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Mail-Only Precincts And How They Affect Voters In San Mateo County

Issue

What steps are being taken by the San Mateo County Elections Office to ensure that voters in the 93 mail-only precincts in San Mateo County understand the mail-only voting process and are being properly informed about requirements for voting by mail?

Background

According to California election law, precincts with 250 or fewer registered voters are not assigned physical polling places. All voters within such precincts are automatically sent a Vote-by-Mail ballot. Historically, there have been about 30 of these precincts with 250 or fewer registered voters. However, new requirements for handicapped accessibility and new voting machines have made several traditional physical voting places, such as a neighbor's garage, no longer usable. Consequently, the number of mail-only precincts has increased to 93. (See Attachment 1)

For mail-only precincts, California Election Code section 3005 states that "the elections official may furnish each voter with a Vote-by-Mail ballot along with a statement that there will be no polling place for the election."¹ There is no requirement for a separate notice to be sent before the mail-only ballots are sent to voters. Mail-only precinct voters, along with other absentee ballot voters, also receive a sample ballot booklet.

¹ Section 3005 <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=elec&group=02001-03000&file=3000-3024>

Findings

The 2007-2008 San Mateo County Civil Grand Jury (Grand Jury) finds that:

- Forty days before the election, the San Mateo County Elections Office (SMCEO) mails voters in mail-only precincts a letter alerting them that they live in a mail-only precinct and that they will receive a Vote-by-Mail ballot. The letter also advises these voters that if they choose not to vote by mail, they may drop off their voted ballot at one of the following locations: 1) Elections Office at 40 Tower Road; 2) Elections Office at 555 County Center, 1st floor; or 3) any city hall in San Mateo County. (See Attachment 2)
- The SMCEO abides by California election laws and delivers Vote-by-Mail ballots to the post office 29 days before the election, the earliest date that ballots can be mailed.²
- If voters do not want to vote by mail, they may vote in person at the Elections Offices on Tower Road or at the County Center in Redwood City if they surrender their Vote-by-Mail ballot and vote during the early voting period on the voting system. On election day, voters have another option of personally dropping off their ballots between 7:00 a.m. and 8:00 p.m. at any open polling place in San Mateo County, at the two election offices, or at any city hall in the county during regular business hours.
- The mail-only voters who show up on election day without their Vote-by-Mail ballot are allowed to vote. However, their ballot is a provisional ballot, which is a paper ballot that is counted last in order to ensure they have not already voted by mail.
- Voters who vote by mail can confirm receipt of their voted mail ballot using the Track and Confirm feature on the Election Department's website www.shapethefuture.org.

On election day, the SMCEO provides signage at traditional physical voting places which are no longer used, to inform voters in several languages that their voting place is no longer operational and to provide a number to call for information.

- Official voting materials and notices from the SMCEO have been printed in different colors, such as lavender, to differentiate from other mail that voters may receive. Despite these different-colored materials and notices, voters who do not always check and read their mail carefully, may turn up at their regular voting location on election day and find it closed if their precinct has become a mail-only

² Section 4101 <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=elec&group=04001-05000&file=4100-4108>

precinct. Voters, who show up on election day must use provisional ballots, as noted above.

- The SMCEO predicts that the upcoming November 2008 presidential election will see one of the largest turnout of voters in the county's history. Predictions are as high as 85% which would top the previous high mark of 81%. To assure a better understanding of the mail-only voting process for the expected high voter turnout in November, the SMCEO tested the effectiveness of an automated phone reminder seven days before the June 2008 primary election.
- On a trial basis, about 50% of the households randomly selected in the 93 mail-only precincts will receive an automated phone call reminding them that they must vote by mail. The SMCEO is evaluating whether these calls have led to a greater return of mail-only ballots and fewer questions and complaints on election day.
- The SMCEO will continue to have phone banks set up on election day in November so that callers can reach a live operator and not an automated message.

Conclusions

The San Mateo County Election Office goes beyond legal requirements to ensure that all voters are properly informed of their voting place. The Grand Jury commends the San Mateo County Election Office for the extra steps it is taking to ensure that voters in the 93 mail-only precincts in the county understand the mail-only voting process.

Recommendations

The Grand Jury recommends that the San Mateo County Election Office:

1. Continue to alert voters in mail-only precincts, if these alerts are shown to be effective in increasing voter turnout.

