

**An Interview with the Department of Elections.
Answers to FOUR of Your Most Burning Questions.**

Item
9(a)

How do the pollworkers get assigned to precincts?

Prior to each election, we mail out the Official Pollworker Agreement (one is enclosed with this newsletter). We ask you to complete this agreement if you are willing to participate in the upcoming election and return it to us within stated deadline.

Once we receive the agreement, we assign you according to the criteria in the order listed below:

- (1) We assign you according to your special requests or requirements, or, if not possible;
- (2) We assign you to the polling place where you worked last election, or, if not possible;
- (3) We assign you to your home precinct polling place, or, if not possible;
- (4) We assign you to a polling place within reasonable commute distance (3 miles), or, if not possible;
- (5) We assign you to a polling place in need of workers (including language assistance requirements)

To meet Federal and State language assistance requirements, bilingual pollworkers are assigned to precincts in which voters may need language assistance as determined by different sources of information and data.

How are polling places selected?

The Department of Elections does not own any of the 561 sites that are used as polling places and relies heavily on community involvement in providing locations. In a single election year an average of 13% of polling places change locations because the poll owners are no longer willing or are unable to provide their facilities.

When locating a voting site, we make every attempt to comply with the "Americans with Disabilities Act" (ADA) and other laws pertaining to accessibility.

We first determine if any suitable public buildings are available within the precinct. If none exist, we then look for other suitable facilities that typically serve the community such as senior centers or churches. Garages are mostly used in those precincts that are exclusively residential. Often space is sacrificed in order to provide accessibility.

Natural barriers such as steep hills make it difficult to find accessible facilities. When an accessible location cannot be found by the deadline set for an election, we will accept the most usable site available for that precinct.

Precinct boundaries are determined by the amount of registered voters, "... the precinct boundary shall be fixed in a manner so that the number of voters in the precinct does not exceed 1000 on the 88th day prior to the day of election, unless otherwise provided by law. (CA Elections Code 12223)"

Do the pollworkers get evaluated based on their Election Day performance?

Yes. Performance evaluation is conducted after every election. It is a tool to improve accountability and the conduct of elections. It helps us to place pollworkers in positions appropriate to their skills. Occasionally, we use this information to decide not to hire a pollworker. Many different sources are used to evaluate a pollworker performance – Field Election Deputy & Precinct Team Review Forms, showing up on time on Election morning, opening and closing of polls on time, completion of required paperwork, following job cards & procedures outlined in the Pollworker Manual, etc.

Why can't pollworkers receive their checks the day after the election?

Processing the pollworker payroll is a very detailed process involving approximately 2,900 records. There are several steps we must complete to ensure the accuracy of data. To name a few: the payroll sheets must be organized in precinct order; the data entry staff must input the original data from the Payroll sheets into a system we use for record keeping. After the data entry is complete, four separate data verifications must occur. After the data is 100% verified, payments are generated and mailed out to the addresses the pollworkers noted on the Payroll sheets. We do not print the checks, nor do we have them in our possession. Therefore, the distribution of the checks is conducted via mail only.



★ THANK YOU! ★

We would like to take this opportunity to thank you for contributing your time and your skills toward making the past election a great success. You are a valued asset to the San Francisco Department of Elections and your hard work remains a source of pride.

February 5, 2008 Presidential Primary Election Statistics

With 269,212 voters participating, San Francisco County had the highest turnout for a Presidential Primary in years. Some facts for you to know:

• Turnout	64.75%	• Registered voters	415,761
• Neighborhoods with highest voter turnout:		• Number of polling places	561
Upper Market/Eureka Valley	76.87%	• Number of pollworkers who worked	2,827
Noe Valley	76.25%	• Number of pollworker phone calls received & answered on E-Day	1,017
Diamond Heights	75.64%		

Participate in the Upcoming June Election!

If you are interested in working as pollworker in the upcoming June Election, complete the enclosed Official Pollworker Agreement and return it in the enclosed (postage-paid) envelope as soon as possible, but no later than Wednesday, March 19, 2008.

Did You Know?

The History of California's Primary Election System

Closed Primary System

Until 1996, California had a "closed" primary. In a closed primary, only voters who are registered members of a political party may vote the ballot of that political party.

Open Primary System

In the March 1996 primary, voters approved Proposition 198, which changed the "closed" primary system to an "open" primary, in which all registered voters may vote for any candidate, regardless of political party.

However, in June 2000, the United States Supreme Court overturned Proposition 198. The Supreme Court ruled that California's "open" primary system was unconstitutional because it violated a political party's First Amendment right of association.

Modified Closed Primary System

In September 2000, the California State Senate passed a bill to create current "modified closed" primary. This law took effect January 1, 2001. The "Modified closed" primary system permits unaffiliated ("decline to state") voters to participate in a primary election if authorized by an individual party's rules and duly noticed by the Secretary of State.

Why do Americans vote on the first Tuesday (after the first Monday) of the month?

For much of its history, America was predominantly an agrarian society, so November was the most convenient month for farmers and rural workers to travel to the polls. The first Tuesday after the first Monday was chosen for three reasons: (1) Most rural residents had to travel significant distances and would begin their travel on Sunday, so Monday was seen as unreasonable; (2) The first of November is All Saints Day, a Holy Day of Obligation for Roman Catholics, and lawmakers wanted to prevent an election from falling on that day; (3) Most merchants did their books from the preceding month on the 1st of the month and Congress didn't want the economic success or failure of the previous month to influence merchants' votes!

Consolidated statewide Direct Primary Election - Tuesday, June 3, 2008

ELECTIONS COMMISSION
City and County of San Francisco



Item 9(b)

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 408
February 20, 2008

1. President Gleason called the meeting to order at 6:20 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners Arnold Townsend, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Jon Givner and Director John Arntz.
3. **ANNOUNCEMENTS:** President Gleason announced there have been new appointments to the Budget and Oversight of Public Elections Committee: Commissioners Matthews, Phair and Yu, with Commissioner Yu as Chairperson.
4. **Public comment on any issue within the Elections Commission's general Jurisdiction.** *Tim Meyer* said that the Director was given a demonstration of a voting machine on a CD had been delivered to the Director, and that CD can print a ballot for the user. *Brent Turner* added that there will be updates to this CD in the future, and that he has another copy if anyone wants to see it. Mr. Turner said that there are open source systems currently going for certification, and mentioned his hopes for the future of the Open Source Task Force.
5. **Director's Report.**
Ballot Distribution: The Division has been running the canvass at Pier 48 for the past two weeks, in addition to processing the ballots in City Hall. There is a possibility of completing the canvassing by the end of this week but there is the probability that it may take a few days longer.

Budget and Personnel: The Division is concentrating on getting the budget information in the system since tomorrow is the deadline.

Campaign Services: There will be an April Special Primary Election. This is new information since the last Commission meeting. The nomination period ends

Monday, February 25, and the Division is preparing the guides for this as well as the June election.

Outreach: This Division's staff has been working with other Divisions on the provisional and absentee ballots, and canvassing. Additionally, staff attended 180 outreach events for the February election, made presentations to over 8000 people, and collected over 12,000 registration cards. The Associated Press ran a story that was picked up by the San Jose Mercury News about the Department's ex-offender program.

Publications: The Division's staff is co-managing the canvassing, is involved in the logic and accuracy testing of the equipment as well as processing provisional and absentee ballots. The Division will be conducting the first meeting of the Ballot and Simplification Committee meeting for the June election. The Director reminded the Commission that this is the third time in three or four years that the Department has had to work on simultaneous elections.

Poll Locating/ADA: The Division has sent out availability letters to precincts which will be involved in the April Special Primary Election, and has received 60 responses. This Division is the first to experience the positive impact of the new Pier 48 space because they will not have to move equipment and materials to multiple locations for the upcoming elections. The single location staging is much more efficient.

Pollworker Division: Pollworker evaluation forms from voters and evaluations from the Field Election Deputies (FEDs) are being reviewed. Availability letters to workers for the April Special Primary Elections have been mailed, and checks have been mailed to the February election workers.

Technology Division: Staff is issuing daily election results reports. The Director reported that database support has demanded much of the staff's time over the past several weeks, as preparations are made for the April and June elections.

Commissioner Townsend praised Charles McNulty and his Outreach staff on the work they have done to make ex-offender voting outreach a success.

Commissioner Meek congratulated the Department on the ex-offender program and the success of the February election with the added difficulties of transferring to a new voting equipment, and a new staging location.

