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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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March 13, 2012

Assembly Member Paul Fong
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0002

RE: Concerns Relating to the Planned Closure of USPS Processing Centers

Dear Assembly Member Fong:

As elected and appointed officials in the State of California in charge of administering all federal, state and local elections, we must express serious concerns relating to the plans for closing 15 United States Postal Service processing centers in California alone, putting the timely delivery of voted ballots at risk during the coming Presidential Election year. We recognize the issues facing the United States Postal Service, but we must implore a working relationship and seek a process that allows the current election system in which voters rely heavily on the convenience of voting by mail to adjust to the changes that will happen if the closures occur.

California election officials in certain counties have already experienced closures and the unfortunate unintended consequences that affected the efficient conduct of the election and also put the voter's right to have their ballot counted at risk. For example, in the 2008 presidential election nearly 42% of our voters voted by mail; and in 2010, that number increased to 48.4%. As voting by mail continues to gain popularity, this number can and will continue to rise.

In the 2011 election year, three USPS processing centers closed in Salinas, Marysville and Oxnard just prior to the local election. Issues were raised by election officials and concerns were addressed in meetings with representatives of the USPS. However, problems still arose.

For example, in Monterey County, there were 234 ballots delivered to the Elections Department the day after the election that should have been provided to the Monterey County Elections Department on election night; this even after a joint meeting between the USPS, Monterey County Elections Department, and the County's elections materials print and mail vendor to ensure a smooth process. Using a case out of Riverside County (2010) Monterey County did count the 234 ballots but not without threat of a lawsuit. In small, low turnout elections, even a handful of late ballots can effect the outcome of a contest; 84% of the voters voted by mail at that election. The City of Sand City, located in Monterey County, has a total of 130 registered voters. The number of valid ballots delayed by the USPS was nearly twice the size of their total number of voters; Sand City will be conducting their General Municipal Election in 2012.

Similar problems occurred in Ventura and Humboldt counties. Postal closures resulted in increasing the time it took to deliver outbound and receive inbound vote-by-mail ballots went from one-to-three days to five-to-seven days.

Real concerns:

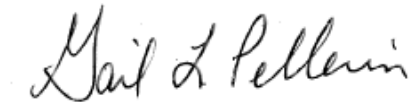
- ★ Not hundreds, but thousands of ballots arrive too late to be counted;
- ★ Processing centers overwhelmed with additional mail leading to failures to properly sort and deliver votes;

- ★ Voters unaware of issues, who fail to understand or make themselves aware of instructions provided may mail their ballot with an expectation it will be delivered;
- ★ Campaigns believing voters have not voted call people to go to the polls, increasing the number of double voting and provisional ballots;
- ★ Increase in election day drop-off extends/adds hardship to the canvass;
- ★ We only have 28-days in the canvass, pushing more mail ballot processing into that timeframe is not possible in larger counties;
- ★ Some closures will force California votes to be sorted at out-of-state facilities. For example, North Coast ballots will go 190 miles to Medford, Oregon, after the Eureka facility closes;
- ★ Some counties will see processing centers close along with Post Office facilities, leaving voters with no local mail service and increasing the time necessary to receive and return their voted ballot;
- ★ Voters who request a ballot on the 7th day legal deadline will not receive their ballot in time to vote and return it in the mail, more so if they are out of state.

According to the U.S. Election Assistance Commission, about 26,000 mail ballots arrived too late to be counted in California's November 2010 election, and this was prior to any major closures. With the planned closure of 15 additional processing centers in California alone, that number will soar, especially in a high turnout presidential election.

While we are encouraged with the USPS recently reported plans to not close postal facilities until after June 5, we agree with California's Secretary of State and the need to continue the moratorium on additional closures until after the November 6, 2012 Presidential General Election. This will allow time for election officials and representatives of the USPS to lay out a smooth process and allow time for voter education and outreach so the voter can be assured that the elections official, together with the USPS, will protect their right to vote.

Sincerely,



GAIL L. PELLERIN, President
California Association of Clerks and Election Officials

c: Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
Jill LaVine, Co-Chair, CACEO Elections Legislative Committee
Barry Brokaw, Sacramento Advocates