

# County of Santa Clara

Office of the Clerk of the Board of Supervisors  
County Government Center, East Wing  
70 West Hedding Street  
San Jose, California 95110-1770  
(408) 299-5001 FAX 298-8460 TDD 993-8272



Maria Marinos  
Clerk of the Board

# FILED

SEP 12 2011

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk,  
Superior Court of CA County of Santa Clara  
BY D. ALDYCKI

August 17, 2011

The Honorable Richard J. Loftus, Jr.  
Presiding Judge  
Santa Clara County Superior Court  
191 North First Street  
San Jose, CA 95113

RE: Grand Jury Report: Santa Clara County Registrar of Voters Errors in June 2010  
Election Ballot Mailing

Dear Judge Loftus:

At the August 9, 2011 meeting of the County of Santa Clara Board of Supervisors (Item No. 17), the Board adopted the response from the County Administration to the Final Grand Jury Report and recommendations relating to Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing.

As directed by the Board of Supervisors and on behalf of the Board President, our office is forwarding to you the enclosed certified copy of the response to the Final Grand Jury Report with the cover memorandum from Mr. Graves. This response constitutes the response of the Board of Supervisors, consistent with provisions of California Penal Section 933(c).

If there are any questions concerning this issue, please contact our office at 299-5001 or by email at [maria.marinos@cob.sccgov.org](mailto:maria.marinos@cob.sccgov.org).

Very truly yours,

A handwritten signature in cursive script that reads "Maria Marinos".

MARIA MARINOS  
Clerk, Board of Supervisors  
County of Santa Clara

Enclosures

MM/mm

# County of Santa Clara Office of the County Executive



CE07 080911

DATE: August 9, 2011

TO: Board of Supervisors

FROM:

Handwritten signature of Gary A. Graves in black ink.

Gary A. Graves  
Chief Operating Officer

SUBJECT: Response to Santa Clara County Civil Grand Jury Report: Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing.

## **RECOMMENDED ACTION**

Consider recommendations relating to Final Grand Jury Report relating to Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing.

Possible action:

- a. Adopt response from Administration to Final Grand Jury Report relating to Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing.

AND

- b. Authorize the Board President and Clerk of the Board of Supervisors to forward department response to Grand Jury report to the Presiding Judge of the Superior Court

with approval that responses constitute the response of the Board of Supervisors, consistent with provisions of California Penal Code Section 933 (c).

OR

- c. Adopt a separate or amended response to the Final Grand Jury Report relating to Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing, and authorize the Board President and Clerk of the Board to forward response to the Presiding Judge of the Superior Court.

### **FISCAL IMPLICATIONS**

There are no fiscal implications associated with these Board actions.

### **REASONS FOR RECOMMENDATION**

This is a response to the Grand Jury's Final Report of the Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing, which has been completed pursuant to the California Penal Code, Section 933(c) and 933.05(a). The Department response to the Grand Jury's findings is provided as an attachment.

### **Child Impact Statement**

The recommended action will have no neutral impact on children and youth.

### **BACKGROUND**

A complaint was received by the Civil Grand Jury alleging that ballots for the June 2010 election were sent to voters who had moved out of the state and were no longer eligible to vote in the County of Santa Clara. A Grand Jury investigation revealed that a mailing error occurring in the June 2010 Primary Election for Santa Clara County. The Grand Jury further determined that the bulk mailing vendor contracted by the County's Registrar of Voters (ROV) forwarded 7,668 election ballots through the National Change of Address (NCOA) database without the permission of the ROV.

The Grand Jury's report makes three specific findings; the Registrar of Voters agrees with two of the findings and disagrees with one. Additionally, the Grand Jury makes five recommendations; ROV agrees with four recommendations and disagrees with one.

**CONSEQUENCES OF NEGATIVE ACTION**

The County would not be in compliance with the law in responding to the Grand Jury's Final Report.

**STEPS FOLLOWING APPROVAL**

Following approval of the response provided by the Registrar of Voters, forward all comments of the Santa Clara County Board of Supervisors to the Honorable Richard J. Loftus, Jr., Presiding Judge, Santa Clara County Superior Court on or before Tuesday, August 30, 2011.

**ATTACHMENTS**

- Santa Clara County Civil Grand Jury Final Report
- Registrar of Voters Response

# County of Santa Clara

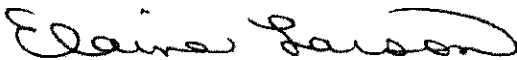
## Registrar of Voters

1555 Berger Drive, Building 2  
San Jose, California 95112  
Mailing Address: P.O. Box 1147, San Jose, CA 95108  
(408) 299-VOTE (8683) (866) 430-VOTE (8683) FAX (408) 998-7314  
www.sccvote.org



July 15, 2011

TO: Gary Graves, Chief Operating Officer

FROM: 

Elaine Larson, Acting Registrar of Voters

SUBJECT: **Santa Clara County Civil Grand Jury Report, "Santa Clara County Registrar of Voters Errors in June 2010 Election Ballot Mailing"**

This memo responds to the findings and recommendations in the Santa Clara County Civil Grand Jury Report, dated May 27, 2011, subject as above.

**Grand Jury Finding 1:** As a result of the mail distributor not following ROV procedure, 7,668 ballots were erroneously mailed to addresses not consistent with ROV records.

**Grand Jury Recommendation 1A:** The ROV should review its ballot-handling procedures to ensure the ballot-handling process is fully documented.

**Grand Jury Recommendation 1B:** The ROV should ensure the written procedure is attached to or referenced in contracts, communicated with mailing vendors, and re-communicated periodically, depending on change in procedure or change in vendor personnel.

**Registrar of Voters Response to Finding 1:** The Registrar of Voters (ROV) agrees with this finding. The mailing house vendor performed a United States Postal Service (USPS) National Change of Address (NCOA) update on the data file provided by ROV. The vendor stated that this NCOA processing has become a standard process for most clients to meet a new postal requirement enacted in November 2008 that bulk mailing address data be updated via NCOA or a similar method prior to mailing. However, ROV has always opted out of the vendor providing this service, preferring instead to handle all address changes in-house. Subsequent to the mailing, the vendor realized its error and notified ROV.

**Registrar of Voters Response to Recommendation 1A:** ROV agrees with this recommendation and has begun to implement it. After the June 2010 election, ROV met with the mailing house vendor and began working to update its ballot



handling procedures. ROV believes the current procedures are comprehensive. ROV will continue to be proactive in keeping procedures, instructions to vendors, and documentation up-to-date and will closely monitor all mailing house operations. See Attachment 1.

**Registrar of Voters Response to Recommendation 1B:** ROV agrees with this recommendation and has reviewed and revised all ballot handling procedures. ROV updated the instructions that will be given to the mailing house vendor to include specific prohibitions on any modification of the voter address information provided by ROV. ROV has instituted a process to communicate these instructions prior to every election, ensuring that the most current procedures will be communicated. Specific language will be added to future contracts.

**Grand Jury Finding 2:** Adequate measures do not exist to ensure that the mailing vendor updates addresses solely from ROV-received data.