Public Comment. *David Pilpel* said that he had suggested that the City look into reimbursement for the April election from the state and asked if there had been an answer, and will the Voter Information Pamphlet (VIP) for that election be produced with a minimum amount of paper. Commissioners Matthews and Gleason asked the Director about his plans. Director Arntz responded that there will be a VIP, he is looking into reimbursement and added that there will be 107 precincts involved in the April election.

6. **Commissioners' Reports and Updates on Observations and Activities Related to the Conduct of the February 5, 2008 Presidential Primary Elections, including assigned observations.**

Commissioner Matthews reported that on February 13, he observed the paper audit trail manual tally at Pier 48. There were 132 precincts at which at least one person voted using the Edge Equipment. Most of these machines had only one or two users. Those examining the manual tally reported that the machines had been very effective and the tally was matched with the information from the chip in the equipment. Commissioner Matthews plans to give a more detailed report and to share photos he took at the next Commission meeting.

Commissioner Yu reported that she visited the call center for voters with language needs and the general problem center where concerns were being logged on election day. She reported that both centers were functioning well and had either paper or electronic back up for their reports and response times for resolving problems. The Commissioner observed that the general turnout of voters in City Hall was high for this election.

Commissioner Phair reported that two weeks prior to the election he toured the new facilities at Pier 48 with the Director and the Pier 48 Manager. The location was well-staged, well-organized and very cold and windy. He said staff were doing an excellent job. The cyclone fence hadn't yet been installed, and the facilities were minimum. Security appeared to be very good and staff were carefully loading, testing, locking and sealing equipment in preparation to stage for transfer to the polling sites. Commissioner Phair also took his first tour of the Department and said he was very impressed with the staff – everyone was very cooperative, knowledgeable, and willing to take the time to speak with him and explain their responsibilities and how their areas functioned. The Commissioner said he was impressed with the volume of materials that passes through the offices, especially the vote-by-mail ballots and their sorting and that he hoped that the facilities at Pier 48 can be improved to provide better working conditions for the people who work there.

Commissioner Meek passed out a draft of her report to the Commission regarding her observations of provisional ballot processing. She explained that the ballots go through three stages of review before the decision is made whether a ballot will be counted. There were approximately 19,000 ballots from the February election which is much more than usual, and it is believed that a large number of voters voting outside their party was the cause. The Commissioner said that the process was in line with the Election Plan for this election, and that although there were multiple areas of review for the ballots, which is very time consuming, this assures that every ballot has a fair chance of being accepted. Commissioner Meek added that she was very impressed with the public access to view these procedures. She recommended that perhaps the number of provisional ballots could be reduced through additional voter education about what happens to ballots, and suggested that this topic could be something for the Commission to examine further.

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Commissioner Townsend reported that he visited his polling precinct although he votes absentee, and he visited City Hall. He observed staff were working hard, and said that this has been the case for the past six years that he has been a Commissioner.

Commissioner Gleason observed the remake process. He explained that remakes are done to provisional, damaged, unreadable or unprocessable ballots that don't make it through the regular voting equipment. These ballots have to be hand duplicated. The Commissioner took a brief tour on February 12 of Room 34, and was given an "Observer Guide" which he said was excellent in explaining the process. There were six to eight staff in Room 34, and the supervisor approached him at the entrance, showed him an original random ballot and the duplicate that was made with its the control number and the supervisor explained the entire process to the Commissioner. Commissioner Gleason observed that the orange plastic numbered seals that are placed on the Insight machine and other materials don't function as a security seal because they come off and can be reapplied too easily. He suggested that they be made of paper so they must be broken for accessibility if their purpose is to provide security.

Public Comments. *Brent Turner* said that in his experience of observing elections in many counties, San Francisco's elections procedures are, in his opinion, "at the top". *David Pilpel* said that he appreciates the process of the Commissioners reporting on their assignments and that he hopes the Budget and Oversight of Public Elections Committee will review all the comments and bring it back to the full Commission as part of the review and evaluation of the Election Plan.

7. **Report from the Budget and Oversight of Public Elections Committee regarding meeting of February 12, 2008.** Commissioner Yu reported that the new Committee met and reviewed the budget documents provided by the Director for fiscal year 2008-09. Additional documentation including an organizational chart and summary of permanent salaries were provided. After discussion, the Committee agreed to recommend that the budget be approved by the Commission pending receipt and review of these documents by the full Commission.
8. **NEW BUSINESS**
 - (a) **Discussion and possible action to approve the Department of Elections' Budget for Fiscal Year 2008-2009.** Commissioner Meek asked that two items be added to the budget: \$10,000 for a Commission office. Director Arntz agreed and said he could add it to the budget and asked the Commission to support the addition by writing an explanation for the funds. Commissioner Meek said she would write a substantiation for the funding. Commissioner Matthews added that the Committee had been advised at the BOPEC meeting to provide a paragraph in the budget explaining the duties of

the Commission Secretary to justify that salary. President Gleason asked if the entire Pollworker Division was staffed by people having temporary status. Director Arntz said that is true. President Gleason said that this is a problem and that should these workers leave, there would be no continuum of experience. Director Arntz said that the temporary staff status is a result of what the Board and Budget Analyst approved years ago, and the Department has been trying to change this since then. He asked the Commission to provide support for permanent staffing.

Director Arntz advised that if the Commission approved the budget at this meeting, the budget will still have more changes in the months ahead.

Commissioner Phair asked where are the budget materials that are going to the Mayor, since what the Commission has is a summary. Director Arntz said that what the Commission has is a report from the Controller's Budget Report for the entire City, and that he presented the information as a "snapshot demonstration" of the budget. Commissioner Phair asked what is the \$19M number? Director Arntz answered that it was for the current fiscal year, and the Commission would be approving \$13M for the upcoming fiscal year. The drop is because there will be fewer elections in that cycle.

Commissioner Phair asked if "work orders" would come from a budget item. Director Arntz replied that "work orders" come from the General Fund, and is part of the DoE Budget. The Commissioner said that he was familiar with a budget that had a spread sheet of materials and supplies, and one for salaries with each person's name, position and current salary and any increases expected in those salaries. Director Arntz said that the City's budget would essentially show the same information.

Commissioner Matthews called the Director's attention to the Organizational Chart he presented at this meeting and noted that only one person's name was assigned to a position. He asked who the names were for the top line of people. Director Arntz said that it would be a simple task to email all the names to the Commission President with the proper spellings. Commissioner Matthews asked if the top line of Managers on the Chart had the proper classifications and pay rate for the work performed. Director Arntz said that he was seeking management positions for those staff but that at present, what is on the Chart is current. Commissioner Matthews asked if the Commission could lobby for making those positions equitable in pay to their titles. Director Arntz said he would welcome the Commission having conversations with the Mayor's Budget Office or the Mayor to explain its concerns for the positions and classifications for the Department. Director Arntz said he would let the Commission know which positions to promote.

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Commissioner Phair referred to the FYI Budget information regarding staff salaries the Director gave the Commission recently for the current fiscal year (2007-2008) and asked if the corollary for this year was to be \$2.176 M for Permanent and \$1.9M for Temporary Staffing? Director Arntz replied that this is correct.

Deputy City Attorney Jon Givner suggested that if the Commission wanted to authorize one or more Commissioners to draft a letter regarding the budget, that it be done formally.

Commissioner Matthews MOVED that the Commission authorize Commissioner Meek to draft statements about the Commission's Real Estate needs and a description about the Commission Secretary position for inclusion in the DoE Budget for 2008-2009.

Commissioner Phair offered a resolution that it is the recommendation of the Commission that these letters be drafted and that Commissioner Meek put together the background materials for support of those two items.

Commissioner Matthews volunteered to draft the portion of the letter to explain the Commission's support that all Division Managers be upgraded to managerial positions, be classified and paid properly. He added that he would begin this assignment once the Director sends him the information about the managers' classifications and salaries for staff for whom the Director is seeking upgrades.

Commissioner Meek SECONDED.

Public Comment. *David Pilpel* said it was difficult for him to comment on the budget because what has been given to the Commission is incomplete information. He suggested that it would be confusing if the Commission was supporting a item not in the budget – like the \$10,000 for Commission office space. It would take a motion to amend the proposed budget to upgrade the managers already listed in the budget proposal.

President Gleason asked for clarification whether the Commission was adding to the current budget. It was agreed that this could be resolved by making it a part of the Budget MOTION.

Deputy City Attorney Givner said that the Commission's authority regarding the Budget was to approve or not approve it, not to make line edit changes to it. However, the Commission could make a recommendation, but ultimately its vote is yes or no on the Budget.

