



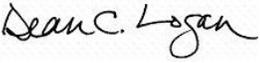
## Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

October 15, 2018

TO: Supervisor Sheila Kuehl, Chair  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Janice Hahn  
Supervisor Kathryn Barger

Sachi A. Hamai, Chief Executive Officer

FROM: Dean C. Logan   
Registrar-Recorder/County Clerk

### **Voter Registration Errors and the Motor Voter Program**

At the Board of Supervisors meeting of September 25, 2018, your Board approved a motion by Supervisor Barger directing the Registrar-Recorder/County Clerk (RR/CC) to report back on the recent voter registration errors that occurred as a result of the new Motor Voter Program managed by California's Department of Motor Vehicles (DMV). As these errors were not caused by the County or the RR/CC, the motion also directed the Department to work with the California Secretary of State (SOS) and the DMV in responding to the motion.

#### **Summary of Voter Registration Errors**

According to a letter sent to the SOS on September 5, 2018 from the DMV and the California Department of Technology (CDT), between April 23 and August 5, 2018, approximately 23,000 customers statewide may have been affected by administrative processing errors in the DMV system.

The letter goes on to assert that the errors were caused by DMV technicians who had more than one customer record open on their computer screen at the same time and those records were inadvertently merged. As a result, inaccurate customer information – largely affecting voter preferences such as, vote-by-mail options, language and political party selections – was transmitted to the SOS.

The letter further states that some of the affected customers did not complete an affidavit of registration and affirmatively requested to opt-out of voter registration, yet had their records erroneously sent to the SOS. It should be noted that the letter also states that none of the impacted customers were undocumented immigrants.

Subsequent to the approval of this motion, an additional error has been reported. On October 8, 2018, the DMV and CDT sent another letter to the SOS stating that between April 23 and September 25, 2018, approximately 1,500 additional customers statewide may have been registered to vote in error. This error was separate from the first one mentioned above.

This second letter states that the error occurred when DMV technicians processed customer requests at field offices to change voter eligibility responses on driver license applications. Due to the order in which the change was processed, the customer's initial responses were retained instead of the correct and revised responses.

Similar to the first letter, it states that some of these customers requested to opt-out of the voter registration but had their records incorrectly sent to the SOS. This letter also states that none of the impacted customers were undocumented immigrants. It should be noted though that a recent *LA Times* story references a Legal Permanent Resident (LPR) residing in Orange County from Canada was registered to vote.

### **Corrective Actions Taken**

Since August 5, 2018, the DMV and CDT have been analyzing the issue, identifying the affected records, working through the root cause of the issue, applying fixes, and determining the best solution moving forward. The majority of 23,000 impacted individuals received a letter from the DMV explaining the issue and asking them to go to the SOS website to verify their voter registration information.

A small subset of 23,000 individuals involved in the original error requested to opt-out of the voter registration yet were still registered to vote. The SOS sent letters to those individuals explaining the issue along with a notice that their voter registration record would be cancelled. The correspondence also explains how these individuals can affirmatively register to vote if they meet the requirements and desire to do so. The counties with individuals impacted by this specific issue received instructions from the SOS as to how to go about cancelling the voter registration records of that subset of individuals.

Between September 5 and October 9, 2018, the Department received a total of 1,125 records from the SOS that needed to be cancelled due to the errors. The following is a breakdown of these actions:

- The first list of 320 records were received from the SOS on September 6, 2018 and completed by the Department on September 7, 2018.
- A second list of 470 records were received from the SOS on September 21, 2018 and completed by the Department on September 24, 2018.
- A third list of 335 records were received from the SOS on October 9, 2018 and completed by the Department on October 11, 2018.

In response to the second error, the DMV and CDT implemented a scheduled IT upgrade replacing its driver license application system. This new upgrade has prevented the reoccurrence of this error. Additionally, the system enhancement added safeguards to ensure only records for customers affirming eligibility are forwarded to the SOS.

The SOS has been providing counties updates on this issue and has encouraged them to contact their VoteCal Help Desk if other technical questions or concerns arise.

### **Follow-up with SOS**

On September 28, 2018, the Department sent a letter to the SOS requesting additional information on the issue. On October 8, 2018, the SOS provided a response, including sharing our collective concern regarding these issues. The following is a summary:

- The SOS was initially notified of the DMV errors on August 5, 2018. In their ongoing communications with the DMV, the SOS noted that the errors were found as a result of the DMV's own research of customer complaints.
- The SOS shared a sample of the letter sent to individuals where the DMV had no record of a completed voter registration affidavit. In those instances, the letter notified the DMV customer that their voter registration would be cancelled. As was noted above, the Department has cancelled all of those records received by the SOS in relation to the errors.
- Additionally, the SOS has requested that the DMV and CDT provide additional information and documentation related to their efforts to test and verify functionality and accuracy of systems and procedures used to transmit voter registration and affidavits. The SOS has committed to share that additional information with the Department as soon as possible.
- Finally, the SOS has also reaffirmed their willingness to partner with us and other county election officials across the State on this issue and to receive information from us in an effort to enhance to enhance their ability to research and resolve any of these specific issues.

The Department continues to monitor this issue closely and will work collaboratively with the SOS to assist voters who may be impacted by these issues.

c: Celia Zavala, Executive Officer