

**CALIFORNIA PRIMARY ELECTIONS:
OBSERVATION REPORT**

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VOTING TECHNOLOGY PROJECT

March 31, 2006

During the June 2006 California primary, our research team visited many early and election-day poll sites in Southern California. There were four types of problems that we studied in the course of our observation efforts: voting machine problems, poll worker problems, polling place location problems, and voter education issues. In this short report, we first discuss our observational strategy, and then briefly give some highlights from our observation efforts in each area. More details about our observation efforts, including photographic documentation of our work, will continue to be made available at our blogsite, <http://electionupdates.caltech.edu>, in coming days and weeks.

At the outset, we would note that we only visited a small number of the several thousand precincts that exist in Orange and Los Angeles counties. We also would note that none of the problems we observed affected the outcome of the election. This report is not meant to be a critique of the elections in either jurisdiction; in fact, we are sympathetic to the difficulties that exist in managing elections in such large jurisdictions, and we are grateful that election officials and polling place workers typically allow us the opportunity to observe their work and that they take the time to answer our many questions. Our observational data are just that—observations of events on the ground on during an election.

Observing Elections

For the June 2006 California primary, we examined election practices in early voting in Los Angeles County (studying four early voting locations over the course of the early voting period). Also, on Election Day one group of observers (Mike Alvarez, Thad Hall, and Morgan Llewellyn) visited eight polling places in Orange County and six in Los Angeles County during the California primary election, while one other observer examined a single polling location in Los Angeles County. Voter turnout in the primary election was very low, and in many instances the observing team outnumbered the voters at the polls we visited.

The main election-day observation effort focused on polling places in the City of Brea, a community in northern Orange County. We typically spent between 10 and 30 minutes at each poll site and talked with the poll workers and voters at the polls we visited. In Orange County, voters cast ballots using the Hart InterCivic E-Slate DRE that has a paper-trail. In Los Angeles County, early voters used the Diebold electronic voting device, while election day voters cast ballots using Ink-a-Vote, a form of optical scan balloting. In LA County, election-day ballots are centrally counted; there was only a small trial of in-precinct electronic ballot scanners that would help voters check for over-votes or blank ballots (those they were not deployed in any of the polling places we visited).

The polling places we studied were selected to insure a variety in type of polling place location: we selected a mixture of residential locations, schools, churches, and apartment community centers. Our primary goal in this observing effort was to ascertain how poll workers and voters reacted to the implementation of the “Voter Verified Paper Audit

Trail” (VVPAT), as it was being used in association with electronic voting systems for the first major implementation in California’s June 2006 primary, and we begin by discussing our observations of election-day voting in Orange County.

Machine Problems

In the voting locations we visited on June 6th in Orange County, we observed machine problems in Orange County, primarily associated with paper jams in the VVPAT printers. In Orange County, each precinct was given a compliment of 8 machines. In 7 of the 8 precincts that we visited, at least one DRE had been taken out of service because the paper-trial printer jammed. In one precinct, two printers had jammed.

There were also issues with the poll worker—machine interactions. We saw this vividly in two precincts that we visited. The first precinct, located in a school, opened late because the poll workers had a problem configuring the voting booths to the power supply. Before the requirement of a paper-trail was put in place, the E-Slates required power only from a single plug and all machines could be daisy-chained to the single plug. With the addition of the VVPAT printers, each printer has to be plugged into a power supply. To facilitate this (and to prevent power surge problems), the poll workers were provided with a surge protected power strip into which to plug all of the printer devices. However, in many polling place locations, it was clearly difficult for poll workers to plug all of the machines into the single power strip because of cord length issues, while still making sure that the voting machines were set up in a way to maximize voter privacy. The workers in the polling place with the late opening, slavishly following the diagram directions in the polling place set up directions, had a difficult time setting up their precinct. This polling place was staffed with poll workers who were relatively young—in their 30s through 50s.

By contrast, we next visited a polling place in a church, where the precinct workers were relatively older than in the first precinct. The layout of the polling place would not allow the poll workers to set up the 8 booths in the 4-4 back-to-back layout outlined in the diagram mentioned above. Instead, the poll workers lined all of the machines up against the same wall. Here, most (but not all) of the machines could be plugged into the surge protector. The poll workers solved the problem intuitively; they plugged three machines directly into the wall using a multi-plug adaptor. The problem was solved, but they created a new hazard; the three machines were not plugged into a surge protector and there was construction going on outside the building. If the construction workers did something that had caused a surge, the three machines that were not protected by a surge-protector might have been be damaged.

Poll Worker Training Issues

We saw several places where poll worker training problems led to specific problems. Perhaps the most egregious was in a precinct where a man checked in to vote. He was

given an access code to activate the DRE and started to vote. About two and a half minutes into voting, the man turned and said, “There is a problem with the ballot. All of the races are Republican and I am a Democrat.” He asked the poll worker what to do and the poll worker told him to go through the ballot and not vote for the races and then cast the ballot, which would be blank. The worker then walked over to assist the voter, who was somewhat annoyed. Then *the voter left the booth*, and the poll worker proceeded to stand over the machine and go through the ballot and then cast it. The voter had left the precinct by the time the vote was cast (muttering disgustedly all the while!).