Commissioner Phair said that this is understood and that the resolution will make recommendations.

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A Roll Call Vote to approve this resolution was UNANIMOUS.

Commissioner Phair MOVED that the Budget for 2008-2009 be approved as presented and that the Commission recommend to the Department the allocation of \$10,000, or the appropriate amount, for a Commission Office space for its secretary. Commissioner Meek SECONDED.

Commissioner Townsend said that he was confused by the Commission approving the Budget as presented and in the same motion change the Budget.

Deputy City Attorney Givner explained that the Commission was approving the Budget as submitted and at the same time was recommending that the Director add the \$10,000 to the Budget at his discretion, and that the Commission would approve a Budget with this additional \$10,000 for real estate.

Public Comment. *David Pilpel* reminded the Commission that it did not have all the information it needs to approve the Budget. He said that the current ASO detailed in the information given to the Commission has 22 positions, and does not reconcile to the Organizational Chart presented tonight which shows 27 positions. There are also positions on the Chart that are not included in the Budget information presented to the Commission, and there's no detail included for the 2008-09 Budget, just a summary amount for permanent salaries. The Temporary salaries (\$1.9M) in the Director's handout for tonight's meeting does not reconcile to the \$2.231M that was included in the material presented last week; the detail in the materials and supplies and non-personal services does not reconcile to the eight page chart from last week. Mr. Pilpel said that he disagreed with the Deputy City Attorney regarding whether the Commission has the ability to amend the Budget, he said that it was his understanding that all Commissions with Budgetary approval authority have the ability to amend the budget that's presented by their departments. He said that the hearings for approval of the Elections Department Budget have not assisted him, as a member of the public, with enough information to form an opinion whether the Budget is adequate because he has not been given the information he has been requesting for over a month and that the level of detail of information has been inadequate.

The Roll Call Vote to approve the Elections Department Budget for FY1 2008-2009 was: Matthews – Yes; Townsend – Yes; Phair – Yes; Yu – Yes; Meek - No; and Gleason – Yes. Motion CARRIED 5 to 1.

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(b) **Discussion and possible action on communications to the Commission from the Public.** (Commissioner Gleason)

President Gleason presented a copy of an email from a member of the public who complained that the format of the February 5, 2008 Presidential Primary Ballot was confusing because the ballot's formatting and design put more emphasis on the propositions. The complainant didn't realize he hadn't noticed and voted for the Presidential Candidate until his ballot had already been processed. President Gleason also presented sample ballots from previous elections along with a sample of the ballot in question and explained that he understood that the Department was making good use of the least amount of paper, but he understood why the member of the public was complaining. The Commissioner said that he witnessed voters with the same concern, not being able to locate the Presidential Candidates on the ballot, when he was at the polls on Election Day. He suggested that perhaps the pollworkers could point out where the candidates are if there's a ballot with this same configuration in the future.

Commissioner Phair said that he had a voter make the same comment to him and that the voter almost missed seeing the Presidential Candidates boxes on the ballot. He said that this election had been unique because the DoE had so many ballot propositions which took up most of the space on the ballot. He suggested that a citizen advisory group, perhaps the Ballot Simplification Committee, look at ballot designs – like a fresh set of eyes – and give appropriate comments to the Director of Elections.

Commissioner Townsend said that he voted and thought the ballot wasn't a problem. He said that voters should look at the entire page. The Commissioner said he was concerned that one letter of complaint to the Commission was not necessarily something the Commission should take up as an issue. He said the complainant deserves a response from the Department not the Commission.

President Gleason responded that the new voting machines get down to very small fractional numbers of voters, and the Commission should respond to fractional numbers of voters. He reminded the Commission of Commissioner Matthews report earlier in the meeting of 132 voters on the touch screen voting devices, and that is a small number. Although the Commission received only one letter regarding this concern, President Gleason said he encountered two voters who expressed confusion at the polling site he worked on Election Day, and asked how many others the Commission didn't hear from or who weren't even aware that they missed this part of the ballot.

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Commissioner Townsend responded that he couldn't imagine a voter forgetting to vote for a Presidential candidate.

President Gleason said that this was not an action item and that he presented it as "food for thought" for caution's sake.

Public Comment. *Alec Bash* said that although everyone in the meeting room could have figured out the ballot, many people were voting for the first time. He said the ballot design is very important and he hoped that professionals like the Ballot Simplification Committee could take a look at ballot designs and listed several states and situations where ballot design had caused problems in past elections. Mr. Bash suggested that if the narrow column with the candidates had been on the right hand side of the ballot, voters may not have missed it. *David Pilpel* suggested that it might be worth a special hearing to discuss ballot designs, layouts and styles. He referred to a recent *L. A. Times* story about a ballot design problem in that county. *Kevin Shiue* said that the recent election was the first time he worked as a pollworker and that he had witnessed several voters who had missed the candidates on the ballot. He suggested that because the Insight Voting Machines reject double and no votes, perhaps it could reject ballots that have blank responses for parts of the ballot, forcing the pollworker to manually input the ballot if it was the voters intend to leave a section vacant. Mr. Shiue asked if there was any user testing of a ballot design before it is finalized.

Commissioner Phair asked if the Director could respond to the question regarding user testing of ballot designs. Director Arntz responded that there is no user review of the ballots, and that they are formatted according to the requirements of the Elections Code. He said that the ballot style in question has been used before in primaries.

(c) **Discussion and possible action to approve the Minutes of the January 16, 2008 Commission meeting.**

Commissioner Meek MOVED and Commissioner Yu SECONDED approval of the minutes. The Roll Call Vote was UNANIMOUS to approve the minutes.

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

President Gleason said that he will have pollworker feedback on their experiences during the election on the next agenda. He asked the Commission Secretary to help to send out a press advisory, similar to the one used for the Voting Systems Forum the Commission held in the past, to get pollworkers to attend. President Gleason said that these workers, who are spending 14 and 16 hours on Election Day with ballots and voters (some of whom have 10+ years

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experience), would be able to supply worthwhile feedback, advice and possibly praise to the Department.

Public Comment. *David Pilpel* asked if the Election Plan for the Special Election would be on the agenda for the next full Elections Commission meeting.

ADJOURNMENT at 7:54 pm

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Election Plan
City and County of San Francisco

Special Congressional Open Primary Election

April 8, 2008

I. Introduction

The San Francisco Department of Elections (DOE) must:

“...Conduct all public federal, state, district and municipal elections in the City and County...[This includes] voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud.”

(San Francisco Charter, sec. 13.104)

Organizing and running an election in the City and County of San Francisco requires staffing of 103 polling places. Sites must be located and precinct workers recruited and trained for each precinct. Voter information pamphlets and sample ballots must be prepared and distributed. Vote-by-mail ballots must be sent to voters who have requested them or who are registered as permanent Vote-by-mail voters. Additionally, in advance of the election, voting machines must be tested, and Deputy Sheriffs must be assigned and coordinated to pick up voted ballots for transport to the holding facility after the polls close. Ballots and equipment must be transported to each site and assembled. Poll workers are to arrive by 6:00 a.m. to set up the polling place, then at 7:00 a.m. start to process voters as they arrive. The pollworkers are to post and update a list of voters registered in the precinct who have voted on an hourly basis but not note the time or the hour. Once the polls close at 8:00 p.m., the poll workers must print a receipt tape for posting at the polling place and copy the results from the Edge II touch screen for posting.

At the close of Election Day, Voted ballots must be removed from the Insight optical scan tabulator and the Red Box and readied for transport to a holding facility. Pollworkers are to reconcile the number of unused ballots remaining with the number delivered to the precinct and the number used with the Posted Ballot Statement (PBS). A copy of the PBS must be posted outside polling place along with the Insight receipt. Pollworkers must take down the voting booths and ready the equipment and supplies for later pick up.

The pollworkers will remove the memory devices from the Insight and the Edge II and ready them for retrieval by Parking Control officers from the Department of Parking and Traffic and then transported to City Hall. The ballots and Edge II machines will be taken to the Department's Processing Center at Pier 48.

Provisional and Vote-by-mail ballots that have been dropped off at a polling place are delivered to the DOE's "Processing Center" and are transported to the DOE office in City Hall the day after the election. Department staff are to process all Provisional and Vote-by-mail ballots to determine whether it is to be accepted or challenged. Challenged ballots are neither opened nor counted whereas accepted ballots are opened, extracted and prepared for tabulation. California election law allows 28 days following an election for the election official to conduct the official canvass and certify the election results.

