. BOX OR STREET NAME OR STREET NAME AND PRIVATE MAIL BOX

APT NO.

CITY - DO NOT ABBREVIATE - USE FIRST 22 CHARACTERS IN CITY NAME  STATE  ZIP CODE

**Vehicles, Vessels, or Placards Owned By You**

CALIFORNIA PLATE/CF/PLACARD NO.  LAST 17 POSITIONS OF VEHICLE ID OR VESSEL HULL ID NUMBER

CHECK IF LEASED  CHECK IF REGISTERED OUTSIDE CA

**Leased Vehicles**

LEASING COMPANY'S NAME

**Location of Trailer Coach or Vessel**

STREET NUMBER  STREET NAME

CITY - DO NOT ABBREVIATE - USE FIRST 16 CHARACTERS IN CITY NAME  COUNTY - DO NOT ABBREVIATE

**Old Address**

STREET NUMBER/NAME  CITY  STATE  ZIP CODE

Your mailing address may be given to requesters providing a valid reason for requesting the information. If you receive mail at your residence, then giving DMV a separate mailing address is optional. Your residence address is restricted to authorized requesters per Vehicle Code Section 1808.21. I am the person whose name appears on the record(s) above and the mailing address shown is valid, existing and accurate. I consent to receive service of process at this mailing address pursuant to 415.20(b), 415.30, and 416.90 of the Civil Procedure Code. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SIGNATURE  BIRTH DATE

Z. d. (4)

The Elections Commission for the City & County of San Francisco is concerned about the issue of citizens who arrive at precincts on Election Day only to discover that their name is not on the roster of voters. Some of these people state that they recall registering to vote when obtaining a driver's license or changing their address with the California State Department of Motor Vehicles (DMV). All of these voters are offered the ability to cast a provisional ballot, with final determination of validity of the individual's voter registration status and the ability to count the provisional ballot left to our local Department of Elections.

"Will my vote count?" is the question oft asked by provisional voters at the precincts. Currently, pollworkers are unable to definitively assure a voter that a provisional ballot will be counted. Pollworkers can only report that the Department of Elections will search records and make the determination.

Your office is likely well aware of this issue. Several voting activist organizations have expressed similar concerns, often citing "antidotal" evidence that a problem exists. However, the clear facts are that during the February 5, 2008 Primary Election in San Francisco County, there were 19,547 provisional ballots cast, and 3129 were not counted because the voter's information on the provisional ballot envelope did not match any information in the San Francisco Department of Election's registration database. Over 3000 people who actually showed up at the polls to vote, with some thought or memory that they were registered to vote, in the end did not have their vote counted.

While it is possible that such large numbers of people have faulty memory as to their voter registration status, it is logical that just enough doubt exists that not 100% of these 3129 people are mistaken. Given the sheer volume of registration documents processed by our county elections department, as well as other documents and data originating from central collection points such as your office, and particularly, from California DMV, some possibility exists for clerical or administrative errors which might prevent a voter's name from appearing on a precinct roster or in the database of the county's elections office.

Further compounding a provisional voter's ability to pursue possible administrative errors and have their vote counted is the information given to provisional voters regarding the status of their ballot.

On the receipt voters receive from the provisional ballot envelope, there is information on how to contact the Department of Elections to find out whether their ballot was counted. However the follow-up instructions state that the voter may check with the Department of Elections "*no sooner than 40 days after the election*" – after the 29-day period within which the election must be certified. In other words, too late to do anything about if the voter learns his or her vote was not allowed.

Further, the provisional envelope receipt also states that Provisional Ballots will not be included in semiofficial or official canvass unless:

1. The Election Official's office establishes prior to completion of the official canvass, from the voter registration records, the claimant's eligibility to vote; or
2. By order of Superior Court in the county of the voter's residence. A voter may seek the court order specified in the section regarding his or her own ballot at any time prior to the completion of the official canvass. Any judicial action or appeal shall have priority over all other civil matters.

The problem again is that the above listed remedies are required to be sought and approved well before the 40-day period that the provisional ballot receipt states a voter can check on the status of counting a provisional ballot.

While issuing such a voter a provisional ballot allows for some measure of protection, this is not a full measure of protection. To further protect individual voter rights, such a voter, *if they so choose*, should be able to pursue source documents of voter registration from the various agencies involved: the San Francisco Department of Elections, the California Secretary of State and, particularly, the California DMV as it pertains to the federal Motor Voter law and its promise of access to voter registration. Informing voters of the ability to access source documents allows voters a greater protection of their ability to cast a vote and goes beyond the limited protection of the current provisional ballot system as offered.

If a such a provisional voter is able to locate valid and current voter registration source documents that have not been included in county voter registration data bases used to produce precinct rosters and for validation of provisional envelopes, then it should only be right that the voter's provisional ballot be counted and included in the official election results. Currently, voters who cast provisional ballots that are determined by the Department of Elections to not be found in registration databases for the county are informed that their ballot was not counted and offered the consolation of registering the voter for the next election. The tragedy we are concerned about is the injustice done to any voters who may have their ballot uncounted due to administrative or clerical error. In such a case during a high profile election, particularly the upcoming November General election, the consolation of only offering to correct future voter registration status is not acceptable and is a complete failure of voter protection.

We ask that your office respond with undue haste to any request by voters from San Francisco County who may seek source voter registration documents from your office following the upcoming General Election. We would also appreciate your assistance in obtaining similar cooperation from the State of California Department of Motor Vehicles should a voter from San Francisco County seek access to source voter registration documents following the upcoming General Election.

We understand this is a complex issue with many scenarios not addressed in this communication. We would be happy to discuss the issue further with your office.