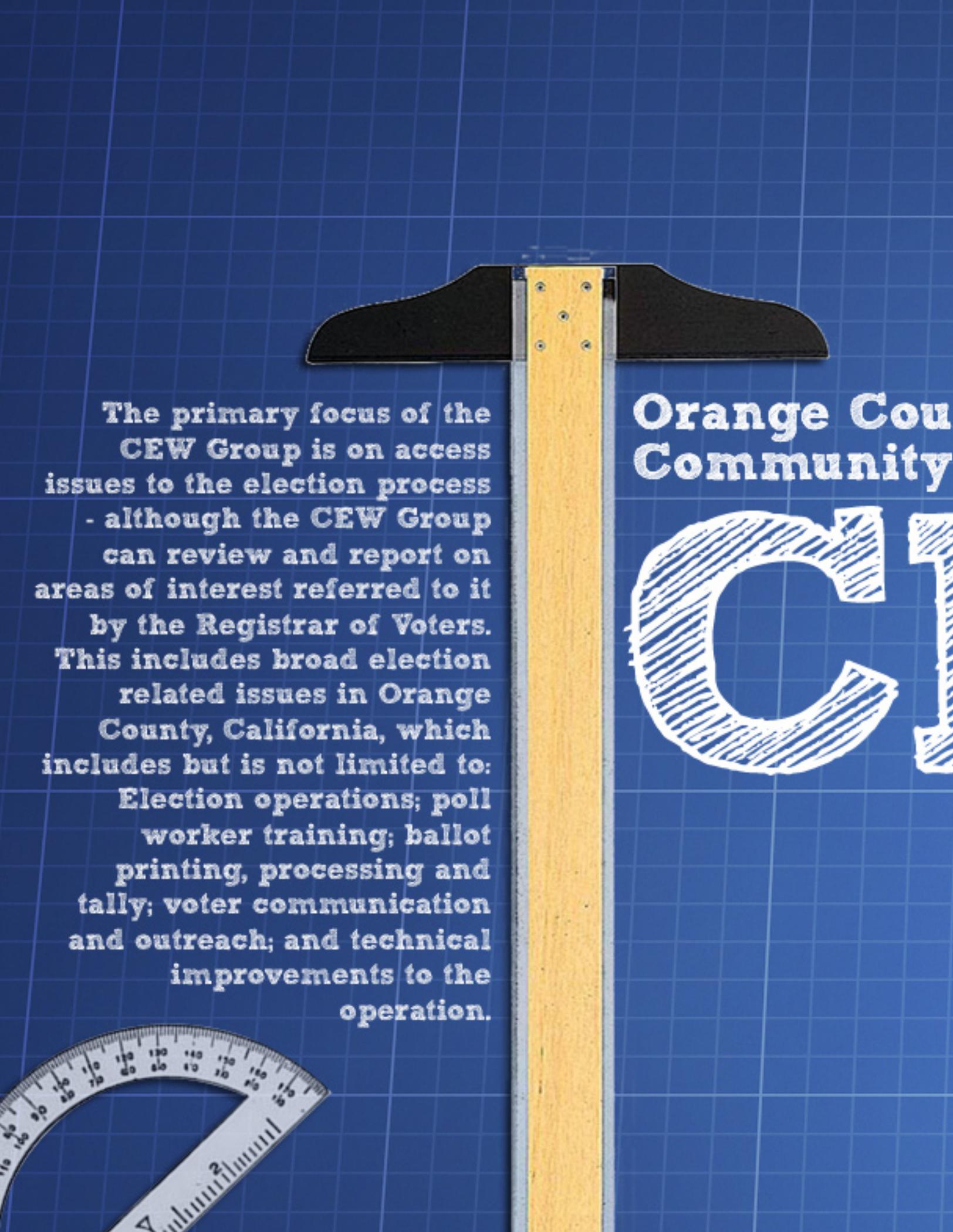


# **Orange County Registrar of Voters**

## **Community Election Working Group (CEW)**

Details on the election advisory group  
for the Orange County, California  
Registrar of Voters





**The primary focus of the  
CEW Group is on access  
issues to the election process  
- although the CEW Group  
can review and report on  
areas of interest referred to it  
by the Registrar of Voters.  
This includes broad election  
related issues in Orange  
County, California, which  
includes but is not limited to:  
Election operations; poll  
worker training; ballot  
printing, processing and  
tally; voter communication  
and outreach; and technical  
improvements to the  
operation.**

**Orange Cou  
Community**

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Election Working Group

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[ocvote.com/cew](http://ocvote.com/cew)



# ORANGE COUNTY REGISTRAR OF VOTERS

Elections can be a challenging operation – given the sheer volume of voters processed and the complexity of our operation in a large urban county. Fortunately, we have worked to position our agency to be well prepared since 2005 – expanding our automation, efficiencies and improving our overall operations.

