Golden State Democracy

How California Expanded Voter Access During a Global Pandemic

By Kiyana Asemanfar
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About Common Cause

Common Cause was founded in 1970 as a vehicle for everyday people to make their voices heard in the political process and to hold their elected leaders accountable to the public interest. Common Cause is a nonpartisan, grassroots organization dedicated to building a better democracy. We work to create governments at the federal, state, and local levels that are reflective of and responsive to the people they are meant to serve.

California Common Cause, a Common Cause state affiliate, fights for these goals through grassroots organizing, coalition-building, policy development, research, public education, legislative advocacy, and litigation. California Common Cause has been at the forefront of several major reforms, including the creation of community-led redistricting, money in politics reforms that lift up the voices of regular people, and voting reforms that have dramatically improved access to the ballot.

Acknowledgment From the Author

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I. EXECUTIVE SUMMARY

The 2020 general election was marked by unique conditions and challenges: a surging global pandemic, a vocal president casting doubt on the credibility of our elections and stoking controversy around voting issues, and high passions and social tensions around issues both on and off the ballot. While there was a remarkably high interest in voting, the pandemic and other challenges posed significant threats to the accessibility of our elections.

The state of California had a unique approach to planning its general election. Just a few weeks after the nation’s shutdown in early March 2020, the California Secretary of State convened county elections officials, voting rights advocates, and researchers to think through every detail of election administration to prepare for a potential worst-case scenario in the fall. The working group’s discussions paved the way for two pieces of urgency legislation that maintained access to key in-person voting services and guaranteed that each California voter would automatically receive a ballot by mail. This approach helped ensure that voters’ options for making their voices heard in our democracy were not limited and that voters were not disenfranchised as a result of the pandemic. The result of this work was record-high turnout: 81% of registered voters cast a ballot and 71% of the eligible voting-age population voted, the highest turnout of California’s eligible voting-age population in nearly 70 years. Of the nearly 18 million Californians who voted, 87% voted using the ballot that was sent to them in the mail.

California Common Cause deployed volunteer poll monitors as part of our Election Protection program to monitor voting locations during the early vote period and on Election Day. Our poll monitors were trained to document their observations, provide assistance to voters, and report urgent issues.
to our command center. Our poll monitors assessed each voting location on its placement and ease of navigation, staffing levels, language access, disability access, wait times, and efficiency and readiness.

With over 500 poll monitors visiting over 1,200 locations, we identified a range of issues in the 2020 general election, including electioneering efforts that were blocking access to the polls, voter intimidation, and voting technology errors that slowed down or halted voting in some cases. Many of these issues were reported to and addressed by the California Secretary of State and county elections officials. Our poll monitors also found that voting locations were generally well-staffed by knowledgeable and friendly poll workers, that voting locations were generally convenient to access but could be improved through enhanced signage and direction, and that accommodations for voters with disabilities and limited-English-proficient voters could be further strengthened. We document our findings and the top issues encountered in greater detail in this report.

Our 2020 Election Protection program also included a substantial voter education component. With changes made to election administration and rampant voting-related misinformation and disinformation online, we prioritized providing clear, nonpartisan voting information to California voters to minimize voter confusion and ensure that voters were informed of their voting options. California Common Cause sent 1.35 million texts with voting information to 1.21 million California voters, in English and Spanish. Those efforts, as well as our other research and outreach efforts, are discussed in this report.

There was a wide array of successes and challenges in the 2020 general election that deserve further analysis and discussion. As California turns a page on last year's election after implementing a number of landmark reforms over the last decade and trialing a new approach in the 2020 general election, there are still questions that linger about the future of California elections. California Common Cause is committed to exploring these questions and testing new approaches with our nonprofit and government partners to build a democracy that is reflective of and responsive to the needs of our communities.
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II. BACKGROUND

The 2020 general election was an unprecedented election: all eyes were on the White House as incumbent president Donald J. Trump was running for reelection. Meanwhile, a newly elected Democratic majority in the House of Representatives was attempting to hold on to power, and the Republican-run Senate was at risk of changing hands after six years. Among the many factors that influence an election, discussions about voter access and election administration cut through the traditional election noise. Election policy discussions that traditionally took place among voting rights advocates and elections administrators were also taking place at kitchen tables across America. Voting access issues became more pertinent than any time since the Jim Crow Era and the passage of the federal Voting Rights Act of 1965.

The global COVID-19 pandemic compelled both officials and voters to modify their plans for conducting and participating in the election, respectively. While many states (including California) had already conducted their primary elections before COVID-19 shut the nation down in March 2020, a number of other states were required to conduct their primaries under the riskiest circumstances. News of the Wisconsin primary election in April captured the public’s attention, as voters were forced to choose between risking their health to participate in their democracy and sitting out of the election. Incredibly long lines and large-scale closures of polling places dominated national headlines and motivated elections officials across the country to avoid a similar situation in their jurisdictions in November.

The challenge of replanning for an election in under eight months cannot be overstated. Elections offices often make their preparations a year in advance or more. What made things even more complex was that decisions for the general election had to take place in the spring and summer of 2020, a time when what was known about the nature of the virus was changing frequently and the duration of the pandemic was entirely uncertain. As a result, some election planning required pure speculation, as well as some creativity. Many elections officials planned for a worst-case scenario to ensure that their county or state was prepared to successfully conduct an election, even in a situation where the pandemic was just as bad or worse than it was in the spring. Officials needed to minimize the risk of virus transmission while maintaining or expanding access for voters. This balancing of priorities and needs was entirely novel and had to be done with information that was incomplete and constantly changing.

The state of California took a highly collaborative approach to planning the election: now-U.S. Senator Alex Padilla, then the California Secretary of State, convened a group of elections officials, advocates, legislative staff, researchers, and other stakeholders on a daily basis for four weeks to discuss ideas for conducting the general election in a way that would maximize voter access and minimize voter disenfranchisement, while also keeping people safe from the virus. California Common Cause participated in these conversations, along with dozens of partners. The conversations from this working group paved the way for two key pieces of legislation that laid out new requirements and options for county elections officials to conduct the general election safely in a pandemic.

