



*Election Integrity Project California*  
EVERY LAWFULLY CAST VOTE ACCURATELY COUNTED

## **BALLOT HARVESTING: THE FINAL BLOW FOR ELECTION INTEGRITY?**

In 1998, California lawmakers **removed the protective restrictions** that limited the casting of a vote-by-mail ballot to those who could not vote any other way. Then followed a 20+ year **propaganda and disinformation** campaign to encourage, convince, cajole, push and more recently **force** (most recently through the Voter's "Choice" Act) upwards of 75% of California voters to use a vote-by-mail ballot. **Californians' susceptibility to this push has dealt a powerful and crippling blow to election integrity in our state.**

Election Integrity Project *California*® (EIPCa) does not condone voting by mail when another choice is available. The Presidential Commissions on Election Integrity in 2001 and 2005 both concluded that vote-by-mail ballots do not satisfy FIVE requirements for fair and honest elections, but rather facilitate election manipulation and fraud. They recommended that only those truly unable to cast an in-person vote should avail themselves of the opportunity of an absentee ballot.

A vote-by-mail ballot is vulnerable to loss or delay in the mail (in 2018 tens of thousands of California voters never received their ballot), and vulnerable to error and even intentional wrongdoing during extensive "processing". Undesirable things can and do happen to ballots during signature verification and during the process of "remaking" of ballots deemed damaged or uncountable in their received condition (there are thousands in each county!). And because of the necessity of doing everything possible to avoid rejecting a legitimate ballot, the system is geared to allow acceptance of what may be a concerning number of illegitimate ones. Under these circumstances, **election integrity diminishes severely.**

Nevertheless, most voters are unaware of the dangers that may befall their mail-in ballot. They do not know the numbers of hands that touch their ballot, and they do not know the numbers of ballots that get "remade". In short, they do not know that their ballot may not be counted or may not be counted the way they cast it. Thus, many have been drawn in by the "convenience" of the vote-by-mail ballot, offered and urged upon them by the system, elections officials, both major political parties and most candidates. Because the California laws have been changed to facilitate and incentivize the unwise choice of voting by mail, we almost universally do.

And now, California legislators have followed up that successful blow with what might be the knock-out punch: AB 1921, the now infamous "ballot harvesting" law. Here are the rules:

- Anyone may harvest ballots (no residency, citizenship or other restrictions)
- Ballot harvesters may be paid, just not on a per-ballot basis
- Ballot harvesters may drop harvested ballots in the mail, in a drop box, at the polls, at the Registrar's office, at a vote center OR...
- There is no limit to the number of ballots that may be collected or dropped off by a single harvester
- There is no required chain of custody—harvesters are not required to register, sign in or indicate their interaction with harvested ballots in any way
- Harvested ballots must be turned in within 3 days of receipt from voter (but who will know???)

“Legal” ballot harvesting is indefensible. Allowing anyone who wishes to collect an unlimited number of ballots from whoever can be convinced to trust them and to act as a delivery service invites:

- coercion or manipulation of vulnerable populations (elderly, students, union members, non-citizens, low-information individuals, homeless)
- vote purchasing
- vote selection (harvesters selectively turning in only those ballots they trust to reflect the “right” choices)

**But the reality is that harvesting is going to happen in California until the law changes, and it is understandable that organizations on all sides of the political spectrum will feel obliged to participate simply for self-preservation. On a philosophical basis, EIPCa does not condone ballot harvesting. From a practical standpoint, we do have guidance advice.**

Anyone wishing to encourage and facilitate reluctant citizens to vote should **first**:

- **educate** with the goal of encouraging voting in person as a first choice (even those on the vote-by-mail list have the right to surrender their ballot at their own polling place and choose to vote in person)
- **facilitate** in-person voting by creating car and van pools to give people rides to the polls—make it a fun and social event!

Anyone determining that organized ballot harvesting is a good follow-up for those who cannot, or cannot be persuaded to vote other than with a mail ballot should:

- take care that those doing the harvesting are honorable and will take the greatest care possible to submit, unaltered, every harvested ballot within the prescribed timeline
- **ORGANIZE a ballot protection squad: gather everyone who can and will to be trained by EIPCa and then become part of a county-wide team to rotate through the ROV office during the 60 days of ballot processing to OBSERVE every step of the process and to protect ballots from what could go awry when no one is watching**

**This last step is vital. Once you encourage people to turn in a vote-by-mail ballot in any way, you become morally responsible to protect those people’s votes from what may befall them.**

**If you organize a ballot harvesting drive, be sure to follow it up with a powerful ballot protection drive—citizen oversight is VITAL Contact Election Integrity Project *California*® at [www.eip-ca.com](http://www.eip-ca.com)**