What is more, during the last few years, we've greatly strengthened our professional services to meet the evolving needs of voters in an increasingly demanding environment. We took major strategic actions to make investments in new technology in order to reduce potential errors; added new automation equipment to improve ballot delivery and processing; and as a result have seen turnarounds since 2005 in a number of our major divisions.

We continue to improve and grow and I am confident that the coming years will be even better, as we further implement our goal of increased automation, improved efficiencies and expanded community outreach.

Underlying our approach to election management includes community relations that extend beyond simple compliance with legal requirements. We rely on input from the community to maintain an open and transparent election process. The Community Election Working Group (CEW) serves this purpose – bringing together diverse backgrounds – each committed to making sure elections are open and accessible.

Strong input from the community starts with members of our Community Election Working Group who are independent, engaged, committed, and effective. Our members advise the Registrar of Voters on the election process and provide a forum to communicate back to the community on important election topics.

We believe in further strengthening public confidence in the election process and creating long-term relationships with our community partners.

Neal Kelley



Registrar of Voters



**THE ORANGE COUNTY CEW HELPS US TO BUILD A BRIDGE TO THE COMMUNITY**

# HISTORY OF THE CEW GROUP

The Orange County Community Election Working Group (CEW) was established by the Registrar of Voters in January 2010 to provide input to the office on minority voting, access of the disabled population to the elections process and the elections process in general. Prior to that time there was an unstructured approach to the advisory process. The CEW Group consolidated all advisory functions into a single group, which also expanded into additional membership, such as poll workers, city clerks, veterans groups, and more. The advisory group also provides a forum for the Registrar of Voters to update the community as a whole on elections issues and promote community involvement.

Orange County is a leader in elections throughout the world.  
Our Community Election Working Group provides us quality  
feedback and advice on our programs and services.



# THE VOTING RIGHTS ACT AND THE COMMUNITY ELECTION WORKING GROUP

President Johnson signed the Voting Rights Act into law on August 6, 1965. Section 2 of the Act, which closely followed the language of the 15th amendment, applied a nationwide prohibition against the denial or abridgment of the right to vote on the literacy tests on a nationwide basis. Among its other provisions, the Act contained special enforcement provisions targeted at those areas of the country where Congress believed the potential for discrimination to be the greatest. Under Section 5, jurisdictions covered by these special provisions could not implement any change affecting voting until the Attorney General or the United States District Court for the District of Columbia determined that the change did not have a discriminatory purpose and would not have a discriminatory effect. In addition, the Attorney General could designate a county covered by these special provisions for the appointment of a federal examiner to review the qualifications of persons who wanted to register to vote. Further, in those counties where a federal examiner was serving, the Attorney General could request that federal observers monitor activities within the county's polling place.

It is critical that our office maintain a strong community based outreach program to ensure compliance with the Voting Rights Act. The CEW Group works with the Registrar of Voters and provides important guidance on minority voting issues. Orange County must provide bilingual support in Spanish, Chinese, Korean and Vietnamese in compliance with federal law. The determination to provide ballot materials and support in these languages was issued in 2002 and were made using data from the 2000 U.S. Census under guidelines set forth in Section 203 of the Voting Rights Act.

The CEW Group membership is made up of diverse members of the community that represent the covered languages in Orange County.



# VOTING RIGHTS TIMELINE

1790 Only white male adult property-owners have the right to vote.

1810 Last religious prerequisite for voting is eliminated.

1850 Property ownership and tax requirements eliminated by 1850. Almost all adult white males could vote.

1855 Connecticut adopts the nation's first literacy test for voting. Massachusetts follows suit in 1857. The tests were implemented to discriminate against Irish-Catholic immigrants.

1870 The 15th Amendment is passed. It gives former slaves the right to vote and protects the voting rights of adult male citizens of any race.

1889 Florida adopts a poll tax. Ten other southern states will implement poll taxes.

1890 Mississippi adopts a literacy test to keep African Americans from voting. Numerous other states—not just in the south—also establish literacy tests. However, the tests also exclude many whites from voting. To get around this, states add grandfather clauses that allow those who could vote before 1870, or their descendants, to vote regardless of literacy or tax qualifications.

