

# Election Day Observation Report: Orange County (CA) November 6, 2018

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## **Executive Summary**

On Election Day (November 6, 2018), our observation teams visited polling places in Orange County (CA). In most locations, the poll workers were pleasant and helpful during our observation activities, and welcomed our efforts to study their polling places. Furthermore, we observed no significant issues regarding polling place procedures, voting technologies, accessibility, or security. We commend the Orange County Registrar of Voters, their staff, and the many poll workers we met on Election Day, for their administration of the 2018 midterm election in Orange County. Our observation study produced a number of recommendations for areas of possible improvement, which we provide at the end of this report.

It's important to recognize that Election Day polling place operations in California are complex, and that there have been many recent important changes in election procedures. In this context, our observations were that most voters likely had a very positive experience, and that poll workers worked to efficiently and correctly administer this election.

This report has three sections. The next section contains our major and minor observations, which is followed by a section containing our conclusions. The then provide a section containing recommendations from our observation of the November 2018 general midterm election in Orange County.

# Summary Observation Findings

## Voter parking

In Orange County, many voters use their car to get to their polling place, or stop by their polling place using their car during the day. This means that polling places should provide sufficient and accessible parking for voters throughout the time they are open. Some facilities, in particular schools, may have limited parking for voters during the facility's hours of operation, and those locations may have limited or unavailable street parking. This presents an inconvenience for some voters, and the lack of accessible parking close to the polling place's entrance may pose a serious problem for other voters.

An example of this situation occurred at Victoria Elementary School in Costa Mesa (52200). This location has limited parking in the front of the school along Victoria St., and there were approximately six parking spaces that were reserved for voters. However, at approximately 9:50am, at a non-peak voting time, those spaces were occupied. There is no parking available on Victoria St. in front of the school, and it appeared that voters were parking in residential neighborhoods across the street from the school and crossing a very busy Victoria St. This lack of parking poses a potential problem for voters who may be unable to easily walk from the nearby neighborhoods and safely cross a busy street.

Another example of difficult parking was the Irvine Civic Center (59103). This was a very busy and thus crowded polling place; and the Civic Center parking lot was completely full from 12:50pm to 1:30pm, with cars circling the lot for several minutes waiting for an available parking spot.

A related parking issue occurred at Cal State Fullerton (13065), where the parking closest to the polling place was a lot with spaces marked as reserved. It was unclear whether the reserved parking was being enforced on Election Day. Poll workers told people that they parked in those spots at their own risk, mentioning that there were also 15- and 30-minute spots available further away, but this may be an insufficient amount of time to vote—especially when lines formed at the polling place.

## Paperwork

We observed many voters bringing vote-by-mail ballots to the polling place on Election Day to drop them off. Many of these voters did not complete the required information on the envelope before arriving at the polling place. We also observed the frequent use of provisional balloting in polling places on Election Day. Some polling places, however, seemed poorly equipped to assist voters who need a place to complete the paperwork on their vote-by-mail ballot envelope, or to complete the paperwork on their provisional ballot envelope—we noticed a lack of pens in some polling places (Brea Country Hills Elementary School (5701)), a lack of clipboards, and a lack of horizontal space for these activities. This led poll workers and voters to get creative, with voters

using various horizontal surfaces in the location to write on (including the check-in or JBC tables, creating congestion) and in some cases, using the cardboard voting booths.

In other polling locations, we observed that poll workers had set up tables and chairs for voters to use for necessary completed paperwork. This makes it easier for voters to complete the paperwork, minimizes congestion at or near the check-in and JBC tables, and perhaps gives a surface where voters can write legibly.

## **Surrendering vote-by-mail materials**

Many times throughout the day, we witnessed voters who had signed up to vote by mail deciding they would prefer to vote in the polling place on Election Day. Many of these voters were confused by the process of surrendering their materials, and were not aware they needed to bring both their ballot **and** the original envelope. All of these voters were given the opportunity to vote provisionally, but many were frustrated that they did not understand the process beforehand.