**Grand Jury Recommendation 2:** The ROV should develop and include within its written procedures a process describing how address changes are to be updated. That process should include safeguards such as a written acknowledgment by the mail distributor that it has updated its mailing list only from the ROV list. The process should require the mail distributor to return a signed form attesting that it followed the written procedure.

**Registrar of Voters Response to Finding 2:** ROV does not agree with this finding. Mailing vendors are instructed to NOT alter addresses supplied by the ROV. Given that there is a prohibition for mailing vendors to update any address supplied by the ROV there is no necessity for any measure involving when a mailing vendor is supposed to update addresses. ROV does acknowledge that additional measures could have been in place to ensure the mailing vendor did not update the addresses.

**Registrar of Voters Response to Recommendation 2:** Based on our response to Finding 2, ROV does not agree that any written acknowledgment about how a mail distributor is to change address is appropriate as we require and prohibit a mail distributor to make modifications or updates to the address list supplied by the ROV. A written acknowledgement as to the prohibition is appropriate and has been implemented. See Attachment 2.

**Grand Jury Finding 3:** Instructions to voters to recast ballots are unclear. The ROV failed to communicate clearly to voters who received improper ballots that their initial ballots were voided. As a result, some voters may not have voted using the correct ballots and remained unaware that their first ballot had been voided. Thus, for some, without their knowledge their votes may not have been counted.

**Grand Jury Recommendation 3A:** Written communication with voters whose ballots are voided should clearly state that fact.

**Grand Jury Recommendation 3B:** For those voters whose initial ballots are voided and who are still eligible to vote, correct ballots should be sent with a letter clearly stating that if they had previously voted on the incorrect ballot that they must vote again using the new ballot enclosed for their vote to be counted.

**Registrar of Voters Response to Finding 3:** ROV agrees with this finding. The Vote by Mail Division should have mailed a letter of explanation along with the required form.

**Registrar of Voters Response to Recommendations 3A&B:** ROV agrees with these recommendations and has created a new form letter to send to voters in the event that their ballots need to be voided for reasons other than their own request. The letter includes a clear statement that the voided ballot will not be counted and that the voter will need to complete and return the new ballot to ensure that their votes can be counted for the contests in which they are eligible. See Attachment 3.

ROV appreciates the feedback received from the Grand Jury and will continue to make improvements in all phases of Vote by Mail Operations by maintaining better documentation of procedures, tightening controls on vendors, and improving communications with voters. ROV places the highest importance on the integrity and transparency of the election process and takes seriously any opportunity to improve its processes.

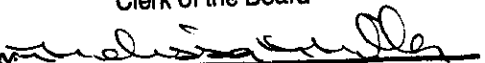
**Attachments:**

- Attachment 1 – Ballot Issuance Procedures
- Attachment 2 – Vendor Data Handling Procedures
- Attachment 3 – Voided Ballot Voter Notification Letter

Cc: Luke Leung, Deputy County Executive  
Susan Swain, Lead Deputy County Counsel

The foregoing instrument is a correct copy of the original.

ATTEST: Maria Marinos  
Clerk of the Board

BY:   
Deputy Clerk

Date: AUG 09 2011

# Attachment 1

## BALLOT ISSUANCE PROCEDURES

### Background

Vote by Mail applications are to be processed during a prescribed window between the 29th and the 7th day prior to the election. Any applications received by the elections official prior to the 29th day shall be kept and processed during the application period.

Any registered voter can apply for Permanent Vote by Mail Status. Ballots will automatically be mailed to all active voters with Permanent Vote by Mail Status starting 29 days before the election.

### Scope

This procedure will pertain to issuing Vote by Mail Ballots by mail to Military/Overseas Voters, Permanent VBM Voters, and one-time VBM Voters.

### Procedures and Processing

#### A. BALLOT ORDER OVERVIEW

To be performed by VBM Manager:

1. Send ballot order and finishing specs to ballot printing and mailing house vendors on E-60
2. Set up a meeting and/or conference call with ballot printing and mailing house vendors to review procedures and requirements (see sample, Attachment A)
3. Receive & proof ballot runsheet & specs from ballot printing vendor (see sample, Attachment B)
  - a. Confirm ballot specs with Ballot Layout (see sample, Attachment C)
  - b. Compare ballot types and languages to plate code list provided by ballot Layout
  - c. Compare serial numbers to quantities in VBM ballot order
4. Run data files for ballot printing & mail house vendors on E-45 (run Mail Ballots first, then Perm VBM)
5. Receive signed Data Processing Checklist from mailing house vendor (see sample, Attachment D)
  - a. Confirm that only Ancillary Service Endorsement has been marked Yes (Y) in the "Completed" column; FASTforward, NCOALink, and ACS must not be completed
  - b. Data Processing Checklist must be approved and returned to vendor before any ballot printing or mailing activities can commence
6. Upon receipt of ballots, quality control procedures must be performed both at the ROV office and at the mailing house vendor's facility, pursuant to the "Optical Scan Quality Control" procedures



# Attachment 1

## BALLOT ORDER GENERATION

### Draft voters into the election

1. In EIMS, go to Election Workspace and select the current election, then go to Election Menu and select Election Checklist
2. In the Election Checklist, go to Draft Voters into Election, then choose the "Add (append) voters" option and click Draft Voters into Election

### Set ballot order parameters

3. Return to the Election Checklist and go to Setup Ballot Order Parameters
4. Set the parameters according to the election type, then save:
  - a. Regular election
    - AV: 10% (ROV Vote by Mail in-house stock)
    - PCT: 75% (Precinct supply)
    - Perm PSI: 101% (Vote by Mail for delivery by mailing house)
  - b. Mail ballot election
    - Mail Ballot: 5% (ROV in-house stock)
    - MB PSI: 101% (For delivery by mailing house)
  - c. General parameters
    - Minimum order: 0
    - Multiples of: 50 for Spanish, 10 for other languages
    - All unused parameters: 0

### Generate ballot order

5. Return to Election Checklist and go to Generate Ballot Order

### Proof ballot order

6. Return to the Election Checklist and go to Proof Ballot Order
7. Click red icon next to save to update the ballot serial numbers for all ballot types and languages

### Extract ballot order

8. Exit Election Checklist and go to Elections Workspace Reports
9. Select EWMJ006 Ballot Order Data Extract
10. Set report parameters:
  - a. Ballot Order Item
    - Regular Elections: run separate jobs for AV, PCT, and PERM PSI
    - Mail Ballot Elections: run separate jobs for Mail Ballot and MB PSI
  - b. Save Ballot Order Extract to: rov-printfile\d\AVM Envelopes\ <election date> \ <file name>

### Submit ballot order

11. Retrieve ballot order files
12. Sum the total number of ballots ordered by language
13. Create summary spreadsheet (see example)

# Attachment 1

dtElectionDate	BallotOrderItemDesc	LANGUAGE	Seq	Card A	Totals
	MB - PSI	SPANISH -	1	139,826	
	MB - PSI	CHINESE -	2	7,283	
	MB - PSI	TAGALOG -	3	462	
	MB - PSI	VIETNAMESE -	4	1,019	
					148,590
	MB - ROV	SPANISH -	1	7,000	
	MB - ROV	CHINESE -	2	390	
	MB - ROV	TAGALOG -	3	50	
	MB - ROV	VIETNAMESE -	4	70	
					7,510
		total		156,100	<b>156,100</b>