Between elections, DOE must conduct voter file maintenance of the following to ensure the voter rolls are current and as accurate as possible. This maintenance includes:

- Purging of deceased individuals;
- Purging of duplicate registrations;
- Purging of individuals in prison or on parole for the conviction of a felony;
- Purging of voters who have moved out of county; and
- Cross-checking our files with those of the Secretary of State.

II. Governing of Election

The upcoming election shall be governed in accordance with:

- California Election Code;
- San Francisco Municipal Elections Code and applicable Charter Amendments;
- United States Voting Rights Acts (1965)
- United States Help America Vote Act (2002)
- United States Americans With Disabilities Act (1990);
- Previously established administrative procedures which the San Francisco Department of Elections and the Director of Elections deem to be best practices.

III. New Practices

Gathering Results

The Department will no longer use Uplink Sites to transmit election results to City Hall and instead will accept all memory packs and memory cards at the McAllister entrance of City Hall and upload the results from stations set up for these purposes.

Canvass

The Secretary of State's certification of the Edge II machines requires the Department to manually count all Voter Verified Paper Audit Trails (VVPAT) and compare those results to the machines electronic records.

Staging Ballots Before, During, and After Processing

Ballots for the polling places will be delivered to Brooks Hall, located underneath Bill Graham Auditorium. The Department will not distribute polling place ballots to pollworkers from the 240 Van Ness Avenue location as in the past since the Department of Building Inspection forbids any City agency from using this site. For the April election, polling place ballots will be distributed from City Hall Room 34.

Closing Polls

The pollworkers are to post and update a list of voters registered in the precinct who have voted on an hourly basis but not note the time or the hour. Once the polls close at 8:00 p.m., the poll workers must print a receipt tape for posting at the polling place and copy the results from the Edge II touch screen for posting.

Edge II Direct Recording Equipment

Each polling place and the early voting counter will have one Edge II Direct Recording Equipment machine to allow accessible voting via a touch screen or audio ballot. Each Edge II provides a Voter Verified Paper Audit Trail (VVPAT) so that voters can review their selections on the paper trail before casting their votes. The Department will hand-count all votes on the VVPAT after the election and during the canvass and compare the hand-count with the tallies stored on the Edge II memory devices to ensure the machines were accurately recording votes.

IV. Election Summary

1. Offices and Local Ordinances and Charter Amendment Listed on the Ballot

The following elective office is listed on the ballot:

Representative, U.S. House of Representatives, District 12

2. The ballot will not include any measures or bonds for voters to consider.

2. Voter Registration for U.S. House District 12: 79,000

3. Number of precincts: 107

Of the 107 precincts, four are Mail-Ballot-Precincts and will not have polling places

4. Number of pollworkers required: Approximately 500

For the April 2008 Special Congressional Open Primary Election our goal is to recruit approximately 500 pollworkers. The DOE will staff each polling place with four (4) pollworkers: one (1) Inspector and three (3) Clerks. The DOE will recruit 103 Inspectors and 309 clerks. In addition to the approximately 412 pollworkers assigned to the precincts, the DOE will recruit 85 stand-by Inspectors and clerks, who will be stationed at City Hall and dispatched as needed on Election Day.

It is the DOE's plan to expand our services to voters who need language assistance on Election Day and exceed the 3% standard imposed by California Elections Code, Chapter 4, Article 1, Section 12303 (b)-(c). We will place Chinese- and Spanish-speaking pollworkers at precincts as follows:

- At least one bilingual pollworker in every precinct where 10 or more registered voters have requested election material in Chinese or Spanish;

- At least two bilingual pollworkers in every precinct where 75 or more registered voters have requested election material in Chinese or Spanish; and
- Three to four bilingual pollworkers in every precinct where 120 or more registered voters have requested election material in Chinese or Spanish.

In addition to the aforementioned bilingual pollworkers, the Department further targets precincts that may require language assistance by placing Chinese- and Spanish-speaking pollworkers in every precinct where 25 or more registered voters were born in Chinese- and Spanish-speaking countries.

In summary:

- 82 precincts (80% of 103 polling places) will be staffed with Chinese-speaking pollworkers (113 pollworkers total); and
 - 7 precincts (7% of 103 polling places) will be staffed with Spanish-speaking pollworkers (7 pollworkers total).
5. Voting equipment to be used: At precincts, the Insight and Edge II will be used at the polling places and the 400-C will be used in City Hall primarily to count vote-by-mail ballots.
 6. Number of Permanent Vote-by-mail Voters in U.S. House District 12 is approximately 30,000.
 7. Ballots:
 - There will be two ballot types, based on the two Assembly Districts that include San Francisco;
 - Each voter will receive 1 ballot card; and
 - The ballots will be trilingual: English, Chinese and Spanish.
 - Ballots are not created specific to voters' political affiliations such as American Independent, Democratic, Green, Libertarian, Non-partisan, Peace & Freedom, Republican, with the American Independent and Democratic parties allowing Non-partisan voters to "crossover" and vote on those parties' cards.
 8. Voter Information Pamphlet and Sample Ballot:
 - English Voter Information Pamphlets will be mailed by March 10, which is 29 days before the election as stipulated by Municipal Elections Code section 500.
 - Chinese and Spanish Voter Information Pamphlets will be mailed beginning on approximately March 17.

V. Critical Dates and Deadlines

- Candidate Filing Deadlines
 - Nomination Deadline: February 25, 2008

- Write-in Candidate Filing: January 15, 2008
- Ballot argument deadlines:
 - There are no measures on the ballot for which to submit arguments for printing in voter VIP.
- Begin mailing ballots for overseas voters: March 7, 2008
- First day for Early Voting: March 24, 2008 from 8 a.m. to 5 p.m. Early voting on weekends will take place April 5 and 6 from 10 a.m. to 4 p.m.
- First day for mailing Vote-by-mail ballots: March 14, 2008
- Deadline for Voter Registration: March 24, 2008
- Begin mailing Voter Information Pamphlets: March 10, 2008
- Last day to request Vote-by-mail ballot be mailed: April 1, 2008 at 5:00 p.m.
- First day processing Vote-by-mail ballots: March 28, 2008
- Election Day: April 8, 2008 from 7 a.m. to 8 p.m.
- First day of processing Provisional ballots: April 9, 2008
- Deadline for Certification of Election: May 6, 2008.

VI. Security and Distribution of Ballots Before and On Election Day

1. Vote-by-mail Ballots

Vote-by-mail ballots are sent from the printer to a mail house in San Leandro where the ballots are assembled with the inserts included in all Vote-by-mail ballot envelopes for mailing. Permanent Vote-by-mail ballots will be delivered to the postal facility on Evans Street for mailing on March 14, 2008.

2. Vote-by-mail Generic Ballots

- Unvoted Vote-by-mail generic ballots will be secured in Room 59 at City Hall.
- Permanent Vote-by-mail ballots: Mailed by March 14, 2008 Follow-up Vote-by-mail ballot requests will be mailed as requests arrive to the Department.
- Location of secured, returned, voted Vote-by-mail ballots
 - All early voted ballots will be secured in City Hall.

3. Precinct Ballots/Precinct Generic Ballots

Unvoted precinct and precinct generic ballots are staged in Brooks Hall and distributed to polling place inspectors from City Hall Room 34. Precinct ballots will be distributed to the polling place inspectors upon their completion of training classes beginning

Thursday, April 3 for inspectors. If inspectors cannot pick up their ballots after training class, the Department may deliver the cards to their residence.

4. Securing Voted Ballots during Election Day

For this election, there will be no mid-day pick up of voted ballots. Also, the bins inside the optical scan machines separate ballots that have votes for write-in candidates.

VII Transporting and Securing Precinct Ballots after the Polls Close on Election Day

The Sheriff's Deputies will retrieve the voted and unvoted ballots from the polling sites and transport them to the Department's Processing Center on Pier 48. At the Processing Center the voted and unvoted ballots will be separated and accounted for and the Department will begin readying the voted Vote-by-mail and Provisional ballots for transport to City Hall for tallying. In past elections the Department would transport the voted ballots to Brooks Hall for canvassing; however, beginning this election, the Department plans to begin not moving the ballots and have them remain at Pier 48 for canvassing.

III. Ballot Processing

1. Vote-by-mail Ballots and Early Voting Ballots

In San Francisco, a Vote-by-mail ballot is placed into the return envelope, which the Vote-by-mail voter must sign. The envelope also has a label with the voter's name and address printed on it. Upon receipt at DOE, the signature on the Vote-by-mail ballot envelope is compared to the voter's signature on the affidavit of registration on file (Cal. Elec. Code Sec. 3019), and the voter is noted in the database as having voted. Properly submitted ballots are then sorted by precinct.