In a few cases, there was confusion among the poll workers regarding the process of receiving the surrendered vote-by-mail materials. In at least two locations, two poll workers disagreed with one another, with one believing even a voter surrendering their vote-by-mail materials needed to vote provisionally and the other arguing this was not necessary after successfully receiving the surrendered materials. In both cases, the correct decision was reached and the voter was allowed to vote.

In a few situations, voters desired to use their vote-by-mail ballot as a sample ballot—that is, to take the vote-by-mail ballot to the voting machine or voting booth with them. Poll workers and inspectors were inconsistent in how they handled this situation. In some cases we witnessed inspectors requesting that the voter surrender the ballot before going to the voting machine or voting booth (and placing the surrendered ballot into the surrendered ballot envelope); in other cases we observed inspectors spoiling the surrendered ballot by writing on it, allowing the voter to take it into the voting booth or to a voting machine, and then requesting that they surrender the vote by mail ballot after they had voted.

Finally, the proper procedure of placing surrendered ballots in the correct bag was not followed in all polling places, though poll workers were consistent in writing “surrendered” across returned ballots. In some polling places we did not observe a surrendered ballot envelope.

## **Inadvertent sign-up for vote-by-mail**

The most serious issue documented across polling places was that many voters claimed to have never signed up for vote-by-mail, and yet they were. In a number of these cases, the voter also claimed to have not received a vote-by-mail ballot. This was documented consistently in most polling places (North Hills Clubhouse (5702); Brea Baptist Church (5308); Arnold Residence

(5302); Country Hills Elementary School (5701); Capriana: Oakmont Signature Living (5334, 5339); Fullerton Museum Center (13069); First Evangelical Free Church (13086)). Poll workers were often exasperated at having to constantly explain to voters that they had signed up to vote by mail, and suspected that many of them accidentally opted in for a vote-by-mail ballot during the online statewide registration process or the motor voter process at the DMV.

## **Conditional registration**

The OCROV, in compliance with the [California Election Law](#), offers [Conditional Voter Registration \(CVR\)](#). The website's [FAQ](#) page explains the following:

A: Will I be able to cast a ballot the same day/time I register to vote?

Q: Yes, you will be able to register and vote provisionally on the same day, but only at the Registrar of Voter's office located at 1300 South Grand Avenue, Bldg. C, Santa Ana, 92705, or at any Early Vote Center Location during the 10 day early voting period.

For more information on early voting, click [here](#).

However, the availability of conditional voter registration at OCROV on Election Day was not well communicated to inspectors and poll workers. One voter, at 7:25pm, was turned away for not having registered to vote at Brea's Capriana (5334, 5339), although the voter could have made a short trip to the OCROV by car. Upon conversation, it turned out that the inspector and poll workers, although experienced, did not know about the conditional voter registration available at OCROV, which took effect starting January 2017.

## **Polling place inspectors**

The OCROV's poll worker training manual describes the role of polling place inspectors: "Oversees operations at the polling place including site access, picking up supplies, coordinating polling place set-up, working with clerks to process voters, completing closing procedures, and transporting the ballots and supplies to a collection center on Election Night."

In our observations, we witnessed inspectors taking on different roles. In some locations, inspectors seemed to be quite involved in operations at the voter check-in tables, directly assisting the clerks in their work, in particular, dealing with provisional voters and surrenders of vote-by-mail ballots. In other locations, we observed inspectors who spent a considerable amount of their time greeting voters, directing voters who had questions, managing lines, and watching those using the voting machines for indications that they were having difficulty with the voting machines.

In our opinion, an exemplary example of an effective polling place inspector was observed at Whittier Law Library (52131), who while our observation team was present managed a line that was consistently between 10-15 voters, by greeting each incoming voter, trying to determine if they were voting in person, needed a provisional ballot, or had a vote-by-mail ballot to drop off. This

inspector was also positioned so that he could keep an eye on all of the ESlate voting machines (all of which were in use during our team's visit). This practice of greeting voters and determining how they were voting was also followed by the polling place inspector at Fire Station #51 (59172, 59208), and resulted in a smoothly run polling place with many happy voters. We believe that these inspectors' efforts contributed to well-functioning and efficient polling place.