Election Administration in California Before the Pandemic

California had already passed and implemented a number of election reforms over the decade leading up to the 2020 general election. California Common Cause led or co-led on the crafting, passage, and implementation of many of these policies. With these policies, California had a strong infrastructure in place to effectively conduct an election during a pandemic. Some of the most helpful policies included the following:
- Online voter registration, which allowed Californians to register to vote or update their registration from home (California Common Cause sponsored this legislation)
- Same-day voter registration, which allowed Californians who were displaced by the pandemic or who traditionally would have been registered through in-person efforts to register at any voting location (California Common Cause co-sponsored this legislation)
- Automatic voter registration, which allowed Californians to conveniently register to vote when completing a driver's license or ID transaction at the DMV, instead of seeking out a separate transaction
- Expanded vote-by-mail programs, which meant that 17 California counties, including some of the state's largest counties, were already planning to send all registered voters a ballot by mail in the 2020 general election and that many other counties had high participation in their vote-by-mail programs. In the 2018 midterm election, 65% of ballots cast were by mail
- Prepaid postage for vote-by-mail ballots, which removed barriers to voting by mail

There was one other major reform that was in the process of being implemented in 2020. Up until a few years ago, most counties in California assigned voters polling places to use on Election Day and only mailed ballots to those voters who registered as permanent vote-by-mail voters or who requested a mail ballot for an individual election (which is possible with no excuse required in California). The passage of the Voter’s Choice Act (VCA) in 2016 offered counties a new election model that they could opt into, under which every registered voter in the county would automatically receive their ballot by mail. Voters in VCA counties who wanted to vote in person could do so at any vote center in their county, instead of at a single assigned location, over an 11-day voting period.

Going into 2020, 15 California counties – with a combined electorate that made up over 50% of the state’s registered voters – had already opted into the VCA. Additionally, three small counties conducted their elections entirely by mail. Including voters who had signed up as permanent vote-by-mail voters, this meant that going into the general election, a significant portion of California voters could already expect to receive their ballots by mail. Voters in VCA counties could also expect the flexibility to vote anywhere in their counties if they had been displaced as a result of the California wildfires or the pandemic. The implementation of the VCA provided both voters and county elections officials an advantage when preparing for an election in an emergency situation like the pandemic.

1 VCA counties in 2020 included Amador, Butte, Calaveras, El Dorado, Fresno, Los Angeles, Madera, Mariposa, Napa, Nevada, Orange, Sacramento, San Mateo, Santa Clara, and Tuolumne counties. Los Angeles County was operating its elections under Elections Code 4007, a special provision of the VCA that exempted the county from mailing all registered voters a ballot. After the 2020 primary election, Los Angeles County adopted Elections Code 4005, requiring the county to send all registered voters a ballot by mail.
Election Administration in California During the Pandemic

The Secretary of State convened the working group of stakeholders just a few weeks after the shutdown. At the first group meeting on March 25, 2020, the initial step in California’s response was almost immediately obvious: expand the automatic vote-by-mail program in VCA counties to all counties in California. This was an important step because it would mean that all voters would receive a ballot by mail, regardless of whether they had requested one or not, and would, therefore, be guaranteed an option to safely vote from their homes. This solution would avoid putting the burden on voters to proactively request a ballot from their county elections official and help facilitate the right to vote for all California voters. It would also avoid forcing people who had not requested a ballot ahead of time to choose between visiting an in-person voting location and not voting. (For reference, an overview of how other states in the United States offered absentee or by-mail voting in the 2020 general election, either as standard election policy or through emergency reforms to mitigate the impact of COVID-19, can be found here.)

The idea to expand the vote-by-mail program was a small lift in many counties, as most counties already had vote-by-mail participation rates of over 70%–80% in the 2018 midterm election. As a result, many elections officials were prepared to mail and handle large volumes of vote-by-mail ballots. The one exception was Los Angeles County, whose electorate had a demonstrated history of preferring in-person voting options, with just 45% of participating voters voting by mail in the 2018 midterm election. In Los Angeles County, the move to expand its vote-by-mail program to all of its registered voters required sending out over two million additional ballots. The County developed an expanded vote-by-mail implementation plan, which outlined additional costs, staffing, and even the acquisition of an additional facility to house and process the anticipated influx of vote-by-mail ballots. In preparation for the general election, Los Angeles County not only had to make these preparations to expand its vote-by-mail program but also had to work through logistical and technical issues that arose in the 2020 primary election during the rollout of its new voting system. For an overview and analysis of the 2020 primary election in Los Angeles County, see our report Problems & Promise: Assessing Los Angeles County’s New Voting System Rollout in the March 2020 Primary Election.

With expanded vote-by-mail established as a first step, the California working group could turn to several other key questions. Some of those questions included the following:

1. **How could we set up first-time vote-by-mail voters for success?** This was important because millions of voters who had never voted with a vote-by-mail ballot would be receiving one for the first time. The well-documented disparities in vote-by-mail rejection rates indicated that a shift to increased vote-by-mail participation could disproportionately impact certain voters, particularly young people, immigrants, and Asian Americans.

2. **How could we ensure that elections officials and voters were prepared to handle the changes in elections?** There were a number of new anticipated challenges, including anticipated delays with United States Postal Service (USPS) deliveries, comments from the former president that made voting by mail a contentious issue, and difficulties securing facilities as voting locations for multiple days.

3. **How would in-person voting operations be affected?** In-person voting locations provide services that are critical, particularly for young people, communities of color, voters with disabilities, limited-English-proficient voters, individuals displaced by the pandemic or wildfires, and individuals experiencing

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2 Note that figures referencing vote-by-mail participation indicate voters who voted on the ballot that was mailed to them, which could have been returned either by mail, drop box, or at an in-person voting location.
homelessness. These in-person voting locations would need to be maintained and well-placed to serve community members who wanted to vote in person, large enough to accommodate social distancing, and compliant with health and safety standards.

Many of these questions were tackled by various subcommittees of the Secretary of State's working group, including subcommittees on USPS coordination, public education, equipment needs, poll workers, vote-by-mail logistics, voting locations, ballot drop-off, language access, disability access, and the signature cure process. The conversations in these subcommittees and the larger working group informed the forthcoming election legislation, which was crafted based on the working group's proposals.