Bins of sorted Vote-by-mail ballots are then opened by a worker who slides the envelope through a slicing machine, extracts the ballot and places them in stacks. Throughout this period, the side of the envelope with the voter's identifying information is kept facing downward so as to protect the voter's privacy. Extracted ballots are then delivered to the Central Count location in City Hall.

If a voter's Vote-by-mail ballot is received more than approximately ten (10) days prior to the election, the polling place Roster will reflect this. If the voter has requested an Vote-by-mail ballot, this too will be noted in the roster and the voter will have to surrender the Vote-by-mail ballot before being allowed to vote, or the voter will have to cast a Provisional ballot.

- The Department of Elections begins processing Vote-by-mail ballots after the mailing of Permanent Vote-by-mail ballots by reviewing the signatures on the envelopes upon their arrival and the Department can begin opening the envelopes to seven business days before the election – March 28, 2008.
 - For this election, Vote-by-mail ballots are to be processed at the Central Count location at City Hall using the 400-C machines. After the ballots are verified, the Ballot Distribution division receives the accepted ballots. The ballot envelopes are then sorted by precinct number, opened, and extracted in Room 59 in City Hall. Once the ballots are removed, they are prepared for counting in the DOE Computer Room; header cards are placed between each precinct and log sheets are completed for each box of voted ballots. When ballots are moved from Room 59 to the Computer Room, a transport log is used to ensure the chain of custody. During ballot counting, any ballot that cannot be processed by the 400-C machine is set aside for manual review and

remake if required. The 400-C machines also separate write-in ballots which will require manual review and tally.

During the canvass process, any auxiliary bin ballots are also reviewed. Once the Department determines during the canvass – or the reconciliation and review of all election materials sent to the polling places – that the auxiliary bin ballots have not been counted by the Insight on Election Day at the polls, the ballots are transported to the Central Count location at City Hall. They are then processed through the 400-C machine, similar to the way Vote-by-mail and Provisional ballots are counted.

- Date to begin processing precinct ballots (Election Day) and Vote-by-mail ballots delivered to the polling places: April 8, 2008.
 - At the polling places, Vote-by-mail voters will place their voted ballots into the Red Box. After delivery to City Hall, the ballots will be sorted by precinct number and then processed by the 400-C machine. A transport log is to be completed when ballots are moved from one location to another as well as on processing room to another to ensure the chain of custody. During the ballot count, any ballot that cannot be processed by the 400-C is set aside for remake, similar to the way Vote-by-mail and Provisional ballots are processed for remade.

2. Precinct Ballots

Precinct ballots are scanned at the polling places after voters place their voted ballot cards into the Insight machines. The vote tallies are stored in the memory pack in each Insight. Also, precinct ballots voted by using the Edge II touch screen are stored on a memory device and printed on the Verified Voter Paper Audit Trail (VVPAT). The memory pack from the Insight and the memory card from the Edge II will be retrieved by Parking and Control Officers from the Department of Parking and Traffic and transported to City Hall. The paper ballots and VVPAT will be transported to Pier 48 by Deputy Sheriffs.

3. Provisional Ballots

Two ballot types will be used in San Francisco in this election, owing to the Assembly districts. As addressed elsewhere in this document, if a voter votes outside of their assigned polling place, any contest(s) for which they are not eligible to vote, based on their registration, will not be counted.

Provisional envelopes contain the ballots of voters whose names did not appear on the roster of the polling place at which they voted.

Provisional ballots require individual adjudication in which a DOE employee compares the signature on the pink envelope to the voter's signature on the affidavit of registration on file. This process is performed by using registration database to identify the voter and determine whether the voter is registered and which ballot type the voter should have voted according to the voter's current residential address. The database is programmed to compare whether the ballot type issued and the ballot type the voter is entitled to vote with is the same, in which case the candidates and measures will be counted for the entire ballot. The "Help America Vote Act" (HAVA) and California Election Code Section 14310 (3)(b) states, "If the ballot cast by the voter contains candidates or measures on which the voter would not have been entitled to vote in his or her assigned precinct, the elections official shall count only the votes for the candidates and

measures on which the voter was entitled to vote in his or her assigned precinct.” Provisional ballots are challenged and will not be counted for the following reasons:

- Identity of the voter cannot be determined;
- Envelope is not signed;
- Envelope is not sealed;
- No residential address provided;
- Signature does not compare or match to the voter registration on file;
- No ballot is enclosed; and/or
- The signature is printed.

Provisional voting on the Edge II will involve issuing the voter with a voter card that is activated for provisional voting only. The card activator will indicate a reference number on its display which will be noted by the pollworkers on the Provisional envelope. This number will be used to reference to that ballot during tabulation once accepted to be included in the election’s tallied results.

4. Damaged and Remake Ballots

Under certain circumstances, when a ballot is lawfully cast but unreadable by the vote counting equipment, the Department of Elections must "remake" the ballot so it can be read and processed by the equipment. For example, ballots that are torn, bent, folded, dirty, damp or damaged must be remade. The remade ballot must reflect the voter's intent insofar as the voter's intent can be determined from the defective ballot. This process takes place in City Hall Room 34.

California Elections Code Section 15210 requires the Department to remake ballots when the voter used a pencil or pen that cannot be read by the vote counting equipment, or when the voter marked a sample or photocopied ballot rather than an actual ballot. Under certain circumstances, voters are permitted to use sample ballots and photocopied ballots when actual ballots are not readily available.

For this election, all ballot cards – Vote-by-mail, Polling Place, Auxiliary Bin, and Provisional – will require review by the DOE. Any ballot card not marked with a pencil or dark ink will require the DOE to remake that ballot. The auxiliary bin is a compartment used to collect ballots when the Insight machine is temporarily out of order.

The original, unreadable ballot is called the "original." The duplicate ballot is called the "remake."

The remake process, like all aspects of ballot processing, is open to the public

Common Situations for Remaking a Ballot

The following is a list of the most common situations in which the Department of Elections remakes ballots:

- A portion of the ballot card is torn off;

- The ballot card is ripped;
- The ballot card is bent, folded, creased or wrinkled;
- The ballot card is damp, dirty or sticky;
- The ballot card has ink smudges, eraser marks or eraser holes;
- The ballot has stray marks that could interfere with the ability of the equipment to count votes cast on the ballot; and/or
- The voter used a pencil or pen that cannot be detected by the vote counting equipment.

The Department of Elections determines when it is necessary to remake a ballot.

What are Examples of Incorrectly-Marked Ballots that are not Remade?

The following are examples of incorrectly marked ballots that are not remade by the Department of Elections (California Elections Codes § 15342 and 15208). These are votes that are not cast according to State law and for that reason the votes are invalid and may not be counted.

- The voter marked the ballot with a sticker or stamp to indicate the name of a write-in candidate;
- The voter wrote in the name of a qualified write-in candidate but failed to connect the head and tail or the arrow pointing to the space for write-in candidates; and/or
- The voter marked or signed the ballot so that the ballot can be identified by others as the voter's ballot.

What is the Process for Remaking Ballots?

All Vote-by-mail and Provisional ballots (and any precinct ballot cards that were not inserted in and processed by an Insight machine at the polling place) are processed using the 400-C machine. If the Central Count 400-C machine segregates a ballot for any reason, the ballot must be reviewed by a Remake Team to determine whether a remake is necessary.

Each Remake Team consists of four members – two Screeners, and two Markers. Working together, the two Screeners review each ballot to determine whether a remake is necessary.

A ballot card must be remade if:

- The ballot card is torn;
- The ballot card is ripped;
- The ballot card is bent, folded, creased or wrinkled;
- The ballot card is damp, dirty or sticky;
- The ballot card has ink smudges;

- The ballot card has a stray mark in the "read path";
- The ballot card has eraser marks or eraser holes;
- The voter used a pencil or pen that cannot be detected by the vote counting equipment; and/or
- The voter failed to mark the ballot by connecting the head and tail of the arrow (as directed in the voting instructions) but instead used an incorrect mark, and used the same incorrect mark for every contest.

Examples of incorrect marks are:

- The voter circled the candidate's name;
- The voter circled part or all of the arrow;
- The voter underlined part or all of the arrow;
- The voter made an "X" through the arrow;
- The voter used the space provided for write-in candidates for each contest to write in the name of a candidate whose name is actually printed on the ballot;
- The voter marked the ballot by connecting the head and tail of the arrow next to the name of a single candidate, and in addition used the space provided for write-in candidates for the contest to write in the name of the same candidate and/or
- The voter marked the ballot by connecting the head and tail of the arrow next to the name of a single candidate, and connected the arrow next to the name of another candidate for the same office but then crossed out that mark.