Attachment 1: Mail Only Precincts

93 MAIL BALLOT PRECINCTS	CITIES
1023	Burlingame
1024	Burlingame
1025	Burlingame
1201	Burlingame
1202	Burlingame
1203	Burlingame
1204	Burlingame
1402	Hillsborough
1405	Hillsborough
1411	Hillsborough
1412	Hillsborough
1503	Millbrae
1602	San Bruno
1623	San Bruno
1627	San Bruno
1629	San Bruno
1630	San Bruno
1631	San Bruno
1632	San Bruno
1633	San Bruno
1705	San Mateo
1817	So. San Fran
1941	San Mateo
1942	San Mateo
1943	San Mateo
1944	San Mateo
1945	San Mateo
1946	San Mateo
1947	San Mateo
1948	San Mateo
1949	San Mateo
2118	Belmont
2121	Belmont
2122	Belmont
2219	Foster City
2225	Foster City
2615	San Mateo
2616	San Mateo
2618	San Mateo
2631	San Mateo
2670	San Mateo
3004	Atherton
3009	Atherton
3201	Belmont

3203	Belmont
3210	County
3211	County
3330	Half Moon Bay
3331	Half Moon Bay
3360	San Gregorio
3361	Skyline
3371	Skyline
3372	Skyline
3373	Skyline
3374	Skyline
3375	Skyline
3376	Skyline
3377	Skyline
3380	San Gregorio
3403	Alameda
3404	Alameda
3405	Alameda
3421	Los Trancos
3506	Pacifica
3516	Pacifica
3532	Pacifica
3533	Pacifica
3540	Pacifica
3627	San Carlos
3629	San Carlos
3630	San Carlos
3704	Lake
3705	Lake
3711	Searsville
3803	Woodside
3807	Woodside
3810	Woodside
4013	East Palo Alto
4406	Menlo Park
4412	Menlo Park
4429	Menlo Park
4430	Menlo Park
4507	Oaks
4636	Redwood City
4647	Redwood City
4649	Redwood City
4650	Redwood City
4651	Redwood City
4701	Redwood City
4702	Redwood City
5201	Club
5834	So. San Fran
5902	Visitacion

Attachment 2: Alert Letter



Warren Slocum

Chief Elections Officer & Assessor-County Clerk-Recorder

40 Tower Road
San Mateo, CA 94402-4098
phone 650.312.5222
fax 650.312.5348
email register@smcare.org
web www.shapethefuture.org

NAME
ADDRESS
ADDRESS 2
CITY, STATE ZIP

Dear Mail Ballot Precinct Voter:

While much attention has been paid to the presidential elections and last month's 12th Congressional District election, there are a number of critical races yet to be decided. **In the coming days, you will receive a Vote by Mail ballot for the June 3 Statewide Direct Primary Election.** Your ballot will contain contests for Congressional and State legislature, judicial seats, local candidates and measures, and state propositions.

You live in a precinct with 250 registered voters or less. In accordance with California Election Law, such precincts are not assigned physical polling places and all voters within the precinct are automatically sent a Vote by Mail ballot. If you do not receive your ballot, please call the San Mateo Registration-Elections Office at (650) 312-5222.

If you choose not to vote by mail, you have these voting options:

Early Voting (May 5 – June 3)

Drop off your voted ballot at any of the following locations during regular business hours:

Elections Office 40 Tower Road, San Mateo	555 County Center, 1 st Floor Redwood City	Any City Hall in San Mateo County
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Voting in Person at a Universal Voting Center (May 5 – June 3) during regular business hours:

Surrender your Vote by Mail ballot and vote during the early voting period on the eSlate voting system at the following locations:

Elections Office 40 Tower Road, San Mateo	555 County Center 1 st Floor, Redwood City
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Election Day Voting (June 3)

Drop off your ballot **between 7:00 a.m. and 8:00 p.m.** at any open polling place in San Mateo County on Election Day or one of the following locations:

Elections Office 40 Tower Road, San Mateo	555 County Center, 1 st Floor Redwood City	or... <i>during business hours</i> at any City Hall in San Mateo County
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You can confirm receipt of your voted mail ballot using the Track & Confirm feature on our website at www.shapethefuture.org. This is similar to the UPS, FedEx or U.S. Postal Service tracking systems. Log on to our website and click the Track & Confirm button to track when your ballot was mailed and/or confirm when your voted ballot was received by our office. This feature will be activated on May 5, 2008.

If you have any questions or want to find the location of a nearby polling place to drop off your voted ballot on Election Day, please contact our office at (650) 312-5222 or email us at registrar@smcare.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Duff".

July 24, 2008

Hon. Joseph C. Scott
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063

Dear Judge Scott:

The 2007-2008 Grand Jury filed a report on July 10, 2008 which contained a recommendation on "Mail Ballot Precincts and how they affect voters in San Mateo County."

Specifically, the Grand Jury recommended that the San Mateo County Elections Office:

- *Continue to alert voters in mail-only precincts, if these alerts are shown to be effective in increasing voter turnout.*

We agree with this recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Slocum". The signature is stylized and cursive.

Warren Slocum