**2020 Election Legislation and Executive Orders**

As the working group fine-tuned its policy recommendations for the 2020 general election, county elections officials needed an official directive to begin preparing for expanded vote-by-mail operations and modified in-person operations, which would take months to prepare. Fast-tracked urgency legislation could still take weeks to go through the legislative process. As a result, Governor Gavin Newsom issued two executive orders, informed by discussions with the Secretary of State, to give counties clear direction for preparing for the election. The first executive order, issued on May 8, 2020, required all counties to issue ballots by mail to all registered voters. The second executive order followed on June 3, 2020, providing counties more clarity on what in-person voting opportunities would be required. Specifically, the order reduced some of the minimum requirements for county elections officials while encouraging counties to exceed the floors set in the order and in state law to maximize opportunities for voter participation. These executive orders paved the path for legislation that would mirror and expand upon the Governor's orders.

Two pieces of legislation, Assembly Bill 860 and Senate Bill 423, were passed after the executive orders and provided a robust framework and set of options for counties to conduct the general election. The legislation directed county elections officials to ramp up vote-by-mail preparations, identify sufficient voting locations to offer in-person voting opportunities (which was a simpler task in some counties than in others), and conduct voter education efforts. The legislation provided a number of protections that would promote voter preparedness, address equity issues in the selection of voting locations, and, most importantly, provide voters multiple options for casting their ballots.

**Assembly Bill 860 (Berman)** required counties to send registered voters a ballot by mail. It also provided important guidelines to ensure that voters were not inadvertently disenfranchised when voting by mail because of a late-arriving ballot or a missing or mismatched signature on their ballot, both of which could cause a ballot to be rejected. The bill

- expanded the window of acceptance for a vote-by-mail ballot from E+3 (meaning three days after Election Day) to E+17, which gave ballots an additional two weeks to arrive at the county elections office, mitigating any potential delays with USPS deliveries;
- allowed any voter to use remote-accessible vote by mail, a system that is traditionally offered to voters with disabilities to allow them to privately and independently mark and cast their vote-by-mail ballots using their own accessible technology;
- required all counties to use a ballot tracking system that would allow voters to check the status of their ballots and make sure they were counted and indicate whether voters needed to cure their ballots because of a missing or mismatched signature on their ballots; and
- allowed county elections officials to begin processing mail ballots earlier, moving the earliest date a ballot could be processed from E-10 (10 days before Election Day) to E-29.
Impact of Elections Legislation: One percent of vote-by-mail ballots submitted in the March 2020 primary election were rejected for arriving late to elections offices, after the E+3 acceptance date. That percentage decreased to less than 0.1% in the 2020 general election. This significant decrease may have been because of the expanded window for vote-by-mail acceptance, as well as the statewide voter education campaign and expanded use of drop boxes in the 2020 general election.

Senate Bill 423 (Umberg) was a more complex piece of legislation that provided guidelines for operating modified in-person voting locations. This bill presented options for counties based on their typical election model (VCA or non-VCA). Under the legislation, VCA counties that traditionally operated in-person voting locations beginning at E-10 (two Saturdays before Election Day) were only required to open vote centers beginning E-3 (the Saturday before Election Day). VCA counties were required to provide the number of drop boxes (1 for every 15,000 registered voters) and voting locations (1 for every 10,000 registered voters) that are required under the VCA and comply with other VCA requirements.

Non-VCA counties were given the option to either keep their traditional election model by offering single-day assigned polling places or to consolidate their voting locations down to 1 location for every 10,000 registered voters and open those locations beginning E-3. The latter option meant that counties could reduce the number of voting locations they offered if they increased the number of days that the locations were open. Counties that opted to consolidate their voting locations would have the choice of either continuing to “assign” voters to an individual location or offering countywide voting, the latter of which would make their election model very similar to that of VCA counties. Counties consolidating their voting locations were required to make several voter-friendly choices similar to what the VCA required. The legislation required counties with consolidated voting locations to offer drop boxes and to select voting locations equitably, based on their proximity to communities with historically low vote-by-mail participation.

The result of this legislation was that there were five election models being used by California counties in the general election, with some similarities and key differences. These models were (1) the VCA model, (2) consolidated voting locations open for early vote and countywide voting (very similar to the VCA model), (3)
consolidated voting locations open for early vote with voters assigned to a specific location, (4) traditional polling places open on Election Day, and (5) all-mail-ballot elections. The following chart indicates how many counties opted for each election model:

<table>
<thead>
<tr>
<th>Election Model</th>
<th>Number of Counties Using Model in March 2020 Primary Election</th>
<th>Number of Counties Using Model in November 2020 General Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voter’s Choice Act</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Consolidated polling places with countywide voting</td>
<td>0</td>
<td>17</td>
</tr>
<tr>
<td>(new model offered by SB 423)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consolidated polling places with voters assigned to</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>a single location (new model offered by SB 423)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traditional single-day polling places</td>
<td>40</td>
<td>16</td>
</tr>
<tr>
<td>All-mail ballot (small counties)</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

SB 423 also

- required counties and the Secretary of State to conduct voter education and outreach campaigns in all legally required languages;
- urged counties to offer drive-through drop-off locations or voting locations;
- established a waiver process for counties to request that the Secretary of State adjust or partially waive their requirements for voting locations and ballot drop boxes;
- required the Secretary of State to provide guidelines to ensure public health and safety at in-person voting locations, including the use of personal protective equipment (PPE) and cleaning protocols; and
- required the Secretary of State to establish a strike team to assist counties in identifying voting locations.

**To assist counties with securing voting locations, California’s prohibition on using locations that primarily were used for selling alcohol as voting locations was repealed under SB 423.**
A number of counties exceeded the requirements set in this legislation, going above and beyond to ensure that voters were prepared, educated, and set up for success in casting their ballot however they chose to do so.

Los Angeles County sent out a mailer that allowed voters to request their vote-by-mail ballot to be issued in another language of their choice. As the largest and most diverse voting jurisdiction in the state with a population larger than 41 U.S. states, the county prioritized ensuring that voters who had a language preference other than English were given an opportunity to receive a ballot in the language of their choice. Nearly 70,000 Los Angeles County voters requested a mail ballot in another language.