1913 The 17th Amendment calls for members of the U.S. Senate to be elected directly by the people instead of State Legislatures.

1915 Oklahoma was the last state to append a grandfather clause to its literacy requirement (1910). In *Guinn v. United States* the Supreme Court rules that the clause is in conflict with the 15th Amendment, thereby outlawing literacy tests for federal elections.

1920 The 19th Amendment guarantees women's suffrage.

1924 Indian Citizenship Act grants all Native Americans the rights of citizenship, including the right to vote in federal elections.

1944 The Supreme Court outlaws "white primaries" in *Smith v. Allwright* (Texas). In Texas, and other states, primaries were conducted by private associations, which, by definition, could exclude whomever they chose. The Court declares the nomination process to be a public process bound by the terms of 15th Amendment.

1957 The first law to implement the 15th amendment, the Civil Rights Act, is passed. The Act set up the Civil Rights Commission—among its duties is to investigate voter discrimination.

1960 In *Gomillion v. Lightfoot* (Alabama) the Court outlaws "gerrymandering."

1961 The 23rd Amendment allows voters of the District of Columbia to participate in presidential elections.

1964 The 24th Amendment bans the poll tax as a requirement for voting in federal elections.

1965 Dr. Martin Luther King, Jr., mounts a voter registration drive in Selma, Alabama, to draw national attention to African-American voting rights.

1965 The Voting Rights Act protects the rights of minority voters and eliminates voting barriers such as the literacy test. The Act is expanded and renewed in 1970, 1975, and 1982.

1966 The Supreme Court, in *Harper v. Virginia Board of Elections*, eliminates the poll tax as a qualification for voting in any election. A poll tax was still in use in Alabama, Mississippi, Texas, and Virginia.

1966 The Court upholds the Voting Rights Act in *South Carolina v. Katzenbach*.

1970 Literacy requirements are banned for five years by the 1970 renewal of the Voting Rights Act. At the time, eighteen states still have a literacy requirement in place. In *Oregon v. Mitchell*, the Court upholds the ban on literacy tests, which is made permanent in 1975. Judge Hugo Black, writing the court's opinion, cited the "long history of the discriminatory use of literacy tests to disenfranchise voters on account of their race" as the reason for their decision.

1971 The 26th amendment sets the minimum voting age at 18.

1972 In *Dunn v. Blumstein*, the Supreme Court declares that lengthy residence requirements for voting in state and local elections is unconstitutional and suggests that 30 days is an ample period.

1995 The Federal "Motor Voter Law" takes effect, making it easier to register to vote.

2003 Federal Voting Standards and Procedures Act requires states to streamline registration, voting, and other election procedures.

2006 Voting Rights Act re-authorized by Congress and signed by President George W. Bush.



# VOTING ACCESSIBILITY AND THE COMMUNITY ELECTION WORKING GROUP

The CEW Group also assists the Registrar of Voters on disabled voting topics. Their role is to advise, assist and provide recommendations to the Registrar of Voters as to how voters with disabilities can vote independently and privately. Elections officials are required, to the extent possible, to ensure that polling places are accessible to voters with disabilities. Recently the California Secretary of State's office contracted with the Department of Rehabilitation to update the Polling Place Accessibility Guidelines. The Guidelines are designed to provide county elections officials and members of the public with easy access to the federal and state requirements for accessible polling places. Our office uses this guide and keeps the CEW Group up-to-date on our polling place accessibility programs and services.

To view the Orange County Registrar of Voters ADA accessible polling place programs visit [ocvote.com/ada](http://ocvote.com/ada)



# MEETING INFORMATION

This combined advisory group has been structured to provide a forum where experts representing many voting perspectives can provide independent advice that is factored into the Registrar of Voters' decision-making process. CEW Group meetings are open to the public and any member of the public may request an opportunity to make an oral statement during the advisory group meeting. The meeting site is accessible to people with disabilities.

Meeting agendas and handout materials are provided in accessible formats.

Attend in person – 1300 South Grand Avenue, Building C, Santa Ana, CA 92705.

The CEW Group meeting notices, agendas, minutes and more can be found at [ocvote.com/cew](http://ocvote.com/cew)



# COMMUNITY ELECTION WORKING GROUP BYLAWS

ORANGE COUNTY REGISTRAR OF VOTERS  
COMMUNITY ELECTION WORKING GROUP  
(CEW)

## Article I. Name, Purpose, and Authority

Section 1. Name. The name of this body is the Orange County Registrar of Voters Community Election Working Group (CEW), hereafter referred to as the Working Group.

