



Election Integrity Project[®] *California*
EVERY LAWFULLY CAST VOTE ACCURATELY COUNTED

DEMISTIFYING THE MYSTERIOUS: CALIFORNIA'S ELECTION LAWS

Part 3: VoteCal and the Help America Vote Act

Why do California's voter rolls continue to be in chaos?

- Why does California have 1.8 million ineligible registrants? (That's the number of registered voters that exceed the state's estimate of eligible citizens.)

The 1.8 million number includes registrants on both the active and inactive lists. This is a legitimate number to report in this context since registrants on both lists are equally eligible to vote. 1.8 million is the number EIPCa can prove; determining the number of non-citizens on the rolls has been made impossible by California law.

Every element of California's electoral process is an "honor system" and does not require proof of any kind (identity, citizenship, eligibility, residence, etc.) at any stage of the process. The doors are wide open for deceased, relocated and non-citizen individuals **on either list** to be impersonated with ease, and their ballots be cast by anyone willing to do so. The chances of the perpetrator being caught are infinitesimally small.

- Why do thousands of voters receive more than one ballot, or ballots of people they do not know or know of, or ballots of people who have moved or are long-deceased?
- Why do countless numbers of non-citizens receive ballots even though they have never knowingly registered to vote?
- Why did thousands of people who have been living and voting in another state for decades suddenly receive a California ballot **at their new state address** in 2020 and 2021?

In 2002, the federal government passed the Help America Vote Act (HAVA), largely in response to the Bush v. Gore Florida debacle.

At that time, California county elections officials had virtually no way of knowing whether new voting registrants were already on the rolls in other counties.

- Counties neither shared nor compared databases.
- Counties were unguided in choice of platform and format for their rolls; therefore, there was no statewide standardization. The efforts of citizen watchdog groups attempting to learn the scope of the multiple registration problem were hampered by the incompatibility of the databases. Merging or side-by-side analysis was a Herculean task.

As a result, registering and voting in multiple counties was an undetectable and potentially profitable crime made even easier by the fact that in California:

- proof of ID was and is not required for registering or voting.
- on-demand, permanent vote by mail ballots may be mailed to any address of the voter's choosing.

One element of HAVA was intended to facilitate easy detection of duplicates and cross-county anomalies. Section 303 required each state to have a top-down, statewide voter database that mirrored the counties' voter rolls. At least in-state discrepancies and duplicates could then be revealed and managed.

But by 2014, California still had no such database. What appear to be backroom deals had produced Memoranda of Agreement and questionable federal waivers allowing California to be non-compliant year after year.

There had been an abortive attempt to build the required database under Secretary of State (SOS) Debra Bowen. But when the database was 2/3 complete, the contract was abruptly canceled and the project scrubbed, with no explanation provided and a loss of all taxpayer money that had fed the project. None of the data were retained, requiring the next effort to begin from scratch.

When 2014 Secretary of State (SOS) candidate Pete Peterson made the lack of a HAVA database a cornerstone of his campaign and debates, opposing SOS candidate Alex Padilla took up the cause out of necessity. After his election, Padilla presided over the birth of VoteCal, California's allegedly HAVA-compliant voter database. Padilla unilaterally certified the VoteCal system on September 26, 2016, (just short of the 2016 Presidential election), technically ending California's 14+ years of noncompliance with federal law.

However, VoteCal has been proven by EIPCa data analysts to be incomplete and unreliable.

The contract for building the database was awarded in a no-bid environment, the state having created a list of qualifications that only one vendor could match. That vendor was foreign-based CGI, the very same vendor that brought us the thoroughly bungled healthcare.gov (Obamacare) website!

Then VoteCal was certified without benefit of beta testing and third-party evaluation.

Make of that what you will.

Unfortunately, many California laws passed since VoteCal's certification rely on the database to be reliable and to work the way it was intended to work. Since it **doesn't**, many subsequent laws that rely on VoteCal's integrity have created more havoc than good.

One major example is the automatic registration via the DMV. The DMV itself warned legislators in the buildup to passing the law that the department was ill-equipped to handle the responsibility effectively and urged that the law not be passed. They were ignored, and since VoteCal is woefully inadequate to handle all the DMV errors, duplications, etc., the integrity of the voter rolls continues to erode.

Other laws that rely on the adequacy of VoteCal, such as those legalizing Same Day and online registration, also act as portals for further election roll chaos and the resulting diminishment of election integrity.

Even more unfortunately, SOS Padilla and now SOS Weber, along with the single-minded state legislature and governor, appear tone deaf to clear evidence that something is rotten in the state of California, and that immediate and competent repairs to VoteCal and the entire election system are vital.

Knowledge is power. Now you know. Let your elected officials hear from you.

One more note: EIPCa's [federal law suit](#), now before the Ninth Circuit Court of Appeals, challenges many of the ills of California's election system on Constitutional bases. **This lawsuit must succeed.**

Please support this effort with your prayers and your consistent and generous [donations](#).