There are clear and simple rules for how to cancel a ballot using this DRE system. All the poll worker has to do is enter a code and the voter’s ballot can be canceled before it is cast. The poll workers could then check to ensure that the voter had not been given the wrong party ballot by accident and allowed the voter to vote, assuming the voter still wanted to do so. But the poll workers made no attempt to check the voter’s registration status, or to determine if he had the correct ballot.

The examples in the previous section regarding the set up of machines also show that there are issues regarding the training of poll workers. In Los Angeles County, we saw issues in the close-down of a precinct at the Alpine Recreation Center. Alpine typically has two voting precincts at the polling place when we have visited. One precinct has a very dedicated and long-serving cadre of poll workers who work together every election. The second precinct has much more turnover in poll workers. During the closedown, the long-serving group of poll workers was carefully supervised by the chief inspector to insure that they followed all of the closedown procedures and did not miss any steps. On the other hand, the other poll workers in the second voting precinct didn’t clearly follow the close-down and reconciliation procedures, and we observed that they had a number of problems while they tried to wrap up their work after the polls closed at 8pm.

Once the first precinct had completed their post-election reconciliation job and were departing, the head inspector walked the second group of poll workers through key parts of the closedown process, especially the ballot accounting procedures. There were several forms and seals that the workers in this precinct had not completed and the other judge had to assist them in finding and completing these forms. We wondered what might have happened, had these poll workers not had access to an experienced and well-trained inspector from the other voting precinct.

This illustrated to us how poll working is not like riding a bike; if you only do something two or three times a year, it is easy to forget a step. Poll workers need to be well trained in not just the voting process, but also in how to set-up and close-down their voting location. This training ranges from the important issues of ballot accounting, to seemingly trivial issues like insuring that someone in the polling place knows basic mathematics.

Polling Places

Our long-held view that schools, when in session, make bad polling places was confirmed by our visits to three schools. At each of the schools for most of election day (while school was in session), parking was a problem. In one case, it was necessary to park a block away on a street with little parking; in another case, the polling place was located on a very busy street that made parking difficult. In addition, when we visited one elementary school, it was obvious the moment we set foot on the school property—in a middle class neighborhood in Orange County—that the school staff was very nervous about our presence on school property while school was in session. When we checked in at the school office as visitors on campus, the principal said that she found having voters at her school very troubling because she now had individuals around her kindergarten through fifth grade students that she did not know and could not monitor fully. The principal did not control whether the school was used as a precinct (the central office for the school district made the decision) and it was clear that she would have preferred not to have the additional liability that arose from having these people at her school. In fact, the polling place at this school was located in a detached building (normally used as a day care), and was a location that the school principal could observe from her office window.

We also visited several precincts that were not disability accessible and some that were not readily accessible by other voters. An example of the disability accessible problem could be seen at a polling place in an apartment clubhouse. The clubhouse was only accessible by traversing two staircases and then navigating a 180-degree turn in the doorway; there was no usable ramp access for the polling place. Other precincts had no readily accessible parking for individuals with disabilities. At another precinct that was located in an apartment complex clubhouse, the only way to access the apartment complex by car was through a security gate that was not staffed by a person and impossible to get through without a smartcard.

Finally, the interdependences of polling places and auxiliary staff were also illustrated at several precincts we visited. At the schools we visited, the poll workers were at the mercy of custodial staff or security to gain access to the place where the polling place would be located. At the precincts located in businesses, again there is an interdependence between the poll workers and some third-party to gain access to the polls. And in many polling places the “normal” activities of the building intruded upon the operation of the polling place in the forms of foot-traffic through the polling place (for example, one polling place was next to busy indoor basketball court, from which hot and sweaty players would periodically walk out and right through the voting area of the polling place), noise, or other disturbances (like construction).

Signs and Information

One of the interesting variations that we commonly see in election observation across precincts in the same jurisdiction is how voter education information is handled. The big things—the “Vote Here” signs and the American flag are almost always posted, as is the sign restricting electioneering. However, some precincts are well marked with direction signs while others are not, and also voter education posters regarding how to use the

voting technology are often placed in wildly different locations as we study different precincts in the same jurisdiction. At the first precinct we visited in Orange County, the education sign was prominently located at the entrance to the polls; voters could read the sign as they waited in line to be checked in to vote. At the second precinct, the same sign was located in an out-of-the-way location that was very difficult or impossible to see., and in that location we never saw a voter looking at the education materials.

But, in Orange County, one nice part of the voting process is that *every voter* receives a sheet from the election judge who checks their registration a document explaining how to vote and how to check their vote against the paper trail. The county has these forms in all of the Voting Rights Act covered languages in Orange County (4 plus English). We observed uniform use of these information sheets in every precinct in Orange County.

In Los Angeles County, there is a slightly more passive but also more commercial campaign, “Got Dots?”, that encourages voters to check their ballot to ensure that the dots are completed on their optical scan ballots. Each precinct typically has several “Got Dots?” signs posted, and there are signs near each voting booth. But again, the positioning of the signs is far from uniform across precincts, and we are always left to wonder how many voters are able to take advantage of the information contained in these materials when they are posted in inaccessible or out-of-the-way locations in polling places.