Section 2. Purpose. It is the purpose of the Working Group to discuss and provide input on minority voting, access of the disabled population to the elections process and the elections process in general, provide the Registrar of Voters with a forum to update the community as a whole on elections issues and promote community involvement in elections issues within Orange County.

The Working Group shall:

Provide the Registrar of Voters with a forum to advise all community sectors on elections issues in an equitable and timely manner;

Act in an advisory capacity to the Registrar of Voters, on elections issues as requested by the Registrar of Voters;

Provide input to the Registrar of Voters on elections issues, enhancing coordination between the County, election process related community support groups, and the voters of Orange County.

The Working Group shall not:

Have decision-making authority. Any recommendations of the working group are subject to Registrar of Voters approval and the Registrar of Voters will make final decisions.

Section 3. Authority. The Registrar of Voters is required under the Federal Voting Rights Act, Section 203 (VRA) to provide elections services to voters with limited English proficiency. The Department of Justice (DOJ) provides guidelines for complying with the VRA which state "The cornerstone of every successful program is a vigorous outreach program to identify the needs and communication channels of the minority community."

The DOJ also advises that elections officials

should broaden their outreach to other groups to be able to identify the most effective and most efficient outreach program possible.

One of these groups is the disabled community. Various federal and state laws mandate accommodations be made for people with disabilities including:

Voting Accessibility for the Elderly & Handicapped Act of 1984 : Promotes the fundamental right to vote by requiring "access for elderly and handicapped individuals to registration facilities and polling places in a federal election."

Americans with Disabilities Act of 1990 (ADA) Requires public entities to provide auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy, the benefits of a service program or activity conducted by a public entity.

Help America Vote Act of 2002 (HAVA) : Among other things, requires election officials to provide to individuals with disabilities, including visual impairments, a voting system at each polling site that allows the voter to vote a secret ballot.

California Elections Code Section 12280 . When designating polling places, the elections official shall undertake necessary measures in the locating of polling places to ensure that polling places meet the guidelines promulgated by the Secretary of State for accessibility by the physically handicapped.

## Article II. Organization

Section 1. The officers of the Working Group shall consist of a Chair, Vice Chair and a Secretary.

Section 2. The Chair and Vice Chair shall be elected from the general membership (with the exception of representatives of political parties) and shall serve for the period of one year. The term of service for the Chair and Vice Chair shall commence on the first work day in January and terminate on the last work day in December. Election of the Chair and Vice Chair shall be held annually during the last Working Group meeting of each calendar year by majority vote. The Registrar of Voters shall select the Secretary from the Registrar

of Voters staff.

Section 3. The Working Group shall consist of roughly 20 - 30 members from the public.

## Article III. Membership

Section 1. Membership. Membership shall include, but not be limited to, representation from the following segments of the Orange County community, with the number of members as provided below:

Latino community (4)

Asian community (4)

City Clerks (4)

League of Women Voters; permanent group (1)

Republican Party; permanent group (1)

Democratic Party; permanent group (1)

At large position from alternative parties (1)

Senior Community (1)

Veterans Affairs (1)

Disabled Community (minimum of 4)

Poll Workers (2)

Youth Representative – 18 to 25 years of age (1)

At Large (2)

In the event that prior to the expiration of his or her term, a member ceases to retain the status, which qualified him or her for appointment to the Working Group, their term shall terminate and there shall be a vacancy on the Working Group to be filled by the group/agency/etc. or the Registrar of Voters as specified in Sections 2 and 6 of this Article.

Members may designate one individual as their alternate to attend meetings in their absence. The alternate would have proxy voting rights for the member they are representing.

Members of the Working Group are

considered volunteers and as such they are not eligible for any stipends or reimbursements.

Section 2. Initial Appointments. The Registrar of Voters maintains a list of individuals and organizations affiliated with the County's election process. This list will be used to provide initial notification to County citizens of the creation of the Working Group and provide applications for membership to the Working Group.

City clerks will be appointed by the Registrar of Voters who will request statements of interest prior to the establishment of the Working Group and prior to the end of the term of each city clerk. The Registrar of Voters will appoint city clerks with the goal of ensuring that cities of different population sizes are represented.

When sufficient nominations for each position have been received, Registrar of Voters staff will review each application using the following criteria:

Who the applicant represents (what organization).