If the Screeners have any questions about whether a ballot must be remade, they should address their questions to the Department of Elections manager supervising the remake process (the "Manager"). If a question cannot be resolved by reviewing this guide, the question must be resolved by the Manager in consultation with the Director of Elections.

The remade ballot must reflect the voter's intent. The two Screeners, again working together, must determine the voter's intent from the original ballot. If the Screeners have any questions about the determination of voter intent, they should address their questions to the Department of Elections Manager supervising the remake process. The question must be resolved by the Manager in consultation with the Director of Elections.

If the two Screeners determine that a remake is necessary and that the voter's intent is clear, the Remake Team should obtain a blank ballot that is the correct ballot type for remaking the ballot.

Working together, the two Markers must duplicate the votes cast on the original ballot on the remake ballot. The remake must reflect the intent of the voter, as determined by the Screeners. The Markers use ballot pens provided by the voting system vendor to ensure that the marks can be read by the vote count equipment.

The Markers must code both the original ballot and the remake with the following information:

- "AV" to indicate that the original was an Vote-by-mail ballot;

- “PV” to indicate that the original was a Provisional ballot;
- Precinct number;
- Initials of the person marking the remake;
- Date the remake was made; and
- Number of the remake ballot in sequence number.

For example: For an Vote-by-mail ballot, precinct number 3254, remade by MM on 11/02, where the remake was the first remake in a sequence starting with the number 001 (and continuing with 002, 003, etc...), both the original and remake would include the following coding:

AV 3254 MM 11/02 001

Finally, the markers must stamp "Original" on the original ballot and "Remake" on the duplicate ballot.

When is the Remake Process Completed?

The remake process continues until all ballots have been examined and, if necessary, remade. The remakes are then counted and tabulated by precinct by the 400-C equipment. All ballots must be processed, counted and tabulated within 28 days of the election.

5. Write-In Votes for the Insight

Throughout the write-in process, the procedures for Precinct Insight Ballots, Vote-by-mail/Mail Ballots, Provisional Ballots and Auxiliary Bin Ballots are similar, but the cards are counted and stored separately.

- a. After confirming that all cards with write-ins have been received (by comparing physical card counts for each precinct with the Insight and 400-C counts), segregate the non-RCV and RCV ballot cards by precinct and follow the procedures for each type of card.

Non-RCV Ballot Cards with Write-In Votes

- a. Teams of two screeners separate cards with valid write-in votes from those with no valid write-in votes. Any overvotes or write-in votes that are not for certified write-in candidates for that contests (or candidates listed on the ballot) are stamped “VOID” in red ink across the write-in name(s).
- b. After all of the non-RCV ballot cards with write-in votes have been reviewed and separated, cards with no valid write-in votes are set aside for storage and a tally of votes for qualified write-in candidates is begun. This tally will be recorded on the Unofficial Tally Sheet for Write-Ins with the appropriate box checked (“Precinct Insight Ballots,” etc.).

- c. Each recording team will consist of four people: the Caller, the Observer, and two Recorders. In addition, a Monitor will oversee the workflow.
- d. For each card, the Caller will read aloud the precinct number, the card number (if applicable), the contest that contains a valid write-in vote, and the contents of the name field. The Observer, who sits close enough to the caller to be able to read the ballot, will ensure that the Caller is correct. Each Recorder will look for the candidate's name on an Unofficial Tally Sheet for Write-Ins. This sheet lists only qualified write-in candidates (certified write-in candidates plus candidates whose names appear on the ballot) for each contest. Each recorder will write the corresponding precinct number on the tally sheet, in the first available slot next to the candidate's name.
- e. This process will continue until each contest with a valid write-in vote has been recorded.
- f. Continue until all ballot cards with write-in votes have been processed.
- g. Each Recorder will then enter the total number of votes for each qualified write-in candidate for each contest. There will now be two identical, simultaneously generated Unofficial Tally Sheets for Write-Ins, one from each Recorder.
- h. If the two Unofficial Tally Sheets do not match, the ballot cards will be reviewed until the cause for the discrepancy is determined and the discrepancy is resolved.
- i. The Vote-by-mail / mail, Provisional, and auxiliary bin ballot cards are processed following the same procedures as the precinct Insight ballots, with one exception:

In the event of an overvote in which a candidate listed on the ballot is selected and the *same* candidate is also indicated as a write-in vote, this should be accepted as a valid write-in vote for that candidate, rather than treated as an overvote. The reason for this difference in handling is that a voter who has voted via a mailed ballot or voted Provisionally or using the auxiliary bin has not been given the opportunity to correct the overvote; the duplicate vote for the same candidate must be interpreted as intent to select that candidate.

- Once all ballot cards with write-in votes have been processed, the results are recorded on the Unofficial Tally Sheets for Write-Ins for Precinct Insight Ballots, Vote-by-mail/Mail Ballots, Provisional Ballots and Auxiliary Bin Ballots will be reviewed and tallied by DOE for reporting purposes.

1. Only certified write-in candidates (from certified write-in list)

a) Write-in is the only vote for that choice (no overvote):

Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

2. Only candidates whose names appear on the ballot

a) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the candidate's name selected from the ballot list rather than written in. Other choices without write-in votes and other contests are recreated exactly as on the original ballot. *Refer to Remake Procedure*

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

3. Only invalid candidates or blanks

a) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the choice that included the write-in skipped, and other choices without write-in votes and other contests recreated exactly as on the original ballot. *Refer to Remake Procedure below.*

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

4. Any combination of the above

A supervisor will review these ballot cards and advise staff of further actions to be taken, using the procedures above as guidelines.

Remade ballots and original ballots that are ready for processing will be boxed and transferred with a Sheriff escort to City Hall to be processed using the 400-C system.

IX. Election Results Reporting

1. Reporting Results on Election Night After the Close of Polls

After the polls close at 8 p.m. on Election Night, the DOE will first release results from the Vote-by-mail ballots received before Election Day. Upon receipt of the votes reported at each precinct, the Department will tabulate and release election results as they become available, until 100% of precincts have reported. The results will be available on the Department's website: www.sfgov.org/election

2. Updates: Reporting of Results after Election Day

The DOE will report results on a daily basis around 4 p.m. until all ballots are counted. The subsequent releases will include results from votes cast at the polling places, remaining Vote-by-mail ballots, and Provisional ballots. The Department will seek to make final election results available within 28 days of the election, in accordance with state law.

3. Results of Ranked-Choice Voting Contests

There are no Ranked-Choice Voting Contests for the April 8, election.

4. Final Report and Certification of Election Results

- **Canvass Procedures**

California State law requires an official canvass, which is an internal audit of the election to ensure the accuracy and validity of the results. This entails numerous manual processes that verify the accuracy of the computer count, including a hand tally of ballots cast in 1% of the polling places and California election law allows 28-days following an election for the election official to conduct the official canvass and certify the election results. The official Canvass is open to the public. California Elections Code § 15301 requires the official canvass to begin no later than the Thursday following Election Day.

Official canvass tasks include, but are not limited to, the following:

- a) Inspection of all materials and supplies returned by poll workers;
- b) A reconciliation of the number of signatures on the roster with the number of ballots recorded on the ballot statement;
- c) In the event of a discrepancy in the reconciliation required by subdivision (b), the number of ballots received from each polling place shall be reconciled with the number of ballots cast, as indicated on the ballot statement;
- d) A reconciliation of the number of ballots counted, spoiled, canceled, or invalidated due to identifying marks, overvotes, or as otherwise provided by statute, with the number of votes recorded, including Vote-by-mail and Provisional ballots, by the vote counting system;
- e) Processing and counting any valid Vote-by-mail and Provisional ballots not included in the semifinal official canvass;
- f) Counting any valid write-in votes;

- g) Reproducing any damaged ballots, if necessary; and
- h) Reporting final results to the governing board and the Secretary of State, as required.

Voter Outreach and Education

The Department of Elections is obligated to comply with the federal, state, and local mandates regarding voter outreach and education. The Department has met these obligations in the past and will continue to meet these obligations in the future through the Voter Outreach and Education Program.