Under the Secretary of State’s leadership, and with robust participation from the advocate community and county elections officials, the state of California’s response to the pandemic and its potential dampening effect on voter participation was swift and ultimately, successful.
III. OUR ELECTION PROTECTION PROGRAM

California Common Cause works year-round to expand voter access and create an electorate that reflects California’s communities. This work includes advancing reforms in the legislature, collaborating with elections officials on implementing voting systems, and identifying methods of improving the voter experience. A key piece of our work is leading the Southern California Election Protection program every election cycle, a role we have taken on for over a decade.

Our Election Protection program serves as the last line of defense for voters to support them in casting their ballot without barriers. We train and deploy volunteer poll monitors to observe voting locations and provide assistance to voters. In addition to documenting their observations about voting, our poll monitors report any issues they observe directly to our election command center in real time. Our command center, which is led by our staff and key volunteers, receives reports from our poll monitors and elevates urgent issues to county elections officials and the Secretary of State.

More information about our past Election Protection programs and reports are available on our website.

Our 2020 Poll Monitoring Program

Our poll monitoring efforts, the primary component of our Election Protection program, were focused on five counties in the 2020 general election: Los Angeles, Orange, Riverside, San Bernardino, and San Diego. Of those, two counties (Los Angeles and Orange) were Voter’s Choice Act counties, two counties (San Bernardino and San Diego) operated consolidated polling places with assigned locations for each voter, and one county (Riverside) operated consolidated polling places and offered countywide voting. Combined, these counties cover over 36,000 mi² and over 11,800,000 registered voters, a five-county electorate that comprises 54% of California’s total electorate and is significantly larger than the electorate of most states.

We operated the largest volunteer poll monitoring program in California Common Cause’s history:

- **519** volunteer poll monitors
- **3,000+** location visits
- **1,213** locations visited

**THREE DAYS OF OBSERVATION:** Election Day, the Saturday before Election Day, and the Monday before Election Day
Our volunteers include Common Cause members, volunteers from partner organizations, undergraduate and law students from colleges and universities across the region, and other California residents who care deeply about their local democracy. These volunteers collectively dedicated thousands of hours to learn about the basics of California law through a Common Cause–provided training, travel to high-need voting locations throughout Southern California, and observe and report high-urgency issues to our command center. We are grateful to these volunteers and to their commitment to upholding democracy in their communities and protecting every voter's right to vote.

Above and Beyond in 2020

Because of the unprecedented nature of the 2020 general election and the changes in election administration in California, California Common Cause went beyond its standard poll monitoring program through social media monitoring, voter education efforts, and voter messaging research and outreach.

Social Media Monitoring and Voter Education Efforts

The year 2020 saw an explosion of misinformation and disinformation, and information about elections was no exception. Misinformation is false information, while disinformation is false information that is intentionally created and distributed to create harm. Common elections-related misinformation and disinformation in the election included rumors about voting by mail, inaccurate voting hours, and even a "cybersquatting" website impersonating an official county elections website. With the pandemic disrupting voters' lives and impacting their ability to prepare for the election, as well as causing changes to how elections were run, voters were at a heightened risk of falling prey to incorrect information.

In response, the National Common Cause team initiated two new programs for our 2020 Election Protection program: social media monitoring and
voter education text banking. Our social media monitors were trained to post pro-voter content with correct information, assist voters who had questions or were experiencing difficulties, and identify and flag mis- and disinformation.

Our social media monitors identified and addressed over 300 cases of misinformation and disinformation in California.³

This program was coupled with a proactive text banking operation, supported by the California Endowment. Our text bank volunteers sent texts to voters to assist them by sharing information about how to cast a ballot, answering questions about voting, encouraging voters to make a voting plan, and urging voters who had missing or mismatched signatures to cure their ballots after the election so their ballots could be counted.

Throughout the election season, we sent 1.35 million total texts to 1.21 million low-propensity California voters in English and Spanish.

California Common Cause also sent letters to over 250,000 California voters, with similar information about how to cast a ballot in the general election.

**Voter Messaging Research**

With the support of the Haas Jr. Fund and the California Community Foundation, California Common Cause initiated a research project with the Center for Social Innovation at the University of California at Riverside to identify the best messages and messengers for explaining the changes in the 2020 election and motivating voters from historically underparticipating communities to vote. Through focus groups facilitated by partner organizations in English, Spanish, Chinese, Hmong, Tagalog, Korean, and Vietnamese, we talked to community members about what voting messages resonated with them most and collected concrete feedback on samples of voter messaging being used by elections offices around the state. Some of the top takeaways from this research included

1. the hesitancy of focus group participants to vote in person, their interest in early vote options, and concerns about vote by mail, which were reduced with clarifying information about security and ballot tracking systems;
2. the importance of trusted messengers when sharing election information;
3. the need to broaden demographic and cultural representation in voter education and outreach materials; and
4. the effectiveness of clear voter information with images and graphics and minimal text.

Our research findings were shared with every elections office in California and with roughly 450 community-based organizations around California. The findings were also presented at a series of webinars with the intention of widely sharing clear information about how to engage low-propensity voters, limited-English-proficient voters, and young voters in the 2020 general election.

³ Top cases of misinformation and disinformation included bad information about vote by mail, unfounded claims of fraud, and posts with malicious intent to suppress or intimidate voters.
IV. ELECTION FINDINGS

California saw historic participation in the November 2020 election, with 81% turnout among registered voters and 71% turnout among all eligible voters. Turnout was driven by the contentious and high-profile presidential race at the top of the ballot, as well as the battle for control of Congress and multiple high-profile ballot measures.

As a result of cities consolidating their elections with statewide elections to improve voter turnout in local races, Los Angeles County was authorized to conduct a pilot project with a reversed ballot order, listing local races before statewide and federal races in an attempt to encourage down-ballot voting. The result of this alternate ballot order pilot project will be released after a few cycles.

Poll workers operate a voting location in Hollywood.

Despite having the highest turnout of eligible voters since the 1952 general election according to the Secretary of State, California continued to see sizable voter participation disparities on the basis of race and age. According to new research from the Center for Inclusive Democracy, 53% of eligible Latinos and 48% of eligible Asian Americans voted in California, while turnout among the entire eligible population was 67%. While Latinos and Asian Americans did increase their participation in the 2020 election, the increase in their participation was not as high as the increase in turnout among all eligible adults. These disparities have persisted over the years, despite all of the policy reforms California has passed and implemented in the last decade. In fact, the gap in turnout between California’s eligible Latino population and California’s entire eligible population was over three percentage points larger in 2020 than in 2016.

