



2024-2025 Santa Clara County Civil Grand Jury

# **A Vote of Confidence:**

## **County of Santa Clara Registrar of Voters**

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*June 16, 2025*

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## SUMMARY

Since 2016, Americans have lived in a time when the integrity and security of our election systems have been questioned. Across the country, the results of city, county, state, and national elections have been overshadowed by accusations of fraud, inefficiency, or bias. These criticisms have often been made without evidence to support the contentions.

In 2016, the County of Santa Clara (County) election systems contained enough inconsistencies and inefficiencies that the County Board of Supervisors requested that the California State Auditor conduct an audit of the Registrar of Voters (ROV), the department responsible for managing elections. Also in 2016, the ROV initiated a comprehensive internal review of its operational structures and systems. That same year, the State passed the Voter's Choice Act (VCA), which focused on expanding voter options for all eligible state residents. These actions served as the catalyst for the County to create new and significantly expanded election systems that would stand up to expected increased scrutiny and public engagement.

In October 2017, the State Auditor released the 2017 California State Audit (Audit), which encompassed all aspects of the County's election systems, including how the ROV had handled problems encountered in elections in previous years. The Audit found a number of inefficient procedures which had resulted in errors and excessive use of staff time. The Audit also found that staff morale and confidence in ROV leadership were low.

The Audit identified specific areas for improvement and made 10 recommendations. All the recommendations were implemented by the ROV within three years. During that time, staff morale and pride in the workplace also improved.

The 2024-25 Santa Clara County Civil Grand Jury (Civil Grand Jury) recognizes and commends the solid work accomplished by ROV staff to rectify problems identified in the Audit. The Civil Grand Jury also commends staff for their continued efforts to improve the operational efficiency of the County's election system.

The Civil Grand Jury recommends that the ROV create objective measurement standards of effectiveness and efficiency. Although the Civil Grand Jury recognizes that the nature of voting and measuring the performance of an election system is challenging, the lack of quantifiable and objective metrics makes it difficult to measure and publicize the success of the County's election system in a way that the general public can understand.

## BACKGROUND

The security and integrity of elections, both locally and on a national level, have been topics of great interest in recent years. For example, statements of concern and accusations regarding voter fraud and “rigged” elections were common leading up to the 2024 presidential election.

Locally, the responsibility for conducting fair and transparent elections and managing vote centers lies within the office of the County ROV.

### **Voter’s Choice Act**

The passage of the VCA in 2016 was an impetus for transformational change in the County’s election system. Established by California Senate Bill 450 (2016), the VCA modernized elections in California by allowing counties to conduct elections under a model that provides greater flexibility and convenience for voters. This election model allows voters to choose how, when, and where to cast ballots by:

- Mailing every registered voter a ballot,
- Expanding in-person early voting,
- Allowing voters to cast a ballot at any Vote Center within their county, and
- Providing secure ballot drop-off locations throughout each county.

The operational management structure and election systems prior to 2017 were not capable of accommodating the new VCA election model. To do so, the ROV needed to substantially change its operational procedures and make changes to how vote centers should be set up.

By successfully implementing the VCA, the ROV provided the public with more options to cast their votes, making voting more accessible, secure, and convenient, while also modernizing election administration.

### **State Audit**

In October 2017, the California State Auditor released a report entitled “Santa Clara County Registrar of Voters: Insufficient Policies and Procedures Have Led to Errors That May Have Reduced Voter Confidence in the Registrar’s Office.” The report examined how the ROV had handled errors in elections from the previous seven years and found that existing procedures did not always prevent errors from reoccurring. In addition, the report found other procedures were lacking. From that Audit, recommendations were made to improve operational efficiency, including the following:

- Implement procedures to ensure the accuracy of voting district boundaries,

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- Formalize a policy to track election related errors and create guidelines on what actions staff should take in response to prevent errors from reoccurring,
- Review existing policies and procedures in areas where the most frequent errors occur,
- Provide formalized training for staff to ensure consistency in following procedures, and
- Include in post-election reports descriptions of any election-related errors, accounts of why the errors happened, and explanations of how the ROV plans to prevent them from reoccurring in the future.