In some cases, we observed discord between polling place inspectors and poll workers. The most notable of these was Brea Baptist Church (5308), where there was outright conflict such as raised voices concerning the hourly updating of the [Street Index](#), where the poll workers must cross-off names of voters who have voted (Section 3.7.1 of [Poll Worker Handbook, General Election November 6, 2018, OCROV](#)). The poll worker refused to comply with the inspector's request, citing lack of time. Another similar situation arose in Brea United Methodist Church (5340), where there was confusion about about cross-county vote-by-mail drop-offs. The poll worker argued with the inspector while the voter in question, originally from San Bernardino County, waited, requesting that the inspector call the Registrar of Voters to determine the proper procedure in this situation.

## **Ballot boxes**

In one polling location (Costa Mesa Senior Center (52197)) we observed that as of the opening of the polling place, and until our observation team left the location, the ballot box was unsealed. Also, the clerks and inspector in the location moved the ballot box from a relatively secure location right behind the voter check-in table, to a less secure and less visible location in the rear of the room. A coordinator visited this location, and did not check whether the ballot box was sealed and secured. However, this was an isolated case; and in general, at other polling locations on Election Day, we observed that the ballot boxes were sealed and located in a place immediately visible to and accessible by the clerks and inspector.

## **Polling place layout**

Most polling places we visited had sensible layouts with adequate room for voters to wait while maintaining voter privacy. Check-in tables were usually well positioned, with what seemed like the proper division of labor between poll workers.

One procedure that caused a bit of slowdown in the busier polling places was the process of handing out the "I Voted" stickers after a voter finishes voting. Most poll workers wait to hand out these stickers after a voter finishes voting, but this often requires a voter who is done with the voting process to return to the check-in table and temporarily take poll workers attention away from processing new voters. When polling places are busy, it might make the process smoother to hand out the "I Voted" sticker as soon as someone checks-in, and for poll workers to stress to voters they can leave as soon as they see the "waving flag" on the electronic voting machines. Or to leave the "I Voted" stickers in a visible location so that voters can pick them up as they exit.

A number of locations that were expecting heavier foot traffic did an excellent job of clearly delineating where voters should line up to check-in. While the check-in process was well organized, during periods of time with a lot of voting activity, a bottleneck would occur while voters were waiting for an electronic voting machine to open up. Often, a clearly marked area where voters could line up to wait for voting machines was absent at this stage in the voting process, leading to congestion. As noted earlier, inspectors can help work these lines, answer questions, and make sure that voters are in the correct line.

We noted that in some locations (e.g. Iglesia Adventista Del Septimo Dia (52032), Harper Assessment Center (52004, 52184)), poll workers position the check-in table in ways that made it difficult for them to have line-of-sight views of the ESlate machines, and which were distant from the handicap accessible voting equipment. This limited their ability to oversee the voting process and quickly identify voters in need of assistance.

## **Signs, voter information, and electioneering**

In most polling places we visited, the required signage was posted appropriately. Directional signs outside the polling places were generally very visible, voter information materials were usually posted in accessible and visible locations, and the American flag was typically flying at the entrance to the polling place. We also observed that most locations had the voter information kiosk located in a visible and accessible location.

The one issue that our teams observed were the 100-foot signs outside polling places. These signs are very small in size, not easily seen, and it appeared that most polling places had only one of these signs posted outside the polling place. While our teams did not observe any electioneering within 100 feet of polling place entrances, we did note the small size and often obscure positioning of these signs. In locations where there were multiple approaches to the polling place entrance, it generally seemed that these signs were located on the approach that was most likely to be used by voters. The signs also do not note that electioneering prohibited within 100 feet of the polling place, they only mark the distance.

