

SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



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April 11, 2023

Senator Deb Patterson, Co-Chair
Representative Greg Smith, Co-Chair
Ways & Means Sub-Committee on General Government

Co-Chairs Patterson and Smith;

We want to thank you for the opportunity to present Secretary of State, Shemia Fagan's revised Agency Budget Request for the 2023-25 biennium. On Day 2 of the budget hearings, we were requested to provide information from committee members regarding our budget request and specific packages. We have listed the questions below and our response to each of those questions.

1. **Representative Smith:** KPM #9- On the customer survey used in 2018, is that the same or different than in 2021, 2022 etc? Just wondering if there was statistical bias.

SoS Response: The survey has been the same since at least 2017. The questions asked on the survey mirror the metrics within the KPM.

2. **Representative Greg Smith:** It would be great to do bi-partisan videos to promote Vote-By-Mail or address false information.

SoS Response: We agree and appreciate the suggestion. Secretary Fagan had this idea as well and organized a first effort last year. Utah Lt. Gov. Deidre Henderson and Oregon Secretary of State Shemia Fagan released a [joint video](#) to remind voters that both states have decades of experience with vote by mail, a safe and secure method of voting that boasts bipartisan support. Lt. Gov. Henderson, a Republican, is Utah's chief elections officer and Secretary Fagan, a Democrat, is Oregon's chief elections officer. When it comes to vote by mail, Lt. Gov. Henderson and Secretary Fagan are on the same team, supporting free and fair elections for eligible voters. Neither state has seen widespread voter fraud in any election. Learn more about voting in Oregon at Oregonvotes.gov. We hope there are future projects like this in Oregon and across the county.

3. **Representative Smith:** When a fine is assessed, where does the money go?

SoS Response: Civil fines are collected by the agency and deposited directly into the General Fund. This ensures no actual conflict of interest and prevents the impression the Elections office is supplementing our budget by issuing fines.

Point of Contact:

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4. **Representative Gomberg:** More information on risk-limiting audits.

SoS Response: A risk limiting audit is post-election process that reviews the accuracy of a voting system. A risk-limiting audit, or RLA, involves the random selection of ballots sufficient to ensure that ballots were accurately counted, followed by the review of the selected ballots to confirm that they match the results data. For additional information, This [resource](#) from Colorado includes more information on RLAs. Pending approval of the Oregon pilot project, elections will publish similar information on oregonvotes.gov.

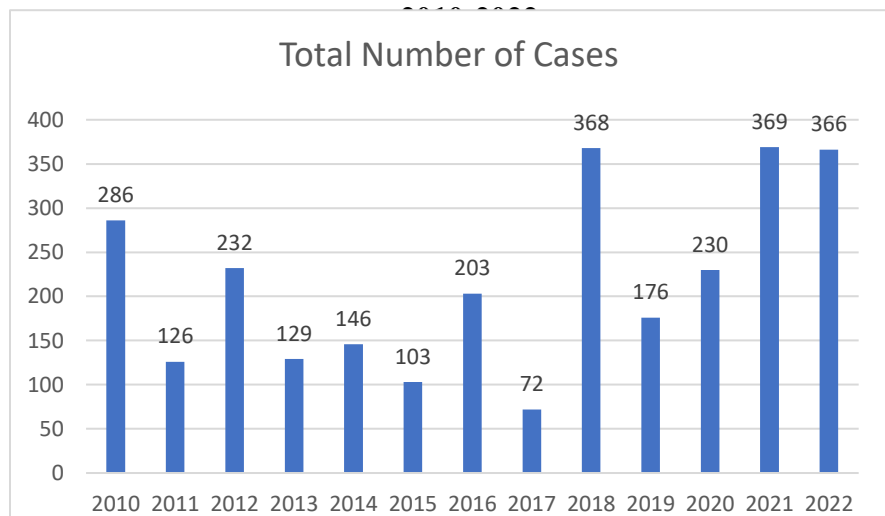
5. **Representative Reschke:** Do we have data going back to 2010 on the trend around complaints?

SoS Response: The Elections Division’s Investigations Team has been understaffed for a significant period. Cases consistently take too long to resolve due to several factors including that only one employee is budgeted for this work. Over the last two years the Division has partially reassigned more staff to work on the backlog, but all those employees are also responsible for other important work such as campaign finance customer service and direct voter contact during election time.

In the past, the Investigations Team has operated without many standards or procedures to guide the work, which created delays. Over the last two years the Agency and the Division

have overhauled the investigatory process and set forth standards and processes to streamline the work and focus on the substance of each complaint filed. We support creating a key performance metric to measure the impact and effectiveness of