According to the Center for Inclusive Democracy, similar trends are true for young voters. In the 2020 general election, 47% of eligible Californians aged 18–24 turned out to vote. This means that young Californians voted at rates 20% lower than the entire electorate and over 27% lower than voters aged 65+. These turnout gaps need further analysis and discussion to ensure that the democracy we build in California reflects the diversity of voices that are in our state. Part of that work includes eliminating barriers to voting. Next, we discuss the major issues and barriers to voting that our poll monitors identified in the field in the 2020 general election.
Top Issues From the 2020 General Election

The 2020 general election in California was peppered with both typical and atypical election issues. We compiled the most noteworthy issues that arose, some of which were observed and reported by our poll monitors who were poll monitoring at the scene. Our poll monitors documented and reported these issues to our command center. From there, our team contacted county elections officials and the Secretary of State to share reports, advocate for solutions, and request follow-up. We also worked with our network of statewide and local partners to share reports and discuss options for rapid response.

Unofficial Ballot Drop Boxes

One of the earliest election issues that arose in California was the operation of unofficial ballot drop boxes by the California Republican Party. These unofficial drop boxes were established in several counties with competitive House races. Some of the drop boxes were labeled “official ballot drop off box,” misleading voters into thinking that they were entrusting the county elections officials to collect their ballots, when in fact the drop boxes were operated by a third party. While the Republican Party argued that they were using a state law that allows voters to designate another person to return their ballots on their behalf, the drop boxes were not authorized by state law and were not in compliance with extensive state drop-box regulations, which establish security standards and protocols to ensure that drop boxes are secure and well-maintained. The California Secretary of State and California Attorney General responded by sending a cease-and-desist order to the party, as well as a memo to county elections officials clarifying state law concerning drop boxes and stating clearly that the drop boxes in question were unauthorized. While the Republican Party responded by modifying its ballot collection efforts, the controversy around the drop boxes could have played a role in eroding public trust in drop boxes as a secure return method for their ballots.

Electioneering

Political tensions carried over and impacted the environment at in-person voting locations early on in the voting period. On October 24, the first day of early voting in Los Angeles County, a pro-Trump rally gathered at a Beverly Hills park just a few blocks from an official county vote center. Concerning reports of rally attendees intimidating passersby quickly caught the attention of community groups, the California Attorney General, and the FBI. This was the first of several reported events that intimidated voters.
Other similar events tested the limits of California’s electioneering laws and even disrupted access to the polls. Organizing efforts to demonstrate support for candidates on the ballot were frequent, high-profile, and often sources of tension in the Southern California region. On the Sunday before Election Day, there was a large caravan rally in Temecula. While the demonstration of support was a legal and healthy expression of the participants’ First Amendment rights, the event inadvertently caused issues at a nearby voting location. Because of the large number of people participating in the event, street access to a voting location in Temecula was blocked. Some participants congregated in the parking lot of the voting location, taking up parking spots that voters needed access to. A similar report came from Rancho Cucamonga, where a nearby rally blocked street access to the voting location, requiring the County to provide directional signs to redirect voters. The noise from this event was so loud that it reportedly could be heard from inside the voting location, potentially causing disturbance to voters and poll workers, according to our poll monitor who was monitoring the location.

California election law prohibits electioneering activity, which is the visible or audible dissemination of information in support of or against a candidate or ballot measure within 100 feet of any voting location. While these events were generally well outside of the 100-foot line, they created barriers to access for some voters and an intimidating atmosphere for others, effects that California’s electioneering laws and regulations are designed to prevent.

These reports were supplemented by smaller incidents across the Southern California region where electioneering took place within parking lots and near voting locations so that they were visible or audible to voters but outside of the 100-foot limit. Our poll monitors shared other incidents where voters wore campaign gear while waiting in line to vote and even when voting – these individuals were approached by poll workers but ignored their requests to temporarily remove the campaign gear.

While rallies and campaign activities can help generate excitement in the election and boost turnout, the nature of some of these activities in the last election tested the boundaries of California law and provided for an uncomfortable voting experience for some voters.

**Law Enforcement Presence and Voter Intimidation**

In addition to electioneering activities that intimidated voters, we received numerous reports of other voter intimidation issues taking place. Roughly 15 of those reports involved police or security presence at the polls. California elections law permits officers or security guards to visit voting locations if they are unarmed and solely at the location to cast a ballot. Peace officers who are in the vicinity of a voting location while con-
ducting their traditional course of business or when voting are also permitted. Another exception includes guards or security who are hired by a local elections official or hired by the facility manager or owner for the facility's usual business and not just for the day of the election.

Some of the reports we received fell under an exception: guards or police who were in the vicinity of the voting location in question while conducting their traditional business. Regardless, their presence had the potential to intimidate voters or create an uncomfortable voting experience. We reported issues of police presence to county elections officials, including the following cases:

- Five sheriff vehicles were parked directly at the entrance of a Los Angeles County vote center in their usual parking spots. This was reported to the county elections official. The vehicles were moved immediately, within 10 minutes of reporting the issue to the County.
- A police vehicle was parked directly in front of a voting location in San Bernardino County. The police served as the traditional campus security for that location. This was reported to the county elections official, who shared that the vehicle was moved later in the voting period.
- A large police van was parked in front of a voting location in Orange County. Law enforcement personnel were stationed on-site to monitor a nearby rally and were prepared to respond if the event escalated.

In addition to these incidents, several counties offered voting locations and drop boxes that were either housed inside a police station or near a police station, including at civic centers. These locations, while potentially conveniently located, could have an intimidating effect on communities that experience violence from police. This placement of voting locations can have a suppressive voting effect on communities, requiring them to seek another location that they are more comfortable voting at, which could be further from their homes and difficult to access.

County elections officials should strive to avoid any placement of voting locations and drop boxes in or near police stations. If that is unavoidable, strong mitigating efforts need to be taken to decrease the presence of law enforcement near that voting location to ensure that all communities feel safe and are not discouraged from voting.