14. Send ballot order files with summary spreadsheet to vendor
15. Complete Request for State Ballot Release Activity Form with total ballot order +10% contingency and submit to CA Secretary of State

## B. BALLOT DATA FILE CREATION INSTRUCTIONS

To be performed by VBM Manager or designee in three phases:

1. Run Military-Overseas on E-60
2. Run data files for ballot printing & mail house vendors on E-45 (run mail ballots first)
3. Run updated files daily beginning E-29 through E-7

**\*Note: Refer to "Checklist of Items That Must Be Printed on the Return Address Envelope" prior to running data files (see sample, Attachment E)**

Instructions:

1. In EIMS, go to Election Workspace and select the current election.
2. Go to Absentee Processing Menu and select Autogenerate Groups
3. Select Absentee Status as applicable (leave blank for Mail Ballot)
4. Mail Ballot Check Box: only check when running Mail Ballot Precincts (run first before regular VBM voters)
5. Select Languages (for in-house ballots, do 2 runs: 1<sup>st</sup> E/S, 2<sup>nd</sup> C/V/T)
6. Select all Parties
7. Select Application Method
8. Set Application Status to Good
9. Select Ballot Issue Type
10. Run the job ("printer" icon)
11. Repeat steps 2-10 for each absentee status and/or language as appropriate
12. Go to AV Group Control
13. Select the radio button for Autogenerated
14. Note the ID numbers and quantities on the VBM Envelope Job Log
15. Highlight all the groups of the same type (ex. all Mail Ballot E/S)

# Attachment 1

16. Click Issue Envelopes (bottom left corner of window)
17. Confirm the sort order (appearing in red text)
18. Select Extract to File (for vendor files) or Crystal Reports (for in-house ballots)
19. Uncheck political parties (unless in a primary election)
20. Check issue date (should be E-29 for vendor files)
21. Set file name to election's folder
22. Click Submit
23. Repeat steps 15-22 for each absentee status and/or language as appropriate

For Vendor Files: individually archive files into .zip and upload to vendor FTP server

For In-House Ballots: Run EIMS job AVMR140 and proceed to Envelope Inkjet Instructions

## C. ENVELOPE INKJET INSTRUCTIONS

1. Go to Desktop of PC connected to inkjet machine; do not log into EIMS
2. Go to the folder for current election and open the individual Crystal Reports files
3. Load the appropriate envelopes depending on type and language; use AVMR140 for reference
  - a. White for Military/Overseas
  - b. Green for Mail Ballot Precincts
  - c. Blue for all other VBM
  - d. All mail ballot special elections may be assigned a unique envelope color
4. Print the first ten envelopes and visually inspect for print quality; if needed, clean the print heads or adjust the envelope alignment
5. Print the remaining envelopes, visually inspecting for print quality throughout
6. Reprint envelopes with poor print quality based (check sequential number corresponding to page number in Crystal Reports) and destroy old envelopes
7. Forward addressed envelopes to ballot packet assembly

## D. BALLOT PACKET ASSEMBLY INSTRUCTIONS

1. Using AVMR140 as a pull list, retrieve the correct quantity of each Ballot Type and language combination for each batch of addressed envelope; log the serial numbers taken in the Ballot Usage Log.
2. Assemble ballot packets containing:
  - a. Outer envelope with window
  - b. Return envelope with inkjet-printed address; make sure the address is visible through the window of the outer envelope
  - c. One complete set of ballot cards of the appropriate Ballot Type and language
  - d. One VBM instruction sheet of the appropriate language (for polling place elections)
  - e. Sample Ballot & Voter Information Pamphlet of the appropriate Ballot Type and Language (for all mail ballot special elections)
    - i. For English voters, 1 English SBVIP
    - ii. For other languages, 1 English SBVIP & 1 SBVIP in preferred language

