

**Assembly Special Committee on the  
Office of the Secretary of State**

**Issues for Consideration**

**Responses by Assemblymember Shirley N. Weber, Ph.D.**

**Elections: Expanding Voter Confidence and participation**

- *How will you build voter confidence and expand voter participation? In light of recent challenges to California's election system and allegations of elections fraud?*

Over the past ten years, California has taken major steps to increase participation in the area of elections. When I entered the Assembly in 2012, one of the first bills I introduced was concerning ex-felons who had been misinformed about their rights to vote. The bill required parole officers to provide information to ex-offenders concerning their rights. I was appalled at the number of Californians, including parole officers, who believed that committing a felony disqualified a person from voting for their entire life. This motivated me to introduce other legislation to expand and ensure one's right to vote.

As a member of the elections committee, I supported numerous efforts to make it easier and more convenient for persons to register and to vote. Over the years, members of the elections committee introduced numerous bills that expanded opportunities to vote. Many of these bills, because of budget and local autonomy, became optional for counties. However, with the recent pandemic, the state was forced to address the issue of safe voting. No one should endanger their life to vote when there are other options. Therefore, for the first time, expansions such as sending mail in ballots to voters, several days of in-person voting opportunities, voting centers, etc., became the norm. Additionally, the Secretary of State's office engaged in outreach campaigns to explain the expanded options for voting, assisted counties in finding voting sites, provided training of workers, etc. For the first time in over 40 years, the turnout was over 80% of registered voters and the number of new registered voters was an all-time high. To increase transparency, the ballot tracking system allowed over five million voters to follow their mailed ballot from the mailing by the county to the voter through the return and counting of their voted ballot by the county election official.

The success of increased voting should cause the Legislature to offer more counties the opportunity and resources to expand the voting options. The lessons learned during the pandemic provides us with a more effective method of voting. Additionally, because of the concern of misinformation, the Secretary of State's office aggressively engaged in

social media to provide accurate information. The outreach programs also used their contacts with businesses and non-profit agencies to provide accurate information through trusted messengers. In the past, the outreach programs were primarily focused on expanding voter registration. This cycle, additional efforts were focused on providing trusted sources for elections information about voting options for the November 2020 Election through a statewide voter education media campaign.

Increasing voter participation and strengthening confidence in voting is a constant effort. With innovative ideas from the Legislature, front line staff, and registrars of voters, the Secretary of State's office is able to increase the turnout with the goal of 100% of all registered voters fulfilling their responsibility as a U.S. citizen to vote.

**Election: Relationship Between Secretary of State and County Registrar**

- *How will you exercise state leadership in overseeing elections in an elections system dependent on 58 county registrars of voters, with increasing responsibilities for election officials and limited resources?*

The California election system is dependent on county registrars in all 58 counties to organize elections pursuant to California law. This is no easy feat, especially when there are different sizes of counties with different resources and even more diverse leadership. In order to effectively lead in this area, the Secretary of State must maintain a supportive, collegial and authoritative relationship with the registrars of voters.

All counties must adhere to the laws of the state regarding voting. In order to do this, the Secretary of State must make sure counties understand the law and its complex and finer details. Some counties have large staff that include attorneys and program analysts while others lack these additional resources and require more assistance. Once that is achieved, the Secretary of State should work with each county to assist them in the best method of implementing the law based on their resources. And when possible, provide assistance to level the field in order to ensure consistency in the application of the law.

However, it should be noted that the best method to achieve compliance is through the establishment of a relationship prior to conflict. It is the Secretary of State's job to meet with all 58 county registrars, and when possible, their staff. Providing support and assistance early creates an environment that promotes cooperation rather than hostility. Thus, when problems arise, they are more likely to seek assistance before things become unmanageable.

**Business Services: Facilitating Secretary of State Services to California Businesses.**

- *How will you improve and streamline the services to California businesses that are required to file documents with the Secretary of State?*

The Secretary of State will complete its California Business Connect technology project this year which has streamlined and modernized the business filing processes. Many of the filings required to start a business are now available online, including LLC formation, trademark registration, Corporate Statement of Information, and Corporate Formation. The original scope of the Business Connect project did not cover all paper filings within the Secretary of State's office. I will explore options to expand modernization and online access to more Secretary of State business and nonprofit functions.

Additionally, in order to meet COVID-19 guidance provided by the State, less than 25% of staff work onsite due to limiting staff in the office. Our office has also been forced to close our building on a number of occasions, due to security concerns. These changes have created additional challenges to meet the processing of paper filings. I am committed to finding creative ways for the Secretary of State's Office to manage staffing levels during these difficult times.

**Cybersecurity Balancing Access, Data Protection and Small Businesses**

- *How will you balance calls for increasing online access to Secretary of State services, protecting California's data and promoting California's small businesses?*

Cybersecurity is a major concern and threat around the world, and California is no exception. The Secretary of State's Office is a part of a working group that includes Cal OES, FBI, DHS, and CHP to ensure access to threat information early, and we are able to quickly respond. Any information received is immediately forwarded to business stakeholders or county election officials with suggestions on the implications of such threats and how to mitigate impacts. Cybersecurity is a race without a finish, and I am committed to ensuring the Secretary of State's Office is constantly evaluating and mitigating weaknesses and providing training to staff.

COVID-19 has made the call for faster and more technological responses urgent. In that call, there is the issue of remote online notarization. The past Secretary of State and Attorney General have raised important concerns to the idea because of security and fraud issues. Once a new Attorney General is appointed, I would work with the Attorney General and all stakeholders to find solutions.

**Oversight: Secretary of State Contracting**

- *How will you ensure effective legislative oversight of the Secretary of State's Contracting?*

The Secretary of State's responsibility is to make sure that the money of the state is adequately and appropriately expended in the manner and for the purpose it was allocated. This requires more than one person's examination and needs a process for examination of all funds allocated, and for what purpose, and to whom and under what circumstances.

The recent incident emphasizes the importance that all state entities involved in the contracting process are communicating and have a mutual understanding of authority, scope of work, and intent. Because the issue is being litigated, I will not comment on it for fear I will become a party to the suit. However the lessons learned from both parties will inform my practice going forward.