### **March 2024 Congressional Primary**

The March 2024 primary for California's 16th Congressional District was marked by an unprecedented tie and a contentious recount. In the initial results, both Evan Low and Joe Simitian tied for second place behind Sam Liccardo.

California does not have a law triggering recounts in close races for federal or state offices. The County has an automatic recount law on the books, but it only applies to local races, not a federal contest. Instead, recounts are triggered by a request from a voter in the district (Marzorati, April 2024).

A recount was initiated on April 9 and occurred over 13 days in parts of San Mateo and Santa Clara counties, requiring election workers to rescan ballots. During the process, officials added ballots that were erroneously left out of the initial count and removed ballots that were counted twice by mistake. As a result of the recount, Low moved ahead of Simitian by five votes (Marzorati, May 2024).

## METHODOLOGY

The Civil Grand Jury assessed ROV operations through research of documents, including the 2017 Audit, review of media reports, and conducting interviews.

Specific areas of concentration included:

- Reviewing the Audit (initiated by the Board of Supervisors and conducted by the California State Auditor) with special attention to whether the Audit recommendations were incorporated into operational procedures of the County's election systems,
- Reviewing the March 2024 congressional primary election and the modifications that were made to election procedures when ties occur between candidates, and
- Reviewing how the ROV measures success with a focus on appraising whether current systems fairly and accurately measure the performance of ROV election operations.



## INVESTIGATION

### A Glimpse Behind the Scenes

You've cast your ballot. How do you know it's in good hands?

The ROV shares post-election statistics on its website, including an online dashboard, ballot processing data, and the canvass manual for each election. The canvass manual outlines the procedures and rules followed by the ROV staff and volunteers, offering the public a view of how elections are conducted. In addition to final election results, the dashboard includes countywide voter registration totals, precinct-level turnout data, and explanations of how ballots are verified and counted. This information enhances public understanding of the election process and offers insights into voting trends and outcomes.

### Organizational Change and Leadership

In 2013, ROV employee morale was low due in part to antiquated computer systems, cumbersome procedures, and a lack of focus on the part of ROV leaders on employee performance and professional growth. After the completion of the Audit, ROV staff leaders re-committed to improving election system operations, expanding staff training, and focusing on professional growth and development of ROV employees.

As a result of these and other improvements, staff morale and pride in their work at the ROV have increased, along with confidence in the leadership team. In the County's Employee Engagement and Well-being survey conducted by the County's Employee Wellness Division, the ROV ranked ninth out of 43 departments and agencies in 2018 and rose to fifth by 2022. Leadership remains committed to ongoing improvements, with an average tenure of 14 years, and many employees have enjoyed long careers at the ROV.

### Continuous Improvement

One of the Audit recommendations required the ROV to address election-related errors in post-election reports. Thus, the Audit spurred the implementation of an internal decision document, which is revisited after each election. This document was created by ROV staff to identify potential actions following the detection of an election-related error. It consists of specific steps for staff to follow in various scenarios during an election. For example, the document might instruct staff on the protocol for contacting voters when incomplete ballots are submitted.

The unprecedented tie and recount in the March 2024 congressional primary provided an example of this commitment to continuous improvement. The closely watched recount resulted in a minuscule change in vote totals—less than 0.01%—yet had an enormous impact on the election

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results. The ROV described the recount as a “learning experience”, highlighting, among other findings, “human errors” by the tabulation machine operators (Pho, 2024). Such errors might include ballots that are improperly fed into the machine or incorrect data entry of results. The ROV addressed the human error aspect of the process by increasing the number of staff assigned to quality control and promptly updating their procedures accordingly.

### **Training and Staff Development**

The Civil Grand Jury learned that the ROV has staff dedicated to training and staff development. It has a training program for new managers and for line staff who are interested in stepping up to supervisory roles. It also sends staff to trainings for State and national certification programs.

During quarterly all-staff meetings, the ROV routinely includes a training topic or conducts manager training workshops. In addition, there are quarterly manager workshops and refresher courses on a variety of topics.

### **Community Outreach**

The ROV is proactive about connecting with the community. It is one of 11 counties in the Coalition of Bay Area Election Officials that collaborates to form a positive unified message about the election system. The coalition meets regularly to share information.