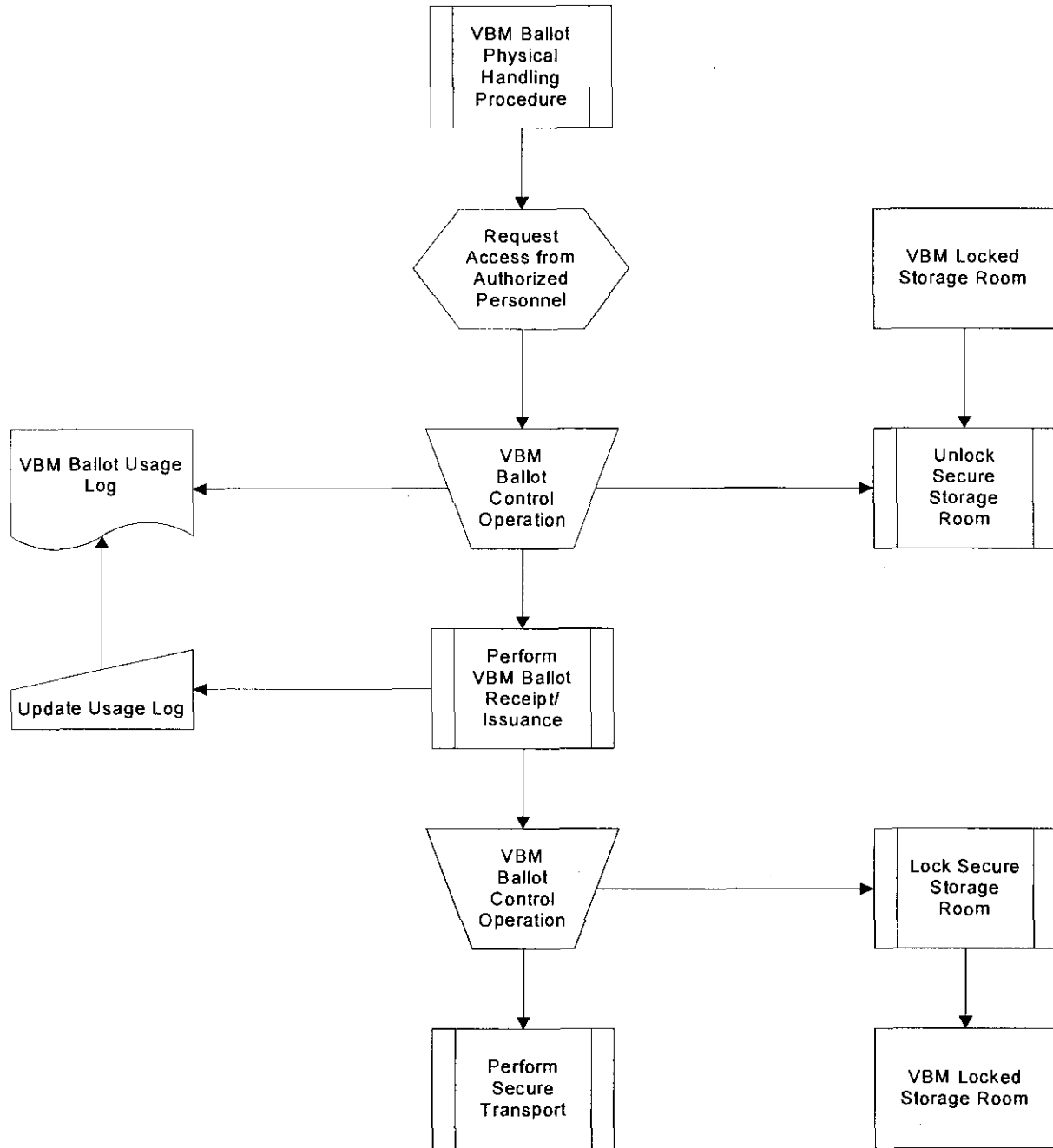
# Attachment 1

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3. Run envelopes through postage machine to meter and seal
  - a. Place one piece on the scale to set the appropriate postage (if some sets have a variable number of ballot cards or SBVIPs, they must be metered separately)
  - b. Visually inspect envelopes as they are run to check print quality and ensure back flaps are sealed
4. Record the number of pieces and price in the postage log
5. Place metered ballot packets into white USPS trays and attach "Ballots" tag
6. Deliver ballot packets to Lundy USPS office

# Attachment 1

## VBM Ballot Issuance Flowchart



# Attachment 1

## ATTACHMENT A

**Santa Clara County Registrar of Voters  
Optical Scan Ballot  
Finishing and Packaging Specifications**

<p>ROV Precinct Ballot Printing and Finishing (PCT)</p>	<p>2 stubs SCORE - Yes FOLD - IMPRINT <b>On voter's stub</b> -Black ink horizontal, 6 digit consecutive numbering, ballot type, language code, and precinct number on the left <b>On binding stub</b> - 6 digit consecutive number on the right, with 2 staples <b>On Masthead</b> - "PCT" and precinct number</p>
<p>ROV Precinct Ballot Packaging (PCT)</p>	<p>Pack by Precinct Stitch Yes in E/S in 50's, other languages in 25's Shrink wrap - no E/S ballots: pack each precinct in a separate box. Other languages, combine precincts with cardboard between each precinct. #41 box and lid Pack each language combo separately. Use paper stuffing only. No tape on strapping on boxes.</p>
<p>Mailing House Permanent &amp; Mail Ballot Finishing (PERM &amp; MB)</p>	<p>1 stub SCORE - Yes FOLD - Yes IMPRINTS - <b>On Stub</b> - -Black ink horizontal, 6 digit consecutive numbering, ballot type, language code, and precinct number on the left, 2D barcode and readable barcode <b>On Masthead</b> - "MB" or "PERM" and Precinct number</p>
<p>Mailing House Permanent &amp; Mail Ballot Packaging (PERM &amp; MB)</p>	<p>Paper band in 50's or factory option. Use box &amp; lid #41 for 2 column ballot. Pack in mail file sequence number order. Mark sequence number on box. Vendor to save boxes for ROV. Ship to Vendor on postal pallets</p>
<p>ROV Vote by Mail Ballot Printing and Finishing (VBM)</p>	<p>1 stub VBM's do NOT stitch at all. Numbered stub face up and at the top. SCORE - Yes FOLD - Yes IMPRINTS Black ink horizontal, 6 digit consecutive numbering, Ballot Type, Language code, on front on the upper left, "VBM" on the left In Masthead "VBM"</p>

**ATTACHMENT A (continued)**

ROV Vote by Mail Ballot Packaging (VBM)	Pack by language combination Use largest print box labels as possible Paper bands of 50 for ROV English /Spanish. Other languages band in 25. Start a new box for each language Use paper stuffing only. No tape or strapping on boxes. Use box & lid #64 if 3 column ballot or #41 if 2 column ballot Ship to ROV
ROV TEST BALLOTS Finishing	No stub do NOT stitch at all. SCORE - No FOLD - No OVERPRINT - Yes TEST IMPRINTS RED ink horizontal,
ROV TEST Packaging	Pack by Ballot Type Use largest print box labels as possible Start a new box for each language Use paper stuffing only. No tape or strapping on boxes. Ship to ROV
Other Mailing House Requirements	No ACS/NCOA data file modifications Delivery to San Jose Lundy (95xxx zip codes) & San Francisco (94xxx zip codes) post offices

# Attachment 1

## ATTACHMENT B

COUNTY: SANTA CLARA      ELECT DATE: 5-3-11      JOB: 135801

SIZE: 6.72 X 9.25 + 1.25 = 6.72 X 10.5 OVERALL - 1 STUB

### MAIL BALLOT FINISHING

SCORE                    YES    SCORES FROM BOTTOM: 5.25  
 FOLD                    YES    FOLDS IN HALF WITH BALLOT FACE OUT  
 OVERPRINT: NO      TEST / DUPE    FACTORY OPT / COLOR: \_\_\_\_\_  
**IMPRINTS**  
**IN STUB:** LANGUAGE CODE, 2-DIGIT BT AND 6-DIGIT CONSECUTIVE NUMBER ON THE LEFT.  
**IN MASTHEAD:** LANGUAGE CODE, 2-DIGIT BT  
**NOTES:** LANGUAGE CODES: E/S (Spanish), E/C (Chinese), E/V (Vietnamese), E/T (Tagalog).

### MAIL BALLOT PACKING

PACKAGING: USE LABELS PROVIDED - PLEASE USE LARGEST PRINT LABELS POSSIBLE!!  
 PACK: BY LANGUAGE  
 PAPER BAND YES    IN: UP TO 50'S DEPENDING ON ORDER QUANTITY  
 SHRINK WRAP      NO  
 START NEW BOX FOR EACH: OK TO COMBINE E/C, E/V, AND E/T. MARK CARTONS CLEARLY.  
 QTY PER BOX: 700                    WEIGHT LIMIT (IF ANY) \_\_\_\_\_  
 NOTES: Must use CO64 cartons. Use paper stuffing only. No tape or strapping on boxes.

**SHIP TO:**  
 SANTA CLARA COUNTY  
 REGISTRAR OF VOTERS  
 1553 BERGER DR.  
 SAN JOSE CA 95112  
 ATTN: MIKE FONG OR MATT  
 MORELES  
 408-282-3063

**SHIPPING INSTRUCTIONS:**  
 DELIVER 8 A.M. TO 4:30 P.M. UNLESS  
 CLEARED IN ADVANCE.  
 FOR WEEKEND DELIVERIES ONLY:  
 CALL ALFRED GONZALES 408-282-  
 3015 OR MIKE FONG 408-282-3058.

