

## Summary

I observed San Francisco election procedures on several days for the June 5, 2018. On election day at City Hall, I observed the following problematic situations:

1. Long lines and long wait times in excess of 30 minutes:
  - a. Wait times in the main line were between 40 and 50 minutes for voters arriving between 3 pm and 7pm.
  - b. Some voters were additionally waiting about 5 to 10 minutes to have the process and their options explained to them before they started to wait in the main line.
  - c. The long lines discouraged at least a few voters from voting at City Hall, though at least some of those may have chosen to vote in their precinct instead.
2. Although there were more than sufficient voting booths available at which voters could mark their ballots:
  - a. Voters sat at tables to mark their ballot without privacy screens.
  - b. Voters sat on the floor in high traffic corridors to mark their ballot without sufficient provision for their privacy.
3. Signs identifying the zone free from electioneering were posted at most 50 feet from the polling place, likely zero feet from the polling place, and arguably within the polling place, instead of the required 100 feet from the polling place.
4. Activity that likely constituted prohibited electioneering that was not appropriately monitored and curtailed by staff:
  - a. A group of people, some of whom were wearing or displaying political messages, while distributing water and snacks to voters waiting in line and to staff.
  - b. Within the marked no-electioneering zone.
  - c. Within what should have been a properly marked no-electioneering zone.

I attribute most of these problems to some combination of:

- Underestimating the demand for voting at City Hall on election day.
- Inadequate contingency planning for higher than expected levels of voting or longer than expected times to interact with a voter.
- Insufficient staffing levels on election day.

My impression is that the City Hall voting center was never staffed at its installed or potential capacity on election day.

I encourage the Department of Elections to review its procedures in order to avoid these problems in the future. I also encourage the Elections Commission to consider

establishing a formal policy about voting wait times.

## Background

I served on San Francisco's Election Observation Panel for the November, 2012 election. On election day in the afternoon I observed at City Hall voters waiting in long lines that extended along both sides of both the north and south middle hallways. I did not quantify the wait times during that observation. I did not observe much of any lines at the various precinct polling places. The worst case was a temporary backup soon after opening at a precinct that was having trouble getting its scanner to process ballots.

For that election at City Hall, voters were being served from only from an area directly behind the central staircase. At most about 6 to 8 voters could be served at the same time. Voting booths were set up in the west open area, between that service desk and the main door to the Department of Elections offices.

In 2014, the Presidential Commission on Election Administration<sup>1</sup> (PCEA) issued its report that noted:

“Research suggests that, although a limited number of jurisdictions experienced long wait times, over five million voters in 2012 experienced wait times exceeding one hour and an additional five million waited between a half hour and an hour. ... It became clear to the Commission as it investigated this problem that there is no single cause for long lines and there is no single solution. But the problem is solvable.”<sup>2</sup>

The PCEA report also recommended some goals for limiting long lines:

“The Commission has concluded that, as a general rule, no voter should have to wait more than half an hour in order to have an opportunity to vote.”<sup>3</sup>

The report also recommended election administration better practices for planning to avoid long lines.

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1 Results of the Presidential Commission on Election Administration are available at: <https://www.eac.gov/election-officials/pcea/>

2 “The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration”, Presidential Commission on Election Administration, January 2014, p. 13, <https://www.eac.gov/assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf> (accessed 2018-07-06)

3 *ibid.*, p. 14

Following the PCEA report, I had recommended that San Francisco plan its election capacity, including ability to respond to contingencies, to typically keep wait times below 15 minutes, except for occasional, temporary spikes, and to set goals for nearly all cases to keep wait times less than 30 minutes, with exceptions only for extraordinary contingencies.

For the June primary and November general elections in 2016, the Department of Elections implemented an increased capacity to serve about 24 voters at a time at City Hall. This was done by putting additional service desks where voting booths had been and moving an expanded capacity of voting booths to the large east open area and along the sides of the hallway to that area. In addition, for November 2016, there was an additional capacity of one or two more service stations inside the Department of Elections office, in addition to its regular walk-in election service desk. Those additional service stations may have been limited for use by voters with a particular subset of needs that were more generally handled by other stations.

For the November, 2016 election day, I observed election lines, and the new configuration, sometimes operating at capacity, kept the observed wait times usually less than 10 minutes with occasional temporary spikes that did not exceed 15 minutes.

## **Observations**

On several days of early voting, including the day before election day, I had observed lines at City Hall for less than an hour each time. I consistently found no or negligible waiting lines, with voters typically being served as soon as or almost as soon as they arrived.

On election day, I started my observations just before 2 pm and continued until 7 pm. A voter who joined the main line at 2 pm had to wait for 23 minutes. In less than half an hour the wait time grew to about 40 minutes and fluctuated between about 40 and 45 minutes for the rest of the afternoon. The observed wait times peaked at 51 minutes for people who got in line at 5 pm and fluctuated between 45 and 50 minutes thereafter. I estimate that a person who started waiting in line at 7 pm would have had to wait for about 46 minutes, unless the throughput significantly increased during the last hour that polls were open.

For the first hour or two of my observation, it appeared that the vote center was staffed to serve and dispense ballots to somewhere between about 11 to 14 voters at a time, well below its capacity of about 24 voters at a time. The service desk area adjacent to the central stairs was not being used. At no time during my observation

did I observe special vote center service desks set up within the Department of Election's main office area.

Shortly after I arrived, I checked upstairs where the reserve poll workers wait to be deployed. It appeared that there were only two still waiting, assuming that they were reserve poll workers. However I do not presume that a generic reserve poll worker would be qualified to serve voters in the vote center on short notice, since the vote center has more complicated procedures than a precinct polling place.