Additionally, the ROV continually seeks community members to serve on advisory panels that help improve how the ROV serves, communicates with, and educates Santa Clara County voters. These panels are an important source for addressing concerns about accessibility for seniors, voters with disabilities, and those who speak languages other than English.

### **Performance Measures**

The ROV primarily uses qualitative measures to assess and improve the quality of its processes. Public forums and community workshops allow the ROV to solicit feedback from Santa Clara County residents and partners, giving staff the opportunity to understand the experiences and perspectives of voters, election workers, and community stakeholders. Additionally, all ROV election activities are open to the public to observe, ensuring process transparency. The combination of these qualitative assessments with post-election error reporting allows the ROV to earn the public’s confidence.

While qualitative performance measures are useful for improving processes, the Civil Grand Jury determined that quantitative performance measurements may increase public confidence even further. Quantitative measures are commonly used in the private and non-profit sectors but are also practiced in ROVs from other California counties. For example, counties such as San Francisco,



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Los Angeles, and Orange keep a real-time dashboard of wait times during an election. Real-time election wait time information can benefit voters by allowing voters to make informed choices about when and where to vote, while also helping election administrators improve the efficiency and effectiveness of the voting process.

While post-election statistics such as voter demographics and turn-out results are currently published by the ROV, additional statistics such as vote center wait times, timeliness of submission of election results to the state, or average ballot processing time, would further underscore the ROV's ability to efficiently conduct elections. Such quantitative measures would give the ROV specific and objective ways to demonstrate trends year over year and set goals for future improvement.

## CONCLUSION

The ROV is responsible for implementing and evaluating complex election systems and procedures throughout the County. Throughout its investigation, the Civil Grand Jury learned that County officials and ROV election staff are confident about the efficient functionality of their internal systems and protocols. The extensive experience and long tenure of many election staff, including staff leaders, has led to a system where problems in operational procedures, protocols, and processes are quickly identified and corrected.

The Civil Grand Jury commends the County ROV for its dedication and commitment and applauds the ROV for embracing a model of continuous improvement. As a result, the voters of Santa Clara County should feel confident that elections are conducted with a high degree of professionalism and care.

## FINDINGS AND RECOMMENDATIONS

### Finding 1

All 10 recommendations from the 2017 Audit were implemented into the County's election systems within three years.

### Recommendation 1

No recommendation.

### Finding 2

The ROV Office:

- Has improved staff morale and employee satisfaction,
- Is highly rated by its employees, and
- Has many staff, including high-level ROV officials, who have long tenures and extensive experience in managing elections.

### Recommendation 2

No recommendation.

### Finding 3

Election system operations are adapted and improved, as necessary, when inconsistencies or inefficiencies are encountered.

### Recommendation 3

No recommendation.

### Finding 4

Although the ROV publishes many statistics including the number and demographics of voters in each election, it does not publish results of quantitative measures of its own performance.

### **Recommendation 4**

The ROV should publish quantitative measures and trends on the ROV website both in real time and after each election to demonstrate its commitment to continuous improvement. Examples of quantitative measures of ROV operational performance include timeliness of submission of election results to the state and wait times at Vote Centers. The ROV should present examples of this to the Board of Supervisors by December 31, 2025.

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### REQUIRED RESPONSES

Pursuant to California Penal Code § 933(b) et seq. and California Penal Code § 933.05, the County of Santa Clara 2024-2025 Civil Grand Jury requests responses from the following governing body:

<b>Responding Agency</b>	<b>Findings</b>	<b>Recommendations</b>
County of Santa Clara	1, 2, 3, 4	4

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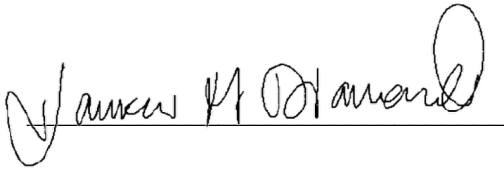
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This report was **ADOPTED** by the County of Santa Clara 2024-2025 Civil Grand Jury on this 16th day of June, 2025.

A handwritten signature in black ink, appearing to read "Lauren M. Diamond", is written over a horizontal line.

Lauren Diamond  
Foreperson