



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS DIVISION

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November 9, 2018

County Clerk/Registrar of Voters (CC/ROV) Memorandum #18249

TO: All County Clerks/Registrars of Voters

FROM: /s/ Steve Reyes /s/ Jana M. Lean
Chief Counsel Chief, Elections Division

RE: Requests For Information Regarding Voters With Unsigned or Mismatched
Vote-by-Mail Return Envelopes

Several counties have received requests for information on voters who did not sign their vote-by-mail return envelope or whose signature on the vote-by-mail return envelope did not match the voter's signature(s) on file. Some counties have created a list of voters who have received communication about their missing signature or their signature mismatch.

If your office has created such a list of voters, our office has not identified any statute in either the Elections Code or the Government Code that would prohibit the release of this information.

However, as the information requested likely contains voter registration data or other information identified as confidential under Elections Code section 2194 and Government Code section 6254.4, our office strongly recommends that you require the requestor to fill out an application similar to the application that you would provide to anyone requesting your county's voter file. Doing so will ensure that the requesting party is eligible to obtain the voter registration information, and will be made aware of the limitations of the use of that information.

Anyone receiving information on voters who did not sign their vote-by-mail return envelope or whose signature on the vote-by-mail return envelope did not match the voter's signature(s) on file should be reminded that the information shall remain confidential, shall not be publicly posted, and shall not be used to threaten or harass a voter. Recipients of voter registration information should be made aware of the penal provisions set forth in Elections Code sections 18109 (misuse of information) and 18540 (compel a person to refrain from voting).

We recommend that you contact your county counsel to discuss any requests that you receive.

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For additional information regarding the rights and responsibilities of members of the public and elections officials related to observing the election process along with relevant sections of the Elections Code, please refer to CCROV 18232, which may be found on our website at <https://elections.cdn.sos.ca.gov/ccrov/pdf/2018/september/18232jl.pdf>.

If you have any questions, please feel free to contact me at jana.lean@sos.ca.gov.
Thank you.