The April 8, 2008 Outreach and Education Program will maintain objectives from the November 2005, June 2006, November 2006, and November 2007 education plans as well as criteria governed by California's Elections Code and Code of Regulations, the Voting Rights Act, the Help America Vote Act (HAVA), provisions of 42 USC 1973 relating to access for the elderly and disabled, and San Francisco's Equal Access to Services ordinance. The February program will also include specific topics related to new citizen registration and voter identification requirements, federally mandated accessible voting systems, and San Francisco's "Your Right to Vote: A Guide for Ex-Offenders" that was developed and distributed for the first time in 2005.

This program will: identify, register, and educate qualified electors, especially those located in low-voter turnout neighborhoods; provide an accurate understanding of election laws and voting procedures, provide hands-on presentations on the new accessible voting system called the "Edge II" and educate voters on identification requirements that are particular to HAVA; and increase public awareness and participation in the election process including awareness about ballot contests, vote-by-mail voting, becoming a pollworker, and services for limited English-speaking voters, the elderly and the disabled.

Staffing

For the April 8 Special Congressional Open Primary Election, the Voter Outreach and Education Division will be staffed with Outreach Coordinators who speak the following languages:

- Two (2) English/Mandarin/Cantonese;
- One (1) English/Spanish; and
- One (1) English/Russian

Brochures

The Voter Outreach and Education division will continue to distribute multiple brochures such as "Guide to Voting in San Francisco", "Multilingual Voter Services", "Your Right To Vote: A Guide for Ex-Offenders", and San Francisco's "Ranked-Choice Voting Explained." These brochures are extremely helpful in educating voters on topics such as voter registration, vote-by-mail and early voting, ranked-choice voting, locating your polling place, working as a poll worker, and multilingual voter services. The Department will also continue to distribute an

“Election Flyer” that includes deadlines to register to vote, early voting and vote-by-mail deadlines, as well as specific ballot contest information about candidates and ballot measures. All brochures are produced in English, Chinese, and Spanish.

The Department employs a Russian outreach coordinator and produces educational materials in Russian. Based upon the results of the census, if the Russian language were a part of the Voting Rights Act, San Francisco would be required to produce all materials in this language as the limited English-speaking Russian population is over 10,000, which is the threshold for the mandate.

Community Presentations

The Department’s Outreach Division will begin providing presentations to the targeted supervisorial districts beginning in March. The Department will continue to explore opportunities that exist throughout the City to present voter information to San Francisco voters face-to-face. In addition to continuing relationships the Department has developed in the past for outreach events, including an effort to maintain relationships with new organizations the Department partnered with in June 2006 in order to better serve San Francisco’s disabled community. Presentations will be conducted at locations such as community centers, schools, places of worship, entertainment and charity events, and organization meetings; presentations will be conducted in English, Cantonese, Mandarin, Spanish, and Russian. To accomplish this goal successfully, the Department has hired bilingual deputy registrars (outreach coordinators) in order to communicate effectively in the voter’s spoken language. The Department must also continue to explore opportunities with new community organizations and leaders in San Francisco and collaboration with other City departments who conduct community events as an alternate way to circulate registration and election informational materials to the community. The Department will also continue use of a outreach and educational newsletter sent to community organizations as an additional tool to communicate outreach activities and important election information to the organizations to assist voters.

The Department will also use other formats to meet and educate voters such attendance at the United States Citizen Immigration Services ceremonies, hands-on voting machine practice sessions with the new accessible voting machine, participation in street fairs and festivals, registration drives, and tabling at commercial outlets.

The Department will also continue its association with the San Francisco Sheriff’s Department Prisoner Legal Services (PLS) whose staff operates the Inmate Registration and Voting Program. The PLS program is designed to provide voting materials and assistance to individuals imprisoned or awaiting trial that are eligible to register to vote and request an Vote-by-mail ballot. The Department provides the necessary information and materials to the PLS liaison who then educates the populace and facilitates the registration and voting of those eligible individuals. The Department also hopes to widen the distribution of the “Your Right To Vote: A Voting Guide for Ex-Offenders” throughout the City and state prison system by continuing to work with the Department of Corrections.

Additionally, the Department will work with the Five Keys Charter School, which is administrated by the Sheriff’s Department, to provide voter outreach and education to the

student's enrolled in the school. This includes students both in reentry programs and students incarcerated in the county jails.

Education and Presentations Specific to Voters With Disabilities

As mentioned above, the Department will continue its use of new accessible voting equipment that meets the guidelines set by the Help America Vote Act (HAVA, 2002). The Edge II is a touch screen machine that provides a paper audit trail that voters are able to review before confirming their selections. An Edge II machine will be used at each polling place and during early voting at City Hall. The Outreach Coordinators will target organizations that serve the disabled community and conduct community presentations of the new equipment so voters can understand the functionality of the equipment, what assistive devices are compatible that a voter can bring to the polling place, and how the process for using the Edge II will differ from voting with the optical scan "Insight" ballot tabulator. Presentations will also include how the new accessible system will present ranked-choice contests during those elections that include ranked-choice contests.

Additionally, this new group of voters will also be educated on other services our Department can offer such as TTY, large format and Braille materials in addition to regular presentation topics.

The Department will also be available to demonstrate San Francisco's new voting system including the new accessible voting machine to be used in the April Election upon requests.

Working with the LightHouse for the Blind and Visually Impaired, the Department will also produce a newsletter to be distributed through their San Francisco mailing list. The newsletter will announce the change the accessible voting equipment and provide information about the services provided by the Department for voters with disabilities.

Media

The Department will utilize the media to communicate important voter information, including the accessible voting system, to San Francisco voters and the general public by sending press releases informing the media of important election related events and dates.

The Department will also utilize the press that serves those whose primary language is not English. Bilingual Outreach Coordinators will actively solicit interviews and offer tours with Chinese, Spanish, and Russian language television and radio stations. Bilingual coordinators will also hold press briefings to emphasis multilingual voter services along with other important outreach messages to ethnic communities.

The Department will also continue to utilize the print media, including local San Francisco Neighborhood Newspapers in addition to major print outlets, for newspaper advertisements regarding important election dates and the use of new voting equipment and ranked-choice voting. All newspaper advertisements will be produced and distributed to newspaper outlets that serve English-speaking voters as well as those whose primary language is not English.

Website

The Department will continue to develop website information that includes a list of frequently asked questions about the new voting system, an update to the glossary of election terms, information on different multilingual voter services provided by the Department, and a calendar of all outreach events. Voter education materials will also be available for download. The Department has now made their site more accessible to the public.

X. Pollworker Training and Recruitment

Pollworker training is conducted each election as mandated by California Elections Code and recommended by the Secretary of State's Training Task Force. The training for the upcoming April 8, 2008 Special Congressional Open Primary Election will be focusing on the following topics:

- Proper operation of the voting system;
- Procedures for processing typical, vote -by-mail and provisional voters;
- Rights of voters, including language access rights for linguistic minorities, voters with disabilities, and other protected classes as defined in the federal Voting Rights Act;
- Cultural competency, including adequate knowledge of diverse cultures and languages that may be encountered by pollworkers during the course of election day; and the appropriate skills to work with electioneering;
- Knowledge regarding issues confronting voters with disabilities including, but not limited to, access barriers and need for reasonable accommodation.

Because all clerks recruited for the April election attended the training and worked just 62 days earlier in the February Primary election, they are not required to attend a training class. However, they will receive a training packet along with the test covering the most important procedures via mail. The Clerks are required to complete the test and send it back to the Department for evaluation.

Inspectors, however, are required to attend a training class. Approximately 150 inspectors will be trained in approximately 6 training classes, which will be conducted at City Hall on April 2nd and April 3rd. Inspector training classes will last two hours.

The single greatest pool of pollworkers is the database the division maintains of those who have worked elections before. Those pollworkers are reminded about approaching elections well in advance with the newsletters and "save the date" reminders. A respectful and prompt communication makes the difference between a surplus and shortfall of pollworkers on election

day. The Department will continue recruiting Inspectors from the pool of experienced clerks who were highly rated by FEDs after February 5, 2008 election. .

The Department will continue working with 60 public and private San Francisco high schools and youth organizations to meet its recruitment target.

XI. Logic and Accuracy Testing

The Department of Elections is required by law to conduct Logic and Accuracy (L&A) testing of all vote-tabulating equipment prior to each election. L&A testing is used to verify that the specific ballot information for each precinct is correct and to check the performance of the vote tabulating equipment. L&A testing ensures that all votes on every ballot are properly recorded and tabulated accurately.

After the Department of Elections staff has completed testing all the machines the results are presented to the L&A Board. The L&A Board, which is composed of registered voters who comes from different fields of work, is responsible for reviewing and approving the Test Plan, and later, the results of the tests. The Department must complete the testing no later than seven (7) days before the election (California Elections Code Section 15000).

