



VIA FEDERAL EXPRESS

June 17, 2021

Dr. Shirley N. Weber  
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**Re: 1) VoteCal Voter Registration Information, February 9, 2021  
2) EIPCa Findings Report of June 17, 2021: Voting and Registration Irregularities  
3) California Elections Code §2300(a)(9)(B): Questions about Election Procedures**

Dear Secretary Weber,

Based on its analysis of the VoteCal voter registration and voting history files of February 9, 2021, Election Integrity Project® California, Inc. (EIPCa) submits the following findings. This analysis exposed **over 7,700 registrants each of whom have two votes credited to their Registration ID number in the November 2020 election and almost 124,000 more votes counted than voters with histories for that election. There are also more than 1.8 million ineligible registrants in the state. Finally, EIPCa identified over 108,000 who have had their out-of-country or out-of-state birthplaces inexplicably changed to California or United States by the on-line or DMV voter registration systems.** EIPCa is submitting its findings for investigation as described in this letter and contained in an encrypted Excel report transmitted today to Sam Burgess in your VoteCal department.

Importantly, this report follows two EIPCa Findings Reports submitted earlier. The first on 4/30/21. The second on 5/18/21. These reports have been ignored. Further, Mr. Burgess has not responded to reminders that he needs to contact EIPCa to obtain the passwords for encrypted Excel files.

Respectfully, so this current Findings Report is not simply ignored as the two prior reports have been, EIPCa is submitting it pursuant to the policy of California election law generally as exemplified in California's Voter Bill of Rights §2300(a)(9)(B). This statute states: "You have the right to ask questions of the... elections officials regarding election procedures and to receive an answer or be directed to the appropriate official for an answer." Pursuant to this policy, EIPCa submits its questions under each of the findings below, with the reasonable expectation that responses will be timely provided.

### **Finding #1: Two Votes in an Election**

EIPCa identified **7,724 registrants that each have two 11/3/20 voting histories assigned to their Registration ID numbers**. Each Registration ID number is unique to one registrant and is not duplicated in the VoteCal file. Of these, 1,189 have voting histories showing two different voting methods. These include the following: 823 CVR-POLL, 142 CVR-VBM, 88 VBM-VCR, 73 POLL-VBM, and 53 CVR-VCR. The remainder have two votes with the same voting method.

#### Questions about Finding #1

- 1a) Did the 7,724 registrants (or a subset) vote or attempt to vote twice in the 11/3/20 election?
- 1b) What corrective action will your office take for those suspected of voting twice?
- 1c) For those not actually voting twice, why does the system allow for the entry of multiple votes for one registrant and what course of action is planned to correct this problem?

### **Finding #2: More Votes than Voters**

EIPCa compared the number of official votes counted in the November 2020 election to the number of voters in VoteCal with voting histories in that election and found **that there were 123,785 more votes counted than voters who are shown to have voted**. This difference is driven by 116,264 counted VBM votes with no apparent voter indicated. The data was run on February 9, 2021; this is 90 days after the election, clearly enough time for each county to have uploaded its voting histories into the VoteCal database.

#### Questions about Finding #2

- 2a) In the period between 11/3/20 and 2/9/21, did the counties collectively cancel the registrations of 123,785 who had just voted in the November 2020 election?
- 2b) If not, why are there 123,785 11/3/20 voters “missing” from the VoteCal database?
- 2c) Is there a reason(s) why the discrepancy is dominated by vote-by-mail ballots?

### **Finding #3: Ineligible Registrations**

EIPCa compared the total number of voter registrations (Active plus Inactive) to the number of eligible citizens as listed on the Secretary of State website as of 10/19/20 and found that **the state currently has 1,834,789 more registered voters than eligible citizens; 23 of 58 (40%) counties have more than 100% of eligible citizens registered to vote, an indication of increasingly poor list maintenance (list maintenance is required by state and federal law)**.

Ineligible registrations are trending upward in recent years. Though EIPCa reported the 2020 figure below to your office on 4/28/20, the number of ineligible registrations nevertheless grew by 72% as of 2/9/21.

Year	# Counties with Registrations Exceeding # Eligible Citizens	Total Ineligible Registrations
2017	8	928,035
2019	8	911,411
2020	11	1,063,957
2021	23	1,834,789

Questions about Finding #3

3a) Why has the number of ineligible registrants grown over time? Why by 72% in the past year?

3b) What action(s) will the Secretary's office take to correct these ineligible registrations?

**Finding #4: Birthplace Changes**

Between June 2017 and November 2020, EIPCa identified **93,911 registrants who show inexplicable changes of birthplaces from a foreign country or another U.S. state to "California"**. Of these, 68% appear to have occurred using the on-line registration system and 21% using the DMV registration system. **An additional 14,796 had birthplaces were changed from a foreign country to "United States of America"**. Of these, 62% were associated with the on-line registration system and 27% with the DMV registration system. While a birthplace change will not affect a registrant's ability to vote, it may create mismatches with, for example, death, felon, or other records and undermine voter list maintenance federally required. It may also hinder the identification of non-citizens who unlawfully registered to vote. Though EIPCa reported similar findings to your office on September 24, 2019, it appears the problem has not been addressed.

Questions about Finding #4

4a) Is there a credible cause for what appears to be invalid birthplace changes?

4b) What action(s) will your office take to correct this problem?

Secretary Weber  
June 17, 2021  
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EIPCa looks forward to a timely response, in accordance with California Election policy. If convenient, EIPCa is willing to meet virtually to walk through its findings to assist your team.

For the file password and any data questions please contact EIPCa Chief Analyst Ellen Swensen at 925-286-1116 or [ellenswensen@eip-ca.com](mailto:ellenswensen@eip-ca.com).

Respectfully,

*SIGNATURE ON FILE*

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Cc: Harjit Basi, VoteCal Director  
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\*transmitted encrypted Excel Findings Report:

***EIPCa\_Findings Report\_210209\_voting and reg irregularities\_210617***