COORD: MARY CAY    EXT: 320



**Digital Press Runsheet  
Santa Clara County, CA**

135801

DRAFT 1

Group: Chinese  
 Paper Color: Lavender  
 Background/Color: Lavender CA Bear  
 Stripe Color: No Stripes  
 Text Color: Black

Ballot Type Card

01	Front Plate: 43-001C-1SP87	Back Plate: X							
Other Imprint	Precinct Imprint	Stitch/Bind/Wrap	ID Code	Quantity	Numbering From - To				
		MB		50	000001 000050				
			<b>01 Total</b>	<b>50</b>					
02	Front Plate: 43-002C-1SP87	Back Plate: X							
Other Imprint	Precinct Imprint	Stitch/Bind/Wrap	ID Code	Quantity	Numbering From - To				
		MB		260	000001 000260				
			<b>02 Total</b>	<b>260</b>					
03	Front Plate: 43-003C-1SP87	Back Plate: X							
Other Imprint	Precinct Imprint	Stitch/Bind/Wrap	ID Code	Quantity	Numbering From - To				
		MB		30	000001 000030				
			<b>03 Total</b>	<b>30</b>					
04	Front Plate: 43-004C-1SP87	Back Plate: X							
Other Imprint	Precinct Imprint	Stitch/Bind/Wrap	ID Code	Quantity	Numbering From - To				
		MB		50	000001 000050				
			<b>04 Total</b>	<b>50</b>					
		<b>Chinese</b>	<table border="1"> <tr> <td>MB</td> <td>390</td> </tr> <tr> <td><b>Total:</b></td> <td><b>390</b></td> </tr> </table>			MB	390	<b>Total:</b>	<b>390</b>
MB	390								
<b>Total:</b>	<b>390</b>								

ATTACHMENT B (continued)

Registrar of Voters Procedures Manual  
**Attachment 1**  
 Ballot Issuance Procedures

## ATTACHMENT C

MAIL

ES 02  
654321

OFFICIAL BALLOT/BALOTA OFICIAL  
SPECIAL ELECTION/ELECCIÓN ESPECIAL  
SANTA CLARA COUNTY, MAY 3, 2011  
CONDADO DE SANTA CLARA, 3 DE MAYO DE 2011  
This numbered ballot stub shall be removed and retained by the voter.  
El votante deberá desprender y guardar el talón numerado de esta balota.

ES 02

OFFICIAL BALLOT  
BALOTA OFICIAL  
SPECIAL ELECTION  
ELECCIÓN ESPECIAL  
SANTA CLARA COUNTY/CONDADO DE SANTA CLARA  
MAY 3, 2011/3 DE MAYO DE 2011

**INSTRUCTIONS TO VOTERS:** Complete the arrow next to your choice, using one thin line. Use only BLUE or BLACK ink to mark your ballot. If you make a mistake and need a new ballot, call the Registrar of Voters' Office for a replacement ballot.

**INSTRUCCIONES PARA LOS VOTANTES:** Complete la flecha junto a su selección, utilizando una línea delgada. Use únicamente tinta AZUL o NEGRA. Si comete un error y necesita una balota nueva, llame a la Oficina del Registro de Votantes para una balota de repuesto.

---

SCORE  
FOLD

MEASURES SUBMITTED TO THE VOTERS  
MEDIDAS SOMETIDAS A LOS VOTANTES

SCHOOL  
ESCUELA

LOS GATOS-SARATOGA JOINT UNION HIGH SCHOOL DISTRICT  
DISTRITO CONJUNTO DE ESCUELAS SECUNDARIAS UNION  
DE LOS GATOS-SARATOGA

**A** To provide stable funding for local high schools, maintain outstanding core academic programs in math, science and English, retain highly qualified teachers, provide programs that prepare students for college and careers, and provide classroom materials like books and science lab equipment, shall the Los Gatos-Saratoga Joint Union High School District be authorized to levy \$49 per parcel annually for six years, with citizen oversight, an exemption for seniors, no funds for administrators' salaries, and every dollar staying in local high schools?

A fin de proporcionar financiamiento estable para las escuelas secundarias locales, mantener programas académicos centrales sobresalientes en matemáticas, ciencias e inglés, retener a maestros altamente calificados, proporcionar programas que preparen a los estudiantes para la universidad y las carreras, y proporcionar materiales para las aulas como libros y equipo de ciencias para los laboratorios, ¿debe autorizarse al Distrito Conjunto de Escuelas Secundarias Unión de Los Gatos-Saratoga a gravar \$49 por parcela anualmente durante seis años, con supervisión ciudadana, con una exención para personas de la tercera edad, sin fondos para salarios de administradores, y que cada dólar permanezca en las escuelas secundarias locales?

YES / SÍ

NO / NO

43-001S-1SP87

BT 1 ES

6.72

E-MAILED MAY 04 AM

6.72 x 10.5 OVERALL

**ATTACHMENT D**

VOTE BY MAIL DATA PROCESSING CHECKLIST COUNTY: SANTA CLARA COUNTY JOB#: 15712 ELECTION DATE: NOV 2, 2010 GENERAL

ORIGINAL FILES	No. of records	Date Received
E83 MB PSI C V T 11 2 10.txt	2,331	09/13/10
E83 MB PSI E - S 11 2 10.txt	40,961	09/13/10
E83 PERM PSI C V T 11 2 10.txt	39,707	09/13/10
E83 PERM PSI E S 11 2 10.txt	442,981	09/13/10
<b>TOTAL NO. OF RECORDS RECEIVED</b>	<b>525,980</b>	

DATA PROCESSING	COMPLETED (Y/N)	DATE
<b>Address Correction and Parsing</b>		
Standardize addresses with CASS-certified software	Y	09/15/10
Software identifies San Francisco SCF records	Y	09/15/10
Presort with PAVE-certified presort software	Y	09/15/10
Create Excel spreadsheet of unqualified and international records	Y	09/15/10
<b>Move Update Method</b>		
Ancillary Service Endorsement (DEFAULT for Vote By Mail Ballots)	Y	09/15/10
FASTforward (DEFAULT IS NO unless directed otherwise in writing by county)	N	09/15/10
NCOALink (DEFAULT IS NO unless directed otherwise in writing by county)	N	09/15/10
ACS (DEFAULT IS NO unless directed otherwise in writing by county)	N	09/15/10
Multiple (DEFAULT IS NO unless directed otherwise in writing by county)	N	09/15/10
<b>Append IMB information to all mailing records</b>		
Sampling Tracking (track statistical sampling of records)	N	09/15/10
Unique Tracking (every individual record is being tracked)	Y	09/15/10
<b>Append Version ID</b>		
Segment/Version ID variables include:	Y	09/15/10
Mail Class	Y	09/15/10
Post Office of Mailing	Y	09/15/10
MB/VBM	Y	09/15/10
Language	Y	09/15/10
No. of cards	Y	09/15/10
Ballot Type	Y	09/15/10
Party	N	09/15/10
<b>Match Codes</b>		
Populate inkjet code (ij_code) field with 6 digit serial number	Y	09/15/10
Populate ballot card field(s) with match codes	Y	09/15/10
No. of ballot card fields	Y	09/15/10
<b>NOTE: The serial no. in the IJ Code must match the serial no. in the Match Code</b>		
<b>Send to ProVote and to County</b>		
Master database with Version ID, IJ Code, and Ballot Card fields	Y	09/15/10
Version Matrix to include Version ID, match code range, and counts for each version	Y	09/15/10
Excel spreadsheet of unqualified and international records	Y	09/15/10
This checklist of steps taken, to be reviewed and approved by the County	Y	09/15/10