Logic and Accuracy testing consists of running a set of marked test ballots (using applicable ballot types) through each voting machine and comparing the vote count with predetermined results to verify the accuracy of the formulated software for a specific election.

Testing for the Insights, 400-C and Edge II machines will begin March 20, 2008 and may continue through March 31, 2008. The Edge II machines to be used for Early Voting and the 400-C machines will be tested first followed by the optical scan Insights and the rest of the Edge IIs.

A Logic and Accuracy Testing Board oversees the testing, approves the test plan and certifies the results of the test.

Testing of Vote Tabulators Used in Precinct Polling Places

The "Insight" and the Edge II voting machines are stored at Pier 48 located near AT&T baseball stadium in San Francisco which will be renovated to be a secure facility. All workers and visitors are required to wear an identification badge. During non-working hours, the warehouse is secured.

When the precinct test ballots arrive from the printer, ballot test decks are prepared and marked. Later they will be transported to Pier 48 to begin Logic and Accuracy testing. The Department will test 140 unites, each, of the Insight and Edge II.

Prior to testing, the Insight is cleaned and assembled. The memory packs and ID cards are sorted and distributed to each machine to be tested. Test decks are read into each Insight and a tape report is printed for each precinct; the report is proofed for accuracy by Department staff. After this verification, the information contained in the memory pack is uploaded into the voting system's database for printing test results.

A precinct report is printed from these results. The report is proofed for integrity and accuracy by another Departmental review team. After verification of the report, the memory packs are returned to the Insight testing personnel, placed in the Insight machine, and initialized to be ready for Election Day.

Once an Insight has been successfully tested, a serialized seal is attached to the memory pack cover to ensure that no untimely removal of the pack will occur. The Insight is then securely stored and staged by precinct number in preparation for delivery to the precincts.

The Edge II is tested by burning the test scripts on a vote simulation cartridge card and the election coding on a results cartridge from which the information is uploaded into the machine. The VVPAT is printed for each machine and then each VVPAT summary is reviewed to confirm the results match the test script. Staff will also do manual voting using the touch-screen interface to input test votes to determine whether the machines are properly registering votes and all the screens are displayed.

During this manual interface other functionality like audio, video and connectivity for assistive devices for some will be tested to make sure that they are working correctly. Language translations will be reviewed and finalized outside of L&A by another group before the testing. This will be done for each ballot type.

Testing of Vote Tabulators to be Used for Vote-by-mail Ballots

For the April 8, 2008 Special Congressional Election there are 4 mail-in precincts. Ballots for these precincts, as well as all vote-by-mail ballots, will be tabulated using the 400-C machine. The 400-C machines are stationed in the Computer Room of the Department of Elections. At least one precinct for each ballot type and all mail-in precincts will be tested on each of the 400-C machine. The testing of the 400-C machine is conducted similar to the "Insight" testing.

After testing of the vote tabulating machines, the results are presented to the Logic and Accuracy Board (L&A) for approval and certification. The Department must complete the testing no later than seven (7) days before an election.

Note: The scheduled dates for the testing will be made public at least three (3) days prior to the start.

Delivery and Retrieval of Voting Equipment

The Department of Elections will no longer use Cor-O-Van to store any equipment or other materials. However, Cor-O-Van will still assist the Department with the delivery of equipment to polling places throughout the City. The Cor-O-Van Office is located at 901 16th Street at the corner of Mississippi Street; the warehouse entrance is located at 1200 17th Street.

Prior to Election Day, the Insight, Edge II, blue supply boxes, red boxes and additional supplies are delivered to the 103 polling places. Each of these items is bar coded and labeled with their precinct number. Warehouse staff then pull the Insights and place them on rolling racks, by route. The Insights are then double checked by DOE staff. Cor-O-Van employees scan each Insight prior loading on the proper delivery van. The DOE and vendor staff together double check the Insights, using a route sheet, as they load the van for delivery. At each stop the Insight

is delivered and set up. The Edge II is not set up and is left sealed in a "banker's bag" that is sealed with a serialized lock. DOE and Sequoia staff cross check the Insight and Edge II precinct number and the address of the facility against the route sheet. After confirming the information is correct, they initial each other's route sheets for accountability.

The day after the Election, Department of Elections, in conjunction with Sequoia and Cor-O-Van, begins retrieving the voting equipment, the red supply boxes, Insights, and continues to do so through the following Sunday. Staff search each polling place for any election related materials that may have been overlooked on Election Night. Staff are instructed not to look at the contents of the red supply boxes or the Insight bins until they are at the Pier 48 warehouse and a Sheriff Deputy is present.

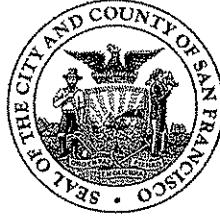
Upon arrival at Pier 48, the boxes are scanned in and stacked in a cordoned off corner of the warehouse. The Insights are also scanned in and are lined up in the aisles. In addition to the barcode scan, a manual tally is kept to account for each Insight.

A Deputy Sheriff arrives at Pier 48 Warehouse at approximately 3p.m. on each day of pick-up, and stations him or herself between the red box stack and the blue bins in such a way as to be able to observe the entire operation.

The contents of each red box is then emptied, one at a time, and piece by piece is returned to the box. When any ballots are found they are brought to the Deputy. The number of ballots, the precinct number of the red box they were found in, and whether or not they have been voted, are recorded by a Department staff in conjunction with the Deputy Sheriff on a Department of Elections spreadsheet. Ballot stubs and registration cards are also given to the Deputy.

Concurrently, the Insights are, one by one, wheeled up to the Deputy's Station. The auxiliary bin and bins #1 and #2 are then unlocked and searched thoroughly. When ballots are found, the precinct number, the bin they were found in, the amount and whether or not they were voted, is recorded on the same spreadsheet.

When all of the bins and red supply boxes have been searched, the ballots, stubs and registration cards that were found, are then placed in a red transfer box and the lid is sealed. The Deputy and Department staff sign and place seals on the lids of the boxes to ensure the containers are not open during transport. A copy of the spreadsheet is taped to the top of the box. Any voted ballots will be transported to City Hall under escort from a Deputy, and this movement will also be chronicled for the sake of registering chain of custody.



Memorandum

To: Elections Commission
From: John Arntz, Director
Date: March 5, 2008
Re: Waiver Allowing City Employees to Assist the Department of Elections with the April 8, 2008 Special Congressional Open Primary Election

This memorandum requests that the Elections Commission approve the Department of Elections' (Department) request for the Board of Supervisors to waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections. The Department seeks a general waiver of this prohibition so the Department is able to utilize the services and expertise of City personnel when necessary; however, the Department presently expects to require the assistance of approximately five people from other City departments.

The Department has reduced the number of City employees needed to assist in conducting the election from 16 for the November 2006 election to approximately six for the election in April 2008. The Department will require technical assistance to upload the vote tallies contained in the memory packs that will be transported from each polling place to City Hall. The memory packs record the voting that occurs in the polling places on vote tabulation machines. The City personnel will assist in uploading the voting information contained inside the memory packs into the central count system located in the Department's computer room in City Hall Room 48.

While the uploading of the voting information from the memory packs will last a few hours after the polls close, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of

Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The Department does seek to conduct elections exclusively with its permanent and temporary staff, but we find it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, after considering staffing needs for the April 8, 2008 Special Congressional Open Primary Election, I recommend that the Elections Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allow City personnel to assist the Department of Elections.

The Department requests that this be a general waiver in order to provide flexibility in planning for the election. Still, at this time the Department has identified the need for the assistance of five people from other City Departments. The five personnel are expected to work in the departments listed in the attachment to this memorandum.

I will be glad to answer any questions you might have on this matter.

Encl; waiver request list

cc: Honorable Gavin Newsom
Honorable Members, Board of Supervisors
Dennis Herrera, City Attorney
Ed Harrington, Controller
Edwin Lee, City Administrator
Phil Ginsburg, Mayor's Chief of Staff
Nani Coloretti, Director, Mayor's Budget Office
Greg Wagner, Budget Analyst, Mayor's Budget Office
Ann O'Leary, Deputy City Attorney



Re: Waiver Allowing City Employees to Assist the Department of Elections with the April 8, 2008 Special Congressional Open Primary Election

TECHNICAL SUPPORT

Number of City Employees: 6

Departments: Telecommunications and Information Services (DTIS), Administrative Services, and City Attorney's Office.