As I recall, by around 3 pm or somewhat later, I observed John Arntz observing the situation and soon appeared to be personally directing, along with other senior department staff, efforts to open the service desk area adjacent to the central stairs in order to serve more voters at a time. It appeared to take some time to organize this and make it fully functioning. For a period of time before 5 pm it looked like the vote center could be serving perhaps as many as 20 voters at a time and that wait times could start decrease.

However around 5 pm there was an increased arrival rate of voters and a decrease in staffing in the vote center, perhaps as staff took a break for a meal. As a result, the wait times reached their observed maximum for voters arriving at 5 pm.

As the line grew, it first doubled back on itself in the south hall, then was extended across the central area at the foot of the central stairs into the north hall. In the north hall, it eventually doubled and then tripled back on itself. At its longest, it had slightly more than 200 people, and extended slightly out of the north hall and into the area just behind / underneath the north stairs. As it grew, staff set up queue dividers (movable posts connected with extendable / retractable straps) to keep the line organized.

See the schematic diagram at the end of this paper for a depiction of important elements of the City Hall vote center.

It appeared to me that nearly everyone who arrived at City Hall to vote was undeterred by the long line and wait time and eventually completed as best they could to get, mark, and cast a ballot. I did observe a few people who decided to leave, and overheard at least one of them remarking that she decided to go vote in her precinct instead. I did not observe any instances of someone clearly giving up and deciding to not vote, although if that happened, I would not necessarily have been aware of it.

As lines grew, at least two more staff were needed just to constantly manage the lines.

Once a voter received a ballot, many chose to mark their ballots at nearby tables or while sitting on the floor rather than following the foot steps on the floor to the ballot marking booths, of which many were available during the entire time. People sitting on the floor included those sitting in a high traffic corridor next to the central stairs. It was not clear to what extent voters were aware of the availability of voting booths and the additional privacy they afforded.

Some time after 4:30 pm, a group of people arrived handing out free bottles of water and light snacks to voters waiting in line and in some cases to staff. Some members of the group were wearing T-shirts with the words "YIMBY Party" in large letters on the front. At least one person in the group was carrying a large tote bag with the message "Legalize Housing" prominently displayed on it. I did not observe any of the group otherwise verbally engaging with voters beyond offering the water and snacks. I mentioned the possibility of this constituting prohibited electioneering to a staff member and was told that as long as they did this beyond the posted 100-foot no-electioneering zone, it was OK. Mostly the group stayed beyond the posted sign, although I did subsequently and briefly see one person with one of the T-shirts and the tote bag offering the refreshments within the posted zone. It was only after my election day observations that I began to question the placement of one of the signs and measured its approximate distance to various features of the vote center.

## **Analysis**

The nature of service levels to a queue of waiting people is that only a relatively small shortfall in provided service level can make the difference between having short wait times with only occasional, transitory spikes versus having ever growing lines and wait times. Having service capabilities just above what is needed to keep lines short can appear to the casual observer to be a case of excessive staffing.

I also appreciate that it can be difficult to project how many people will show up at City Hall to vote and how long it will take to interact with and serve an voter on average.

In order to avoid long lines, both of those considerations underscore the value of both improving projections, allowing for the projections being short, and having implementable contingency plans to supply additional service capacity on demand.

My presumption is that the Department of Elections is in a better position than I am to evaluate how to best make improvements in those areas.

My understanding is that shortly after the election, the U.S. Supreme Court ruled on a

case involving what is considered electioneering at a polling place. I am not sure what impact that ruling has on California elections or the situation I observed in particular.

## **Recommendations**

I recommend the following steps be taken by the Department of Elections for voting at City Hall in future elections, recognizing that the Department would likely take most, if not all of these steps on its own:

1. Improve ability to project levels of voting and average time to interact with serve a voter at City Hall.
2. Improve ability to adjust staffing levels of those serving voters on demand, while diverting staffing to and from an otherwise constructively engaged pool of talent.
3. Improve ability to increase staffing levels of those serving voters in the contingency that demand exceeds projected amounts.
4. Clarify the Department's internal goals for keeping wait times small, keeping in mind the not only the immediate impact on voter behavior, but also potential longer-term adverse impacts.
5. Equip tables that are used for voting with privacy partitions.
6. Staff a position that is dedicated to guiding voters who have just received a ballot to the available voting booths in different area of the voting center.
7. Re-evaluate what areas constitute the City Hall polling place to include any area voters do tasks specific to voting, including where voters fill out forms, where staff are interacting with voters, and where voters are allowed to mark ballots. This would include the entire area at the foot of the central stairs and should probably include the getting started area near the foot of the south stairs, whether or not it is staffed.
8. Re-evaluate where no-electioneering signs should be posted based on which parts of City Hall are considered part of the polling place.
9. Review appropriate guidelines for what constitutes electioneering and ensure that appropriate staff are designated with monitoring for prohibited activity and are appropriately trained about what is and is not allowed.
10. As the Department deems appropriate, reach out to any organizations that might have been related to activities that should have been prohibited or were close to border-line prohibited actions to clarify what kinds of activities are likely to be considered prohibited in the future.
11. Review what additional steps the Department should take to attract sufficient numbers of poll workers during an economy with particularly low unemployment.

In addition, I recommend that the Elections Commission consider adopting a specific policy that identifies goals for avoiding long wait times for voters.

### City Hall Vote Center Schematic Diagram

The following diagram shows the principle features of the City Hall vote center, and their locations in relationship to each other, as observed on election day. The diagram is drawn from memory and likely does not reflect accurate or consistent scales for any items. In addition to the features shown, there was also a get-started presence with forms near the south stairs. In the past, that location has been staffed.