ACCOUNTING OF TOTAL RECORDS	NO. OF RECORDS	DATE
Total records to be mailed by Postal Systems	525,942	09/15/11
International records returned to the County	17	09/15/11
Undeliverable records returned to the County	21	09/15/11
<b>TOTAL NO. OF RECORDS (must match total no. of records in original files)</b>	<b>525,980</b>	

ACCOUNTING OF MAIL RECORDS	FC STAMPS	FC INDICIA	NP INDICA	TOTAL	DATE
SAN JOSE POST OFFICE	197	253	419,068	419,518	09/15/10
SAN FRANCISCO POST OFFICE	138	269	106,017	106,424	09/16/10
<b>TOTAL NO. OF RECORDS MAILED BY POSTAL SYSTEMS</b>	<b>335</b>	<b>522</b>	<b>525,085</b>	<b>525,942</b>	

PREPARED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

NAME: \_\_\_\_\_ NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ COUNTY: \_\_\_\_\_

**SAMPLE**

# Attachment 1

## ATTACHMENT E

**Check List of items that must be printed  
On the Return Absentee Envelope**

Vendor \_\_\_\_\_

Sample supplied date \_\_\_\_\_

<b>Data File items that must be printed on the AV Return Envelope</b>	<input checked="" type="checkbox"/>
Name	<input type="checkbox"/>
Mailing Address	<input type="checkbox"/>
City, State, Zip	<input type="checkbox"/>
Post office barcode	<input type="checkbox"/>
Absentee ID number (printed)	<input type="checkbox"/>
Absentee ID number (3 of 9 barcode)	<input type="checkbox"/>
Affidavit number	<input type="checkbox"/>
Voting Precinct Number	<input type="checkbox"/>
Language	<input type="checkbox"/>
Political party (Primary only)	<input type="checkbox"/>
Ballot Type	<input type="checkbox"/>
Election Date	<input type="checkbox"/>
Run date	<input type="checkbox"/>
Perm AV code, or Mail Ballot Code (type)	<input type="checkbox"/>
Check sample to see if 3 of 9 barcode works	<input type="checkbox"/>
Check to see if name and address shows through the opening in the window envelope	<input type="checkbox"/>
Sample attached	<input type="checkbox"/>

Checked by \_\_\_\_\_

Date \_\_\_\_\_

st

# Attachment 1

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## OPTICAL SCAN QUALITY CONTROL

### Background

Elections Code §13000 states, "The person in charge of elections for any county...shall provide ballots for any elections within his or her jurisdiction, and shall cause to be printed on them the name of every candidate...entitled to a place on the...ballot." In Elections Code §13002 it states, "Ballot paper and ballot cards used by a jurisdiction...shall be tinted and watermarked or overprinted with a design, to be furnished by the Secretary of State, ...that...is plainly discernible." In Elections Code §13004 (a) it states, "The Secretary of State shall adopt regulations governing the manufacture, finishing, quality standards, distribution, and inventory control of ballot cards and requiring the biennial inspection of the manufacturing, finishing, and storage facilities involving ballot cards. The Secretary of State shall also approve each ballot card manufacturer or finisher prior to...providing ballot cards for use in California elections." Also, Elections Code §13005 (a) states, "Before a user may purchase ballot cards, the user shall request a release for a specific quantity of these ballot cards from the Secretary of State."

These laws, guidelines, and standards serve to inform us as to the proper procedures and best practices to apply in procuring Ballots from manufacturers for use in elections.

## O. S. BALLOT QUALITY CONTROL PROCESSING

### Overview

County elections officials must provide ballots for any elections within their jurisdiction and ensure that proper procedures are in place to comply with law in their design, manufacture, quality, distribution, and inventory. Optical Scan Ballots received from a printer or finisher for use in any election must comply with elections code law and the regulations set forth by the Secretary of State. While overall compliance with this mandate encompasses many separate division responsibilities covered by other ROV procedures; it is Optical Scan Quality Control processing which is one of the tangible procedural activities that ensures ballot conformity. This activity is undertaken to confirm that which has been attested to in the Manufacturer's Quality Control Assurance Letter sent to VBM management prior to shipment. Tests are conducted by VBM personnel following established guidelines on a sample of the Ballots when they arrive in-house; and after the Quality Control processing & procedures have been completed with good results. The Printing vendor will do an extensive quality control process prior to the ballots leaving the plant. A letter of Assurance will be provided as well as a completed "Ballot Inspection Checklist" with each ballot shipment. (See attached flowchart).

# Attachment 1

## Scope

This procedure will pertain to Optical Scan Ballots that are procured from approved outside vendors such as Provote Solutions, Inc. for use in lawfully called county, special, and statewide elections where 400C Tabulating Machine will be utilized for automated vote counting. This procedure will not pertain to Quality Control inspection or testing for any other election materials or voting systems used in conjunction with this or other elections.

## Requirements and Preparation

1. Inspection Team(s) of 3 people (1 recorder, 1 person operating the "Go/No-Go" Gauge, and 1 person opening the boxes).
2. Space to store the ballots on pallets.
3. A place to store the ballots after the quality control process is completed.
4. Tables to do the actual quality control testing.
5. Packing List from the Manufacturer.
6. Optical Scan Ballots.
7. Rubber Bands.
8. Go/No-Go Gauges.
9. Box cutters to open up the packing cartons containing the ballots.
10. Red & Black ink pens.
11. A list of plate codes, provided by Ballot Layout Division. The plate code list is an election specific BPS generated list which is a cross reference to each page front and back by ballot type, language, and page.
12. A Quality Control Sheet that lists all of the languages, parties, ballot types, sequence numbers of ballots ordered with spaces to log and make comments.

## Employee Guidelines for Quality Control Process

1. Employees must have clean hands.
2. Ensure a clean working area to perform the work.
3. No food or drinks are allowed in the "quality control" work area.
4. Only one packaging carton containing Optical Scan ballots is to be opened at a time per Inspection Team.
5. Employees are encouraged to ask questions, collaborate with other team members, and make notes about observations as they proceed.
6. If you think you have found a problem or an inconsistency with the ballot(s), at any point in the inspection process notify your supervisor immediately.

## Procedures and Processing

### I. Verification of Box Label to Content (This applies to every box):

1. Verify that the number sequence on the box label matches or falls within the ballot number sequence.
2. Open the box and verify that the ballots in the box match the party, ballot type, and language indicated on the box label.

# Attachment 1

3. Verify that the serial numbers of the first and last number in the ballot box match the label.
4. Verify that the quantity of ballots in the box matches the number listed on the label.
5. Verify that you see black trim marks along the sides of all the bundles in the box (Do not remove the bundles to do this check).

## II. Ballot Inspection.

Inspect a minimum of 3 ballot cards per ballot type and 3 ballot cards in each box of multi-boxed ballot types.