Overall, our group did not witness any major violation of the prohibition on electioneering at polling places. At one location, the Irvine Civic Center (59103), an open-forum area was set up at the entrance to the building. This open-forum area contained a number of candidate signs, and at the time we were at the location a candidate was canvassing and passing out flyers. While this activity occurred more than 100 feet from the polling location, many voters brought these flyers with them into the polling location, and were holding the materials while in line. This activity did not seem nefarious: many of the voters were simply holding a flyer they were handed and did not seem to be actively electioneering for the candidate. But these still represent electioneering materials that were visible to individuals waiting in line and voting. On a positive note, one polling place inspector in Fullerton relayed to us that a resident near a polling place had called to complain about a political yard sign. Fullerton officials responded promptly, measured the distance from the polling place to the sign as 125 feet, and informed the resident that the sign was outside of the zone where electioneering was prohibited.

## Minor Observations

- We observed several voters from Los Angeles County attempting to cast a ballot at some polling locations in Orange County (Brea Capriana (5334, 5339)). They were commuters who would not be able to make it to Los Angeles County on time, and were very unhappy about not being able to vote.
- There was one issue reported from Brea North Hills Clubhouse (5702) that the white voted ballot container box, which eventually would hold all paper ballots, vote-by-mail ballots, and provisional ballots, was slightly small for the voter population and poll workers would have difficulty taping everything in.
- Some polling places guided voters automatically to the machines, while some polling places dutifully asked whether the voter wanted to vote by paper or electronically. There is no protocol in the Poll Worker Handbook that poll workers should ask for voter's choice every time. Indeed, the latter method caused more confusion than the former, with voters bewildered and asking which was better. Most opted to vote electronically. One voter at the Cal State Fullerton Alumni House complained about not being offered a paper ballot.
- Wall clocks must be adjusted for end of daylight savings time—several polling places had clocks showing the wrong time.
- Some polling places were lacking in human resources, resulting in a long line. More than 60 voters waited in line around 5:00pm at Brea Senior Center (5311, 5319).
- Although rare, some word choices of poll workers were unnecessarily accusatory. When explaining provisional ballots, while most poll workers worded it as “We want to make sure that the vote does not occur twice,” one poll worker worded it as “You might be double voting,” resulting in a tense back-and-forth with the voter.
- While most poll workers checked vote-by-mail materials for signatures, we occasionally saw a poll worker place an envelope into the ballot box without checking for a signature.

## Conclusions

As we noted in the Executive Summary, given the complexity of polling place operations during a busy general election, our evaluation is that most of the polling places we visited were operating well on Election Day.

In most polling locations we visited, poll workers were pleasant and helpful, both to our observers and to voters. Furthermore, we observed no significant issues regarding polling place procedures, voting technologies, accessibility, or security. We commend the Orange County Registrar of Voters, their staff, and the many poll workers we met on Election Day, for their administration of the 2018 midterm election in Orange County.

We observed areas for possible improvement, as summarized above. Here we provide some summary

recommendations for the consideration of OCROV.