**Unofficial Vote Center in Orange County**

A unique issue that arose in the election was news of an unofficial or “fake” vote center in Orange County. The location was operated by a local city council candidate who was directing voters, specifically the local Vietnamese community, to the location through translated radio and social media outreach. The campaign seemed to be providing voting support to voters who were bringing their vote-by-mail ballots with them, but it was not clear whether voters knew they were receiving support from a candidate rather than a non-
partisan entity. The location was operated on private property at the candidate’s personal skin care store, and as a result, our poll monitors could not observe the activities or discussions that were taking place inside the location. We learned later from the Registrar’s Office that in some cases, the campaign was using remote-accessible vote by mail to issue ballots to some voters.

Third parties can provide valuable support by assisting voters in navigating their ballots. This support can provide voters the confidence and assistance they need to successfully participate in our democracy, particularly for limited-English-speaking voters who might need this support in language. In this case, however, it was not clear whether voters were aware that the location they were visiting was hosted by a third party and not by the county elections official. The messages in the campaign’s outreach and at the location were using language that could have misled voters into thinking they were visiting an official, nonpartisan voting location to cast their ballot. This incident raises questions about the proper limits for third parties to provide support to voters, particularly support that could be confused with official, county-operated vote centers or drop boxes that run the risk of misleading voters about what kind of assistance they are receiving and who they are entrusting their ballots to.

Other Concerns

In addition to the tension regarding the races that were on the ballot, there were other factors at play: disagreements about the nature of COVID-19 and whether masks should be required in voting locations (a small handful of locations in Los Angeles and San Diego counties experienced slowdowns because of a lack of mask compliance), concerns about the reliability of USPS delivery times, and a ballot drop box set ablaze, which potentially damaged voters’ trust in drop boxes.

Some of these top issues from the 2020 general election can be characterized as unusual and very specific to the unique moment in time when the election took place. Others require additional thought and discussion to minimize recurrences in future elections.

Observations From the Field

Operating in this tumultuous environment, our poll monitors collected data and observations during each of their visits to voting locations. They used a six-page form to track information on voting location placement and ease of access, disability access, language access, wait times, and efficiency and readiness. These observations give us insight into each county’s election administration, including how prepared each voting location was to serve voters and whether voters had a positive in-person voting experience. They also offer ideas for improvement in the next election. An overview of these findings are documented in the following sections.

Placement and Ease of Navigation

Our poll monitors were asked to assess how easily they could identify and access each voting location. Of all the locations our poll monitors visited, over 70% were identified as “very easy” to find, and 23% were listed as “somewhat easy” to find. Less than 1% of voting locations were identified as “very difficult” to find. Good signage plays into these statistics; during 94% of our poll monitors’ visits, signage was clearly visible from the street to direct voters to the voting location.

Several of our poll monitors shared that signage could be improved, however. They stated that more prominent signage could be helpful to clearly direct voters to the designated parking area, particularly for voters who were not familiar with the neighborhood. This signage is increasingly important for voting locations that are being used for the first time or in counties that are transitioning to the Voter’s Choice Act. Our poll mon-
Visitors also shared that at times, the correct area or building was not clearly identifiable from the designated parking area. They suggested that more signage be placed to direct voters from the parking area to the exact building where voting is taking place.

Counties should also make efforts to ensure that the location name or address listed in the voter information guide or on the county elections website directs voters to the correct area, particularly for school campuses that often have multiple entrances, to ensure that voters are directed to the correct entrance when using Google Maps to navigate.

On average, parking was widely available during 87% of our poll monitors’ visits. Some locations had limited parking; this was particularly true during weekends, in urban areas, and at locations that had other activities scheduled, such as parks. At times, the designated parking lots were closed, and voters were required to find alternative parking. While the expectation and demand for free parking will vary based on location and the community, counties should strive to secure and clearly indicate designated parking for voters.

Disability Access

All polling places and vote centers in California are required to be accessible to voters with disabilities and to offer an accessible voting machine for voters to use. Our poll monitors were asked to assess whether sufficient accommodations for voters with disabilities were made in compliance with the California Secretary of State’s Polling Place Accessibility Guidelines and whether those accommodations were made apparent at their time of visit. The accessibility questions on our poll monitor checklist were developed in consultation with Disability Rights California, a state protection and advocacy organization for people with disabilities.

Generally, our poll monitors found that the voting locations they visited were physically accessible. They were able to identify a clearly marked, accessible path of travel to the entrance of the voting location at over 97% of their visits. They also found that nearly 99% of locations had their doors either already open, openable with an accessible button, or openable with light pressure, all of which ensure that voters with disabilities can conveniently access the voting location. Our poll monitors in all counties noted multiple times that the doors of voting locations were often found wide open, which not only enhanced accessibility but also minimized the contact points for voters, which helped alleviate public health concerns about touching door handles. Going above and beyond, one vote center in Los Angeles County stationed a poll worker outside to direct people to the accessible entrances for the voting location. During 99% of their visits, our poll monitors identified an accessible voting machine that was operational and ready to be used by voters with disabilities. These findings indicate a strong level of compliance with accessibility requirements and adequate poll worker training on the needs of voters with disabilities.
Curbside voting is an accommodation offered to people who either need or prefer to vote outside or from their cars instead of inside the voting location. Specifically, curbside voting is offered as a reasonable accommodation for voters with disabilities when voting locations are inaccessible or to provide additional convenience to voters. Curbside voting practices varied widely across the five counties. Some counties offered curbside voting at all of their locations, while others offered it only as needed. Our poll monitors were asked to identify whether curbside voting was advertised on a sign outside the location. Los Angeles County vote centers offered curbside voting and advertised it more widely than any other county in the region. Orange County offered curbside voting at every location, but our poll monitors found clear signage advertising it at 4 out of every 5 locations. At some Orange County locations, curbside voting was advertised both at the street level and at the direct entrance of the vote center. In Riverside and San Bernardino counties, curbside voting was advertised at 1 of every 5 locations or fewer.

