



Bill Luna
County Executive Officer

Jay E. Orr
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Executive Office, County of Riverside

September 30, 2008

Honorable Board of Supervisors
County of Riverside
Robert T. Andersen Administrative Center
4080 Lemon Street, 5th Floor
Riverside, California 92501-3651

Subject: OPERATIONAL REVIEW OF BALLOT HANDLING PROCESSES

Board Members:

On September 16th, you voted to engage a consultant to address election concerns. The Executive Office was directed to begin the process of identifying a qualified firm to analyze the November 4 General Election and later prepare a report on the process, including recommendations for improvements.

Our initial assessment was that it was important to have reviewers available to make field observations during the processes of distributing ballots and voting equipment, and of training poll workers. With six weeks remaining before the general election, time is of the essence in this engagement. We expected to have difficulty locating a firm knowledgeable about elections but not otherwise obligated in Autumn 2008. To identify options, staff from the Executive Office coordinated with those in Purchasing and the Registrar of Voters' Office, and sought input from SaveRVote. The executive director of SaveRVote provided a list of firms that were both acceptable and unacceptable to that group. However, I am recommending a firm that was not on either list.

I recommend that you engage an individual with impeccable qualifications and credentials for this project, who heads a division of the local firm Best, Best and Krieger. The Public Policy and Ethics Compliance Group of Best, Best & Krieger, with an office in Riverside, specializes in independent management reviews of public agencies, and is headed by Grover Trask, a highly credible individual who is intimately familiar with the electoral process, and who has unquestioned integrity.

A scope of work has been drafted to guide the review process. It incorporates some, but not all, issues raised by SaveRVote. The scope of work details the voting processes to be analyzed and the contents of the final report, and would be included in the contract with the consulting firm. The firm would be directed to determine whether adequate controls are in place to prevent fraud and to ensure compliance with applicable laws, policies, procedures and standards. Instead of reviewing past election materials (a costly exercise), the consultant would ensure that the Registrar's Office is prepared for the upcoming election and has appropriate plans in place to address foreseeable events.

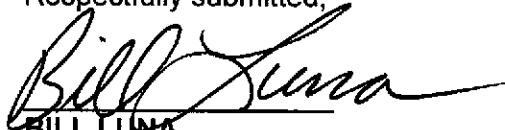
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Other options include directing the Purchasing agent to use the attached scope of work to begin soliciting proposals from companies interested in this type of consulting engagement. However, none would, in my opinion, approach the credibility that Mr. Trask would bring to this engagement.

It is anticipated that this work can be performed at a cost of \$100,000 to \$150,000; a contract for up to \$165,000 would include a 10% contingency. General funds held in contingency are available for this purpose, and would later be appropriated. An hourly rate schedule would be incorporated into the contract to ensure that billings contain sufficient detail. I anticipate that the work can be completed by March 1, 2009. With your concurrence, I will proceed with development of a contract with Best, Best & Krieger.

Therefore, IT IS RECOMMENDED THAT THE BOARD authorize the Chairman of the Board to sign a contract with Best, Best & Krieger, not to exceed \$165,000, to review the election process in accordance with the attached scope of work.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Luna". The signature is fluid and cursive, with a long horizontal stroke at the end.

BILL LUNA
County Executive Officer

SCOPE OF WORK

The Consultant shall conduct an operational review of the Riverside County Registrar of Voters' Office (ROV) for accountability and security of ballots used in elections, in accordance with California legal requirements, Secretary of State voting system re-approval conditions, and ROV policy and procedure documents, and make recommendations for improvement.

- 1) Consultant shall examine the ROV's ballot handling procedures from delivery of ballots from the printer to the final storage of those ballots for the required retention period.
- 2) Based on the results of the Consultant's review, examination and research, the Consultant shall make appropriate recommendations to areas that need improvement and suggest best practices. Consultant shall include in the report, where applicable:
 - i) Compliance with policies and procedures
 - ii) Compliance with applicable state and federal laws
 - iii) Professional practices compared with comparable jurisdictions
 - iv) Alternative models to enhance accountability and security
- 3) Consultant shall provide a detailed report of the appropriateness of the ROV's safeguards and controls. Areas to be examined include inventory; ballot storage, privacy, and transport; equipment storage, privacy, and transport; counting of ballots; polling place security; custody transfer; employee accountability; documentation; and compliance. The following areas shall be reviewed:
 - i) Vote-by-mail ballot handling
 - ii) Polling place ballot handling
 - iii) Collection center ballot handling
 - iv) Counter ballot handling
 - v) Duplicate ballots
 - vi) Electronic ballots
 - vii) Poll worker training
- 4) Consultant shall interview or survey, as appropriate and feasible:
 - i) Secretary of State (and/or Secretary of State staff)
 - ii) Registrar of Voters
 - iii) ROV employees
 - iv) Elections officials in other counties
 - v) Citizen observers
- 5) Consultant shall prepare draft and final reports, providing time and opportunity for the County to review and provide feedback for accuracy. In both the draft and final reports, Consultant shall include scope and methodology, and identify areas for improved handling, operations, and effectiveness.