## Recommendations

- We acknowledge the difficulty of securing polling place locations. However, we recommend that only polling locations that can provide sufficient and accessible parking spaces for all poll workers, and for the average number of voters expected in any 30-minute period, be used in general elections with lengthy ballots.
- Polling locations should have sufficient space for voter check-in tables, for the JBC and voting machines, for paper ballot booths, and for at least one table with chairs. We also recommend that polling places be provided with pens and clipboards, and that coordinators be prepared to restock supplies of pens and clipboards during Election Day.
- Training poll workers and inspectors in the correct procedures for the surrendering of vote-by-mail ballots on Election Day should be evaluated. Coordinators should make sure to check with inspectors on Election Day that they know the proper procedures for dealing with surrendered ballots, and that the surrendered ballot envelope is readily available.
- OCROV should continue to research the issue of vote-by-mail ballot requests, and confirm that voters who do not recall requesting or receiving a vote-by-mail ballot were in fact mistaken. OCROV has taken many important steps to inform voters about the proper procedures for voting or surrendering their vote-by-mail ballot, and we suggest that OCROV continue to monitor this issue.
- To the extent possible, we recommend that inspector training emphasize that they should try to greet voters entering their polling place, answer their questions, and try to manage the line if one forms.
- We recommend that ballot box security continue to be emphasized as a highly important in inspector and clerk training. When coordinators or other OCROV representatives visit polling places, they should confirm that ballot boxes are sealed, and that they are in a secure and visible location.
- For higher turnout elections, polling place layout is an important issue. We recommend that OCROV clerk and inspector training stress that they should set up their polling place with accessibility, efficiency, and security, in mind. We also recommend that OCROV coordinators and other staff who visit polling locations early on Election Day focus on these concepts in each polling place they visit; they should confirm that ballot boxes are sealed and secured; that clerks and inspectors have line-of-sight access to voting machines and ballot boxes; that the polling place has an efficient and clear route for entering, waiting, and exiting voters; and that the layout is accessible.
- Conditional voter registration on Election Day is not widely known nor understood by voters



or poll workers. We recommend that the availability of conditional voter registration be emphasized more in inspector and poll worker training, when these procedures are used in future elections in Orange County.

## **Polling Places Visited**

- Costa Mesa
  - The Lighthouse in Costa Mesa, 1885 Anaheim Ave (52003).
  - Harper Assessment Center, 425 E. 18th St. Bldg A (52004, 52184).
  - Iglesia Adventista Del Septimo Dia, 617 Hamilton (52032).
  - Boys and Girls Club of Costa Mesa, 2131 Tustin Ave (52035).
  - Whittier Law School Library, 3333 Harbor Blvd (52131).
  - Costa Mesa Senior Center, 695 W 19th St (52197).
  - Victoria Elementary School, 1025 Victoria St (52200).
  - Killybrooke Elementary School, 3155 Killybrooke Ln (52703).
  - Whittier Elementary School, 1800 Whittier Ave (53381).
- Irvine
  - Arnold O Beckman High School, 3588 Bryan Ave (59703).
  - Gray Residence, 56 Rosenblum (59211).
  - Beacon Park School, 200 Cultivate (59702).
  - Irvine Onnuri Church, 17200 Jamboree Rd (59101).
  - Evangelical Formosan Church of Irvine, 17422 Armstrong Ave (59108).
  - Irvine Civic Center, 1 Civic Center Plaza (59103).
  - Lakeview Senior Center Craft Room, 20 Lake Rd (59106).
  - Fire Station #51, 18 Cushing, (59172, 59208).
- Brea
  - North Hills Clubhouse, 1248 Beechwood Dr (5702).
  - Mariposa Elementary School, 1111 Mariposa Dr (5307).
  - Brea Baptist Church, 217 E Birch St (5308).
  - Brea Community Center, 695 E Madison Way (5388).
  - Brea Senior Center, 500 Sievers Ave (5311, 5319).

- Brea United Methodist Church, 480 N State College Blvd (5340).
  - Country Hills Elementary School, 150 N Associated Rdd (5701).
  - Arnold Residence, 186 S Flower Hill St (5302).
  - Capriana: Oakmont Signature Living, 460 La Floresta Dr (5334, 5339).
  - Fire Station #3, 2600 E Santa Fe Rd (5379).
- Fullerton
    - Cal State Fullerton/Golleher Alumni House, 800 N State College Blvd (13065)
    - Fullerton Museum Center, 301 N Pomona Ave (13069)
    - Commonwealth Elementary School, 2200 E Commonwealth Ave (13076)
    - Cavenee Residence, 2300 Hartford Ave (13077)
    - Searchlight Ministries, Searchlight Ministries (13078)
    - Ballew Residence, 2409 Hilltop Ct (13080)
    - Hermosa Drive Elementary School, 400 E Hermosa Dr (13082)
    - First Evangelical Free Church - North Campus, 2904 Brea Blvd #120 (13086)