How the applicant is viewed by his/her represented organization.

How the applicant is viewed by the segment of the community, which his/her organization represents.

The influence the applicant has within the specified community segment and the Orange County community at large.

How capable the applicant's organization is in soliciting information from, and providing information to, the community segment the organization represents.

The applicant's willingness to serve on, and be an active participant of, the Working Group.

The applicant's willingness to advance the interests of the Working Group as a whole.

Registrar of Voters staff, including Outreach personnel, will make recommendations to the Registrar of Voters for final selection. Registrar of Voters staff may be required to obtain additional information from applicants when deemed necessary. Selection of members from the League of Women Voters, Republican Party and the Democratic Party will not be made by the department since these groups are segments of the community with permanent representation on the Working Group. These organizations will provide the Registrar of Voters the name of the individual who will represent their organization. However, the Registrar of Voters shall have the right to approve the selections from these organizations.

Subsequent Appointments. Once a position on the

Working Group is filled, subsequent appointments will be handled as outlined in this Section and in Section 6 of this Article, Vacancies.

Section 3. Removal. The members of the Working Group may be removed by the Registrar of Voters for cause giving consideration to standards set forth in Article III, Section 2. Reasons for removal include, but are not limited to:

Three consecutive or unexcused absences within a year by a member from the regular meetings of the Working Group. (Attendance by an alternate will not count as an absence.)

The member is unable effectively to represent the seat to which he/she is appointed due to change of employment or status or others reasons that substantially alter the member's qualifications or interfere with the member's ability to properly function as a member of the Working Group.

Section 4. Resignation. Resignation of Working Group members shall be effected by a written letter of resignation submitted to the Secretary.

Section 5. Terms. Members shall be appointed for a term of two years. Appointments shall end on December 31. Terms shall be staggered in one or two year appointment increments to ensure a continuity of representation. A member, who has not been reappointed or replaced at the last date of their term, shall serve as a member until reappointed or replaced with no lapse of representation unless the Registrar of Voters decides otherwise.

Section 6. Vacancies. A vacancy on the Working Group shall be filled through appointment by the Registrar of Voters taking into consideration any recommendations from the Working Group. Such appointments shall be made to fill the unexpired portion of the vacated position or to replace a member whose term has been completed. Persons appointed to fill an unexpired term shall not be precluded from appointment to a two year term once the position they filled has expired. A vacancy should, if possible, be filled within 30 days from the occurrence of the vacancy.

Reappointment to an additional term/s may be made by the Registrar of Voters. Reasons to be taken into consideration for reappointment include but are not limited to:

The quality of input to the Working Group by the member/group

The wishes of the group/organization that the member represents.

Whether other qualified persons, groups or organizations representing the same segment of the community have applied to serve on the Working Group.

## Article IV. Meetings and Actions

Section 1. Meetings. Although the Working Group is not subject to the provisions of the Ralph M. Brown Act, Government Code section 54950, et seq., its meetings will be open to the public. Meeting dates will be posted on the Registrar of Voters website. Meeting notices will be delivered via email to members of the Working Group.

Regular meetings will be held two to four times a year. As may be necessary, the Registrar of Voters will call for special meetings to act upon immediate concerns.

Meetings are to be held at the office of the Registrar of Voters, 1300 S. Grand Avenue, Santa Ana, California.

Members shall notify the Secretary of any expected absence for a meeting by 5:00 PM of the day before a regularly scheduled meeting, indicating good and sufficient reasons for the absence.

Section 2. Parliamentary Authority. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the working group in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the working group may adopt.

Section 3. Quorum and Voting Requirements. The quorum requirement shall be fifty percent + 1 of the current membership (excluding vacancies). In the event of a tie, the Registrar of Voters shall cast the deciding vote.

Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the Working Group.

Members choosing to abstain from voting on specific actions will not affect majority requirements. Abstentions are considered a "non-vote" - neither a vote in the affirmative nor in the negative.

## Article V. Adoption and Amendment of Bylaws

Section 1. Adoption. An affirmative vote of at least fifty percent + 1 of those voting shall be required to adopt these Bylaws.

Section 2. Amendments. The Registrar of Voters or any member of the Working Group may propose amendments to these Bylaws. Proposed amendments shall be submitted in writing and made available to each member of the Working Group no less than five (5) days prior to consideration before a vote is taken. Changes to the Bylaws that are proposed by the membership are subject to approval of the Registrar of Voters.

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