### A. Small Ballot Types in One Box or Less:

1. Check 3 ballots (beginning, middle, and end) in the last bundle (Note: this is where production begins). The number of ballot to inspect depends on the quantity ordered for each ballot type.
2. If the ballot type is larger than one bundle, check at least 2 more ballots for that ballot type, from different bundles. Check a minimum of 3 ballots per ballot type.
3. Break the paper band around the ballot bundle where you are going to take inspection samples from and replace it with a rubber band.
4. Place the ballot in front of you to check the front & back plate codes (on the bottom of the ballot) against the Run Sheet.
5. If all the numbers are correct on the ballot inspected, initial and date that line of the Run Sheet (see example below).
6. If the numbers are not correct, alert your supervisor immediately of the discrepancy.
7. Follow items C. through E. below to complete inspection of ballot.

### Example of Quality Control Sheet:

Party	Ballot Type	Number Sequence	Serial Numbers Checked	Comments
DEM	1	1-50	1 750 1500	<ul style="list-style-type: none"> <li>• Good</li> <li>• Torn or soiled</li> <li>• Printing problem (wrong plates, splotches bad registration, no trim marks visible)</li> <li>• Serial number (i.e. repeated or skipped, partially inked or crooked; missing digits)</li> <li>• Size (i.e. too wide, too narrow)</li> <li>• Folding problem (i.e. Crooked, touches arrows)</li> <li>• Banding problem (i.e. Sloppy or "popping open")</li> </ul>

# Attachment 1

## B. Large Ballot Type in More than One Box:

1. Start with the last box, the one containing the highest number sequence ballots.
2. Check 3 ballots (beginning, middle, and end) in the last bundle (Note: this is where production begins).
3. Check 1 ballot from the beginning of that box.
4. Check 1 ballot from the middle of that box.
5. Work successively through each lower numbered box, checking one ballot from each box.
  - a. Break the paper band around the bundle you are inspecting and replace it with a rubber band.
  - b. Check the front & back plate codes (on the bottom of the ballot) against the Run Sheet.
  - c. If all the numbers are correct on the ballot inspected, initial and date that line of the Run Sheet. (Place a tick mark on each data element to stay on track).
  - d. If the numbers are not correct, alert your supervisor immediately.
6. Follow items C. through E. below to complete inspection of ballot.

## C. Go/No-Go Gauging (Checking for Ballot Size):

1. Insert the foot (the bottom) of the ballot through the green side of the Go/No-Go Gauge to check for proper ballot size (width).
2. If it slides through, the ballot width is Good.
3. Try to insert the foot (the bottom) of the ballot into the red side of the Gauge.
4. The ballot should not go through.
5. If the ballot goes through the green and will not go through the red side of the Go/No-Go Gauge it is a good ballot (neither too wide nor too narrow).
6. If the ballot will not go through the green side or it will go through the red side of the Go/No-Go Gauge-you must reject the ballot (a rejected ballot) for being out of size tolerances (too wide, too narrow).

## D. Printing Quality and Format:

1. Check the scoring; folding on the front and back, verifying that no smudge, fold, or score path is within any voting target arrows.
2. Check the print quality on the front and back of the ballot – making sure there are no hickeys or stray ink spots in the header codes, or ink spots in voting target areas.
3. Inspect ballots for visible toner rub-off, smudges, stain, wrinkles, stray ink spots, etc. Rub two ballots together with some pressure to check for toner quality. If the ink smudges or smears, notify the supervisor.
4. Check the ballots for format:
  - a. Check the trim marks on the right and left edges of the ballots. Make sure there are some black non-continuous lines along the sides of the ballot.
  - b. Check the Write-In spaces (for contests with candidates) and make sure there are arrows for voting.
  - c. Check the front to back registration of the ballot using the square boxes at the top right and lower left corners of the ballot.



# Attachment 1

5. Place a rubber band around the ballots and replace the bundle in the same place it came in the box.
6. Once the ballots are checked, complete the "Ballot Quality Control Sheet" and write any comments if an issue is identified.
7. If a ballot is rejected, write the serial number of the rejected ballot on the outside of the box. Place the rejected ballot into the "Problem Tray" and notify the Supervisor.

## **E. When you have Completed Checking the Ballots in the Box:**

1. Place a big Red check mark and your initials on the lower right-hand corner of the box.
2. Place the box back on the pallet or on a shelf as directed by the supervisor.

## **F. Transporting & Storing the Ballots:**

1. The supervisor will determine the quantity of ballots to be sent to the secure Vote by Mail Ballot Room. The overflow will be placed on shelves in the warehouse behind the security fence.
2. Ballots must be transported from the warehouse to the office with at least 2 people.
3. All ballot storage area must either be locked or there must be at least 2 Registrar of Voters VBM staff present at all times.

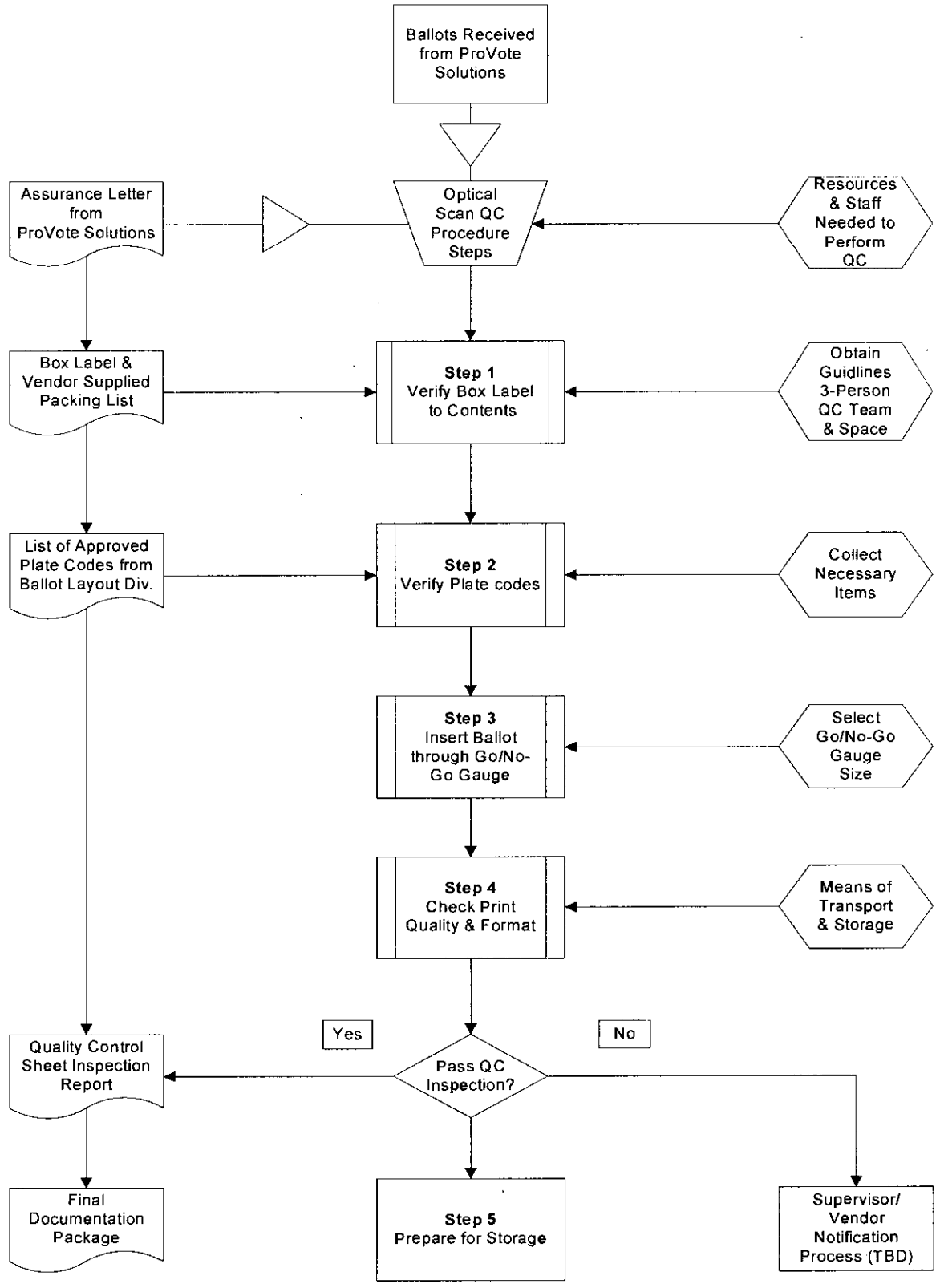
## **G. Additional In-house Testing Performed:**

