



B O A R D O F S U P E R V I S O R S

KEITH CARSON
PRESIDENT
SUPERVISOR, FIFTH DISTRICT

January 9, 2023

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members,

SUBJECT: RECOMMENDATIONS TO INCREASE TRANSPARENCY AND ACCOUNTABILITY REGARDING THE NOVEMBER 8, 2022 RANKED CHOICE VOTING RESULTS AND TO ESTABLISH AN ALAMEDA COUNTY ELECTIONS OVERSIGHT COMMITTEE

BACKGROUND

At the Special Meeting of our Board on Thursday, January 5, 2023, I entered into the record my recommendations related to concerns arising from the most recent Alameda County election conducted by the Registrar of Voters on November 8, 2022.

After hearing over 90 minutes of testimony from members of the public and subsequent discussion by Board members, the Board directed County Counsel and the County Administrator to review and refine my recommendations in collaboration with my office and place the matter on the January 10, 2023, regular Board agenda for consideration and potential action by the full Board of Supervisors.

In order to enhance transparency and accountability regarding the ranked choice voting results, I am recommending consideration of a recount of the November 8, 2022, ranked choice elections for which the outcome has been called into question, specifically the Oakland Mayoral race, Oakland Unified School Board, District 4, race, and the two races in San Leandro that were decided by a very small margin of victory. In addition, I am recommending establishment of an Alameda County Elections Oversight Committee.

RECOMMENDATIONS

1. Request the Registrar of Voters to retain a qualified individual with experience overseeing ranked choice voting for another County to participate and serve as a temporary elections officer to oversee the manual recount of the election outcomes in question, (possibly a Registrar from another county). This would not prohibit Alameda County personnel from conducting the actual recount.
2. The cost of the recount will be charged to the budget of the Alameda County Registrar of Voters as it is being requested by elected members of the Alameda County Board of Supervisors.
3. Invite the following to witness the recount process as allowed by law:
 - a) a representative from the Alameda County Civil Grand Jury
 - b) a representative of the League of Women Voters (Alameda County Chapter)

- c) a representative from the Alameda County Republican party
- d) a representative from the Alameda County Democratic party
- e) a representative of any other political party qualified by the State of California with a recognized affiliate within Alameda County

As provided by state law and regulations governing recounts, certain observers can ask the recount officer to respond to questions regarding the process. In addition to these witnesses, any authorized recount will be open to the public as required by law.

- 4. Representatives from interested parties may observe, including representatives from the campaigns that are the subject of any recount and exercise their rights as prescribed by law. Additionally, observers can write down their concerns that can be considered/taken up after the entire recount is completed as provided in state regulations governing recounts. This will allow the best opportunity to conduct the recount in a timely manner.
- 5. Conduct the recount as requested, or by order of a court of competent jurisdiction.
- 6. Establish an Alameda County Elections Oversight Committee whose responsibilities will include pre-election outreach to interested parties, i.e., League of Women Voters, Alameda County Civil Grand Jury, State of California Qualified Political Parties, disability rights organizations, language access organizations, voting rights organizations; hold public meetings for any interested residents; serve as the central point of contact along with the Registrar of Voters to ensure that Alameda County holds the most transparent elections possible.

The recommendations set forth in this letter will be implemented to the extent allowed by and consistent with the California Elections Code, state regulations implementing the Elections Code, and all other applicable laws governing California elections, including those governing recounts and the authority of the Elections Official (the Registrar of Voters).

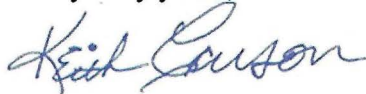
FINANCING

All additional costs resulting from implementation of the above recommendations will be funded from the Registrar of Voters budget. There will be no increase in net County Cost.

VISION 2026 GOALS:

This recommendation meets the County's 10X Goal of **Thriving and Resilient Population** and supports our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,



Keith Carson
President, Board of Supervisors

cc: County Counsel
County Administrator
Registrar of Voters