Elections Division Investigation Statistics



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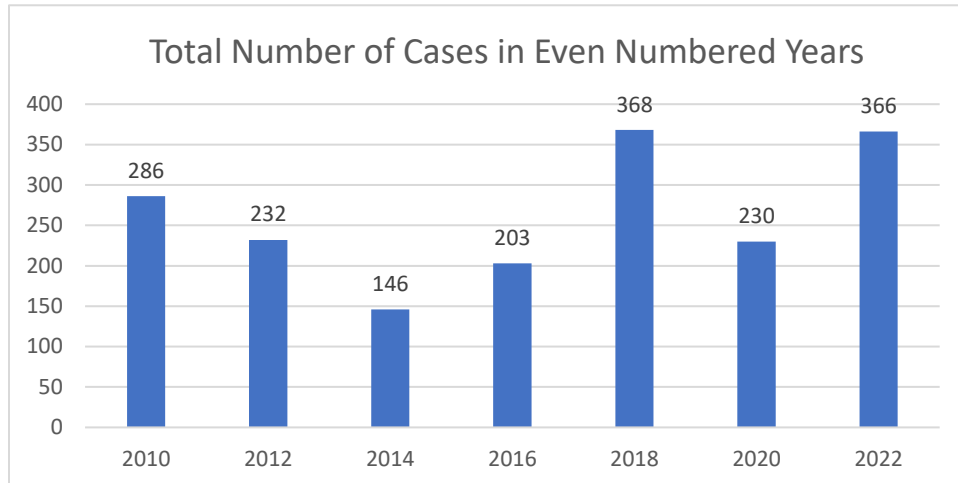
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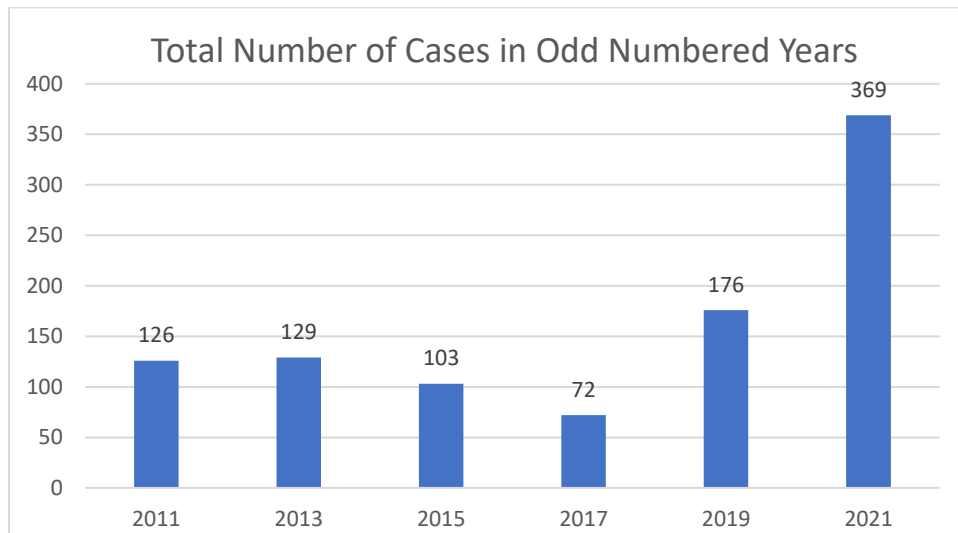
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our work after receiving these resources.

Elections Division Investigation Statistics for Even Numbered Years 2010-2022



Elections Division Investigation Statistics for Odd Numbered Years 2011-2021



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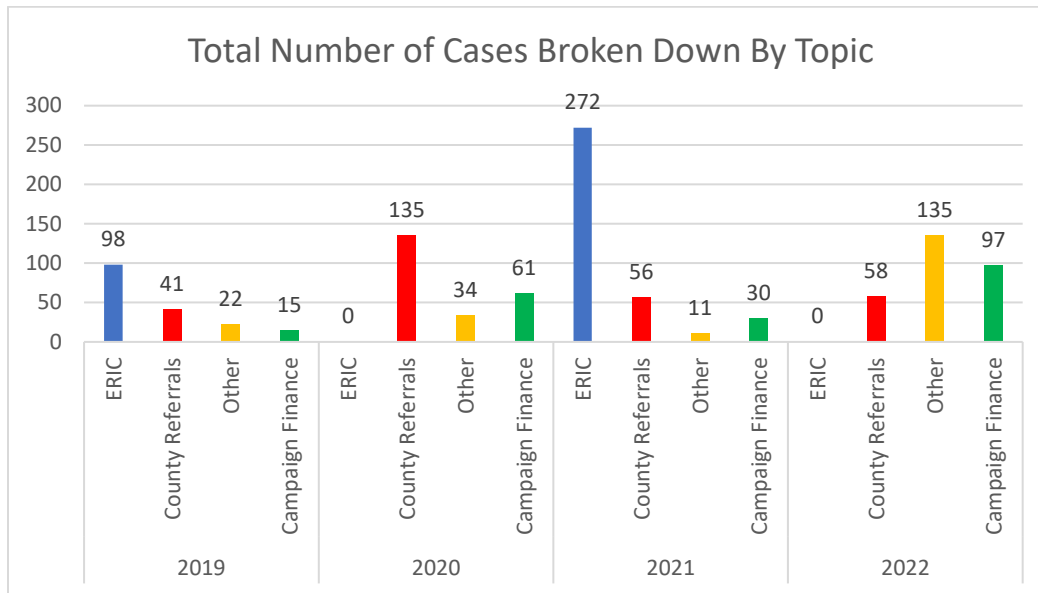
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The graph above breaks down the cases by topic, but only shows the breakdown of complaints received from January 1, 2019, through November 17, 2022. Prior to 2019 the Division did not have a reliable way of tracking cases based on case type. Though it only spans four years, we included this information to show the variety of case types of the Division investigates and responds to. ERIC stands for Electronic Registration Information Center. Oregon is a member of the organization, and they send us data and reports to help keep voter registration lists updated. After each general election they send us a list of people who appear to have voted twice within Oregon, voted in more than one member state, or voted on behalf of a deceased voter. We investigate these cases to determine if the person really did engage in that activity.

The “other” category is broad. A few examples of cases that come to mind:

- Candidates making false statements in the voters’ pamphlet.
- Public employees engage in political advocacy while on the job.
- Voter intimidation
- Misleading voters about the date of an election

Thank you,
Jessica Ventura,
Legislative Director

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