As a best practice, counties offering curbside voting should offer signage to notify voters of the availability of the service. Counties should also clearly identify instructions for requesting curbside voting. In counties that did not widely provide signage for curbside voting, our poll monitors talked to poll workers who shared that they were monitoring the outside of the location intermittently or listening for honking to see if there was a need to offer curbside voting. While this practice does show that poll workers were trained to be attentive to voters’ needs, it runs the risk of leaving voters in need waiting unassisted if the poll worker becomes busy with other tasks. As a best practice, counties should post a designated phone number or offer a doorbell for voters to request curbside voting. Alternatively, a poll worker could be permanently stationed outside to monitor the area for voters who need assistance. In general, strong, clear signage at voting locations can improve the curbside voting programs and will provide better accommodation to those who need it.

**Staffing**

Poll monitors were asked to assess whether each voting location was sufficiently staffed and whether poll workers seemed sufficiently trained on voting technology. During 97% of their visits, poll monitors found that locations were well-staffed and had enough poll workers on-site to manage the inflow of voters. In Orange County, our poll monitors found that there were not enough poll workers during 6% of their visits, as some vote centers had as few as four poll workers on-site assisting voters at the time of our visit. In Los Angeles County, some poll monitors noted that at times, various locations seemed either overstaffed or understaffed. In this case, continued reallocation of poll workers throughout the voting period could help make sure...
that vote centers are appropriately staffed to accommodate voters.

During 95% of their visits, poll monitors found that poll workers seemed adequately trained and knowledgeable when handling voting technology. Most reports from poll monitors who noted that poll workers were not well-trained or who reported that they were unsure if poll workers were well-trained were from earlier in the voting period. During this period, voting locations were just opening up, and poll workers were either (a) familiarizing themselves with the voting technology, (b) dealing with technological issues that arose on opening day, or (c) a combination of both. Some of this can be expected in the early voting period, particularly when new voting systems are being implemented for the first time. Our poll monitors noted that some poll workers shared that additional hands-on training would have been helpful to prepare them to handle electronic pollbooks (e-pollbooks) to check voters in.

Riverside County experienced significant issues on the first day of early voting. Difficulties checking voters in with the laptop-based check-in system contributed to slowdowns at 18 of the 33 locations our poll monitors visited that day. The poll workers were not prepared to process voters when they could not access the County’s voter management system using the laptops and were not even able to issue provisional ballots to voters, which traditionally serve as a fail-safe when major issues arise. Our command center contacted the county elections office to notify them about voting locations experiencing technical issues. The county elections office responded by dispatching troubleshooters to each location, which was effective but slow in addressing the problem. This issue could have been mitigated with additional robust troubleshooting capacity from the Registrar’s Office, along with comprehensive poll worker training on low-tech fail-safe measures to make sure voting never stops.

In response to the technical implementation issues it experienced in the March 2020 primary election, Los Angeles County placed a designated troubleshooter at every vote center during the 2020 general election. This approach seemed to be successful in immediately addressing technical issues that popped up. Any counties implementing new voting systems should plan to have additional support and troubleshooters on-site or ready to dispatch to quickly address technical issues. They should also make sure that poll workers are well-informed about how they can continue to process voters even when they encounter technical issues.

Overall, our poll monitors frequently commented that poll workers were knowledgeable, enthusiastic, calm, helpful, welcoming, friendly, and

Poll workers frequently sanitized voting machines and other surfaces to create a safe voting environment for voters.
professional. Poll workers made notable efforts to frequently clean surfaces, were supportive of each other in troubleshooting issues that came up, and generally made voters feel welcome and excited to cast their ballots.

**Language Access**

Under federal and state law, some voting locations are required to offer language services to limited-English-proficient voters who need assistance to cast their ballots. Under Section 203 of the federal Voting Rights Act, counties with limited-English-speaking communities meeting specified countywide thresholds are required to offer translated ballots, other translated voting materials, and translation assistance from bilingual poll workers. Under state law, counties with limited-English-speaking communities meeting specified thresholds on the precinct level are required to offer translated reference ballots, translated signage, and translated name tags for bilingual poll workers, among other services and assistance. The language access questions on our poll monitor checklist were developed in consultation with Asian Americans Advancing Justice – Asian Law Caucus and Asian Americans Advancing Justice – Los Angeles, legal and civil rights organizations serving the Asian Pacific American communities in California.

Counties clearly demonstrated a strong effort to recruit bilingual poll workers. Our poll monitors reported that they were able to identify at least one bilingual poll worker at at least 9 of 10 voting locations they visited. The distribution and number of bilingual poll workers at each voting location could be improved, however. Our poll monitor noted that they did not identify any Arabic-speaking poll workers in El Cajon, an area with a large Arabic-speaking population. Another poll monitor noted that while a voting location in Koreatown did have one Korean-speaking poll worker, additional Korean-speaking poll workers were needed to provide the assistance needed in that community. Many counties offered translation support via phone services, which was generally well-advertised at voting locations and used to supplement the in-person language assistance offered.

The usage of translated signs and name tags was found to be most robust in Los Angeles County but was successful at voting locations in other counties as well. A volunteer monitoring in San Diego observed, “This polling location had a list of languages and asked folks to identify whether they needed language assistance of any kind. The lead poll worker said he did this so they don’t assume who does/does not need assistance. It was very clearly indicated on the front of the plexiglass partitions at each table.”

With that said, signage indicating the availability of bilingual assistance could also be improved across the board. The use of name tags varied greatly across locations, regardless of the county. Our poll monitors noted that name tags could be better designed to last throughout the entire voting period, as they often
fell off or were misplaced. Poll monitors also shared that the name tags could more prominently feature the language(s) that each poll worker speaks so that it can be easily read by a voter from several feet away.

Translated voter information guides were consistently available at almost every voting location and were clearly displayed. On the other hand, facsimile ballots were not always conspicuously displayed. At times, poll workers would need to pull these materials out or print them out when requested by our poll monitors. Moving forward, these facsimile ballots could be made more readily available, visible, well-organized, and accessible to voters with limited English proficiency.

When our poll monitors asked poll workers about translated materials, it not only helped us collect information but also served as a reminder for poll workers to display these materials. In several instances, our poll monitors found that upon returning to a voting location the day following their initial visit, poll workers had made adjustments to ensure that they were displaying the proper signage and materials necessary.

**Efficiency and Readiness, Including Check-In Process and Wait Times**

Poll monitors were asked to assess whether voting locations were well-prepared to serve voters, whether voters were efficiently checked in, and whether wait times were excessive.

There were minor reports of issues with the check-in process across all counties, with the exception of Riverside County, which experienced larger technical issues that resulted in widespread wait-time problems for voters. Some counties experienced some slowdowns or errors with the e-pollbooks or check-in technology. These issues were quickly resolved and did not seem to negatively impact voting location operations. Our poll monitors noted that same-day registration was widely available and helpful to new voters or voters who had moved. The same-day registration process generally was efficient and went smoothly, according to our poll monitors.

We received over 100 reports of wait times that exceeded 15 minutes. For reference, the Presidential Election Commission has set a wait time threshold of 30 minutes to determine whether voters are unduly burdened by excessive wait times at voting locations or not. Most of these reports of wait times of over 15 minutes were from Election Day, which could be expected in a high turnout presidential election.

A significant number of reports came from Riverside County, which experienced technical and logistical issues that created slowdowns on the first day of early voting, as well as on Election Day. Our poll monitors attributed this slowdown to technical issues with the check-in process, as well as a lack of voting machines.
booths for voters. As described earlier, issues with accessing the County’s voter management system brought voting to a slowdown or complete halt in some cases. The County’s provisional voting process, which is intended to be a low-tech and efficient method of issuing ballots when access to the voter management system is limited, was not effective. Some voting locations were not prepared to immediately begin issuing provisional ballots, which highlighted a lack of training. Other locations were processing voters very slowly because the provisional ballot process still required some level of access to the voter management system, which was difficult to access due to bandwidth issues. Processing voters was time-consuming, inefficient, and difficult, and it could take 15–20 minutes to process an individual voter, according to our poll monitors.

On the first day of early voting, Riverside County responded quickly to address some of these issues by taking the following steps: (1) dispatching technical support to locations experiencing issues, (2) tripling the County headquarters team tasked with assisting poll workers with the voter check-in process, and (3) expanding the bandwidth of the County’s voter management system to improve access to the system at voting locations. These solutions were effective in addressing the slowdown caused by the inefficient check-in system. Operations later Saturday afternoon and on the following day were much smoother. Unfortunately, additional stresses were put on voting locations on Election Day because of high voter traffic, and the long wait times returned. This can primarily be attributed to the slow and inefficient check-in process and a shortage of voting machines.

These wait-time issues in Riverside County, stemming from technical and logistical problems, can somewhat be expected as counties implement new voting systems for the first time. This highlights the benefit of the early voting period, which not only gives voters an expanded window to vote but also gives poll workers and county administrators an opportunity to familiarize themselves with the voting procedures and to work through technical issues in an environment that is more low stakes than Election Day. In this case, however, the lack of a low-tech fail-safe voting method and limited voting machines at voting locations is what contributed to continued slowdowns, even after efforts from the County to address bandwidth issues.

Counties should strengthen their voting location operations to minimize the likelihood of bottlenecks slowing down the process. This should include establishing low-tech fail-safe measures. For example, counties should offer a backup voter roster that would allow poll workers to look voters up with limited connectivity. They should also make sure there is ample voting technology, including e-pollbooks and voting machines, that can be used as backup when there are technological issues or when large numbers of voters need assistance.
The 2020 general election served as a test to all states as to whether they would move swiftly to protect voter access or whether they would drag their heels and provide minimally acceptable modifications. California’s response was comprehensive in addressing the multiple elements that could have dampened turnout and also serves as a model for collaboration between elections officials and the advocate community. With the election behind us, we turn to look at the future of California elections.

Just several months into 2021, a number of changes have already taken place in the elections world in California. A recall effort to replace Governor Gavin Newsom has picked up steam, increasing the likelihood that Californians will head back to the ballot box sometime in late 2021. Urgency legislation has extended at least one provision from last year’s election changes, guaranteeing that California voters will automatically receive a ballot in the mail again for elections taking place this year. Another bill to permanently expand the automatic vote-by-mail program has been introduced, and multiple counties are considering whether to join other counties in adopting the Voter’s Choice Act before the next election. And Secretary of State Dr. Shirley Weber, formerly an assemblywoman from San Diego, now serves as the chief elections official of the state, replacing Alex Padilla after he transitioned to the U.S. Senate.

The 2020 general election in California allowed for certain ideas to be experimented with on a trial basis. For the first time, many counties tested out an extended early vote period and countywide voting. Some of these elements benefited both voters and county elections officials. For example, the early vote period allowed counties to fine-tune technical issues early on in the voting period, decreasing the likelihood that urgent issues would arise on Election Day, as well as the likelihood for long lines. Countywide voting proved beneficial by allowing Californians who were displaced by the pandemic or wildfires to vote anywhere in
their county. The extension of the vote-by-mail ballot acceptance window appears to have dramatically reduced the rejection rate for ballots arriving after Election Day. Other reforms also provided some promise of reducing the likelihood of voter disenfranchisement.

This success can be attributed to California’s approach in testing and implementing multiple elections reforms over the last decade, serving as a “laboratory for democracy” for the rest of the country. Many of the tried-and-true elections solutions that California has passed have shaped, and been incorporated into, the For the People Act (HR 1/S 1), a transformative democracy reform package that would protect our freedom to vote, get big money out of politics, and ensure fair district maps in all 50 states.

But as noted earlier, the disparities in our elections persist. New research indicates a continued turnout gap among eligible Latinos, Asian Americans, and youth in California. These disparities should be analyzed and prioritized when reviewing last year’s election results and crafting new reforms. As we reflect back and look forward at the landscape of our democracy in the years ahead, some questions remain:

- What is contributing to persistent registration and turnout gaps in California? What policies and engagement strategies can close these gaps?
- Will there be a statewide embrace of the practices that enhanced voter access during a pandemic?
- With five different election models in effect in the last election, were some models more effective than others and why? Does the variety of models available to counties make voter education and outreach more difficult or cause confusion to voters?
- Are there replicable election administration and outreach methods that can help maintain and build on the record voter turnout in the last election?
- What other factors are contributing to California’s turnout rates?

The record-high turnout in California is a testament to high engagement in our elections as well as our progress as a state and the collaboration that took place between elections officials and advocates to make sure that voters are not left behind. But we can do more. With continued cross-sector collaboration, we can build a democracy in California that includes everyone.