Clackamas County
Internal Audit Oversight Committee
Meeting Materials
Monday, January 24, 2022

Item #1
Elections Ballot Security – Presentation

County Clerk Elections Ballot Security: Observers welcome

A report by the County Internal Auditor

Why the audit is important

Local survey demonstrates an ongoing need to build confidence and trust in Oregon's election system; Public awareness and confidence in each step of an election process supports the integrity of the election

- In April 2020, Oregon was one of 5 states - Oregon, Colorado, Hawaii, Washington and Utah - which administered all elections entirely by mail.
- Reed College's nonpartisan Early Voting Information Center released results of its year-long voter study in April 2021, noting lack of trust in the election process.
- In May 2021, Clackamas County had over 305,000 registered voters, a 27.94% voter turnout rate and over 190 individual election contests.
- This audit was designed to assess the physical custody and security of cast paper ballots during receipt, processing and storage.

What we found

The County's public observation lobby provides an excellent election viewing opportunity; Chain of custody and security enhancement opportunities exist

- Over an 8 day period, more than 40 observers witnessed the May 18, 2021 Special District Election ballot processing.
- Over 60 temporary workers were hired to process ballots; many retirees who routinely return each election to serve the county.
- Heavy reliance is placed on the experience and integrity of the highly valued and trusted temporary workers.
- Recommendations from two prior elections reviews continue to be relevant.

What we did NOT address

Risks associated with the physical paper ballot were assessed. Information technology processes and risks were outside the engagement scope and objectives

- The engagement did NOT assess any information technology or advanced electronic systems (hardware or software) used in County elections, including systems used in signature verification or tallying.
- The engagement did NOT recount or verify any election results for any contest included in the May 18, 2021 Special District Election or any other election.
- The engagement did NOT validate the voter registration or eligibility process.

What we recommend

Enhance chain of custody controls and processes; Enforce physical security protocols

- Physical Security
  1. Require both ingress and egress door access scans.
  2. Secure loading dock door.
- Chain of Custody
  - Enhance receipt protocols for damaged or non-standard return envelopes.
  - Confirm Inspection Control Log batch reconciliations.

What is being done

The Clerk agrees with two of the four recommendations; Implementation efforts for physical security enhancements are underway; Target completion date – May 2022

- **Physical Security**
  1. Ingress and egress door scans into main Election processing area required as of the November 2021 election.
  2. Clerk coordinating with County Facilities to address loading dock door access and security. Target completion date - May 2022.
- **Chain of Custody**
  3. Clerk disagrees with value of recommended action. "Adding steps to the process would slow the process significantly … adding more expense to the election in personnel."
  4. Clerk disagrees with value of recommended action. "Adding a hand count of all batches at the opening boards would significantly slow the process and add unnecessary expense to the election."

Clackamas County
Internal Audit Oversight Committee
Meeting Materials
Monday, January 24, 2022

Item #2
Elections Ballot Security – Report

(Available on Clackamas County County Internal Audit website)

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Elections Ballot Security:
Observers welcome

Chain of custody enhancements will further support a transparent ballot processing environment

September 2021
A Report by the County Internal Auditor

Jodi Cochran, CPA, CIA, CGMA, CRMA
Clackamas County Chief Audit Executive

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Clackamas County Treasurer

CLACKAMAS
COUNTY

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I. Executive Summary

Executive Summary

Chain of custody enhancements will further support a transparent ballot processing environment

Clackamas County has physical security and safeguarding controls and processes in place to effectively receive and process returned ballots, and to complete election result tallies. Chain of custody enhancements will support an already transparent ballot processing environment. While recommendations are offered to capitalize on improvement opportunities, no instance of deliberate unethical or fraudulent activity was noted. Clackamas County relies on the service, professionalism, integrity, respect, individual accountability, and trust of each staff member as key points in control activity and risk management. These organizationally-defined core values provide the foundation for all Elections ballot processing decisions, actions, and practices. Transparency and the focus on continuous improvement support good government.

Recommendations

This narrowly scoped review resulted in the following four recommendations addressing physical security and chain of custody enhancements offered to support the processing of cast ballots. Detailed observations and recommendations are included in this report.

Physical Security

1. Require both ingress and egress door access scans
2. Secure loading dock door

Chain of Custody

3. Enhance receipt protocols for damaged or non-standard return envelopes
4. Confirm Inspection Control Log batch reconciliations

Management response

The County Clerk and the Elections Division team have reviewed these recommendations and agreed with two of the four recommendations. Full responses have been included in this report.

Proactive efforts

County Clerk Sherry Hall and Elections Manager Becky Doll, among other County team members, contributed their time and effort to provide access to the information and data cited. These contributions significantly impacted the completion of this review. As a County team, collaborative efforts are vital to the county's ability to successfully meet objectives, as well as identify, thoroughly analyze, and appropriately respond to risks. We demonstrate our core values, SPIRIT, when we collectively and proactively identify steps to streamline processes, strengthen controls, and mitigate risks.

SERVICE
In all our actions we...

- advance the needs of the community and the individuals we serve
- are committed to finding positive solutions for our customers
- respond to customers promptly in all matters, especially when it is hard to do so
- are mindful of our duty to provide our best efforts every day

PROFESSIONALISM
In all our actions we...

- are the face of Clackamas County
- develop and apply our knowledge and skills to continually improve our performance
- conduct the public's business with consistency and excellence

INTEGRITY
In all our actions we...

- are sincere and trustworthy
- acknowledge and learn from our mistakes
- demonstrate fairness in interactions with others

RESPECT
In all our actions we...