In addition to the above procedures, Vote by Mail staff performs additional in-house testing of ballots.

1. IS performs Logic & Accuracy testing with premarked test ballots printed by Printing Services and will integrated pre-mark ProVote ballots to ensure counting accuracy.
2. Prior to the election, test ballots samples are sent to ourselves through the mail, and using the return envelopes mailed back to the ROV; then, VBM personnel run the ballots through the 400C Tabulating machine to see if any votes are counted and report the result to the supervisor.
3. Also, Vote by Mail staff conduct inspections of returned ballots when we start to open them beginning on the seventh business day prior to the election.

# Attachment 1

## Optical Scan QC Flowchart



# PSI DATA FILE HANDLING PROCEDURE

Document No.	
Effective Date	7/5/11
Revision Date	
Revision No.	
Page No.	1 of 1

Author	Mary Cay Albert
Approved By	Brian Lierman
Reviewed By	Brian Lierman

## 1.0 Purpose

To make sure all Election mailing files are processed according to Customer requirements and Election Code.

## 2.0 Revision History

Date	Rev. No.	Change	Reference Section(s)
7/5/11	1	New Procedure Drafted	N/A

## 3.0 Scope

ProVote**Solutions** – Customer Service, Mailing, Quality Control

## 4.0 Definitions

Gather requirements from Customer, record what processes were done to mailing file, and proof those processes back to customer to verify the requirements requested were performed.

## 5.0 References

Election Code book  
List of customer requirements  
Description of Election Checklist from PSI

## 6.0 Procedures

- 6.1 Election Coordinator to receive list of processes to be performed to mailing files by customer.
- 6.2 Election Coordinator to pass this information on to PSI along with mailing files received from Customer.
- 6.3 PSI to record on the "VOTE BY MAIL DATA PROCESSING CHECKLIST" quantities or yes/no (whichever is required), sign and date at the bottom, and send as a PDF file to the Election Coordinator with the POD File Matrix and processed mailing files.
- 6.4 Election Coordinator to make sure any and all processes required were performed and forward the "VOTE BY MAIL DATA PROCESSING CHECKLIST" to the Customer for their approval, along with the POD File Matrix.
- 6.5 Customer to verify that all processes were performed that were requested, and none that weren't, sign their approval and return to Election Coordinator.
- 6.6 No production, ballot printing, or addressing will begin until signed off checklist is received back from Customer.

## 7.0 Attachments

VOTE BY MAIL DATA PROCESSING CHECKLIST

POD File Matrix - Sample

ORIGINAL FILES	No. of records	Date Received
<b>TOTAL NO. OF RECORDS RECEIVED</b>		

DATA PROCESSING	COMPLETED (Y/N)	DATE
<b>Address Correction and Parsing</b>		
Standardize addresses with CASS-certified software		
Software identifies San Francisco SCF records		
Presort with PAVE-certified presort software		
Create Excel spreadsheet of unqualified and international records		
<b>Move Update Method</b>		
<b>Ancillary Service Endorsement (DEFAULT for Vote By Mail Ballots)</b>		
FASTforward (DEFAULT IS NO unless directed otherwise in writing by county)		
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Unique Tracking (every individual record is being tracked)		
<b>Append Version ID</b>		
Segment/Version ID variables include:		
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Language		
No. of cards		
Ballot Type		
Party		
<b>Match Codes</b>		
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Populate ballot card field(s) with match codes		
No. of ballot card fields		
<b>NOTE: The serial no. in the IJ Code must match the serial no. in the Match Code</b>		
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Excel spreadsheet of unqualified and international records		
<b>This checklist of steps taken, to be reviewed and approved by the County</b>		

ACCOUNTING OF TOTAL RECORDS	NO. OF RECORDS	DATE
Total records to be mailed by Postal Systems		
International records returned to the County		
Undeliverable records returned to the County		
<b>TOTAL NO. OF RECORDS (must match total no. of records in original files)</b>		

ACCOUNTING OF MAIL RECORDS	FC STAMPS	FC INDICIA	NP INDICA	TOTAL	DATE
SAN JOSE POST OFFICE					
SAN FRANCISCO POST OFFICE					
<b>TOTAL NO. OF RECORDS MAILED BY POSTAL SYSTEMS</b>					

**PREPARED BY**

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPANY: \_\_\_\_\_

**APPROVED BY**

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

COUNTY: \_\_\_\_\_

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**PREPARED BY**

NAME: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_

**APPROVED BY**

NAME: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 COUNTY: \_\_\_\_\_

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Building 2  
San Jose, California 95112  
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360  
(408) 299-VOTE (8683) (866) 430-VOTE (8683) FAX (408) 998-7314  
www.sccvote.org



# Attachment 3

<Date>

Dear Vote by Mail Voter:

Earlier this month, the Registrar of Voters' Office mailed you a ballot for the **<Election Date> Election**. However, it has now come to our attention that you received the incorrect ballot type.

To ensure that you have an opportunity to vote on all the candidates and measures for which you are eligible, please find enclosed a new ballot.

Please complete and return this new ballot as soon as possible. Ballots must be received by the Registrar of Voters' Office no later than 8:00 pm on **<Election Date>**.

Please disregard any previous ballot you may have received. Any previous ballot that you received is now void. Please destroy it and vote the new ballot instead. If you have already returned your old ballot, it will be voided and cannot be counted. You must complete the new ballot that is enclosed with this letter.

I apologize for any inconvenience this may cause. If you have questions, please contact the Registrar of Voters' Office at **(408) 299-VOTE [8683]** or toll-free at **(866) 430-VOTE [8683]**.

Sincerely,

Elaine Larson  
Assistant Registrar of Voters

