



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

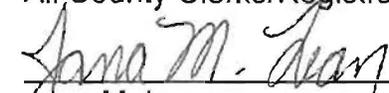
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May 29, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 12173

TO: All County Clerks/Registrars of Voters

FROM:



Jana M. Lean
Chief, Elections Division

RE: Presidential Primary Election: UOCAVA Compliance Consent Decree

To follow up on the Secretary of State's May 23, 2012, conference call with county elections officials, 14 (not 19, as was originally believed) California counties did not fully comply with the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The Military & Overseas Voter Empowerment (MOVE) Act is part of the UOCAVA, having been added in 2009. Following a threat of litigation by the U.S. Department of Justice (USDOJ), the California Secretary of State's office and the USDOJ entered into a Consent Decree on May 26, 2012, which is pending approval by the U.S. District Court in Sacramento, California.

Eleven counties did not transmit ballots to UOCAVA voters by the E-45 deadline set by UOCAVA. The Consent Decree requires those counties to take certain steps to ensure voters have the opportunity to receive and return their ballots by 8:00 p.m. on June 5, 2012. Our office is contacting those counties elections officials directly to let them know what precisely must be done pursuant to the Consent Decree.

One of those counties and three additional counties did not initially send ballots to voters in the form requested by the voter. The Consent Decree does not require these counties to take additional steps relative to the June 5, 2012, Presidential Primary Election.

The Consent Decree will affect all 58 counties and the Secretary of State's office because it imposes additional reporting requirements through 2014, and requires the Secretary of State to conduct a training program on UOCAVA for elections officials in each county.

More detailed information will be made available in early June.

A complete copy of the Consent Decree can be found on the USDOJ website at www.justice.gov/iso/opa/resources/5132012529133127177851.pdf.

If you have any questions, please feel free to contact me at Jana.Lean@sos.ca.gov or (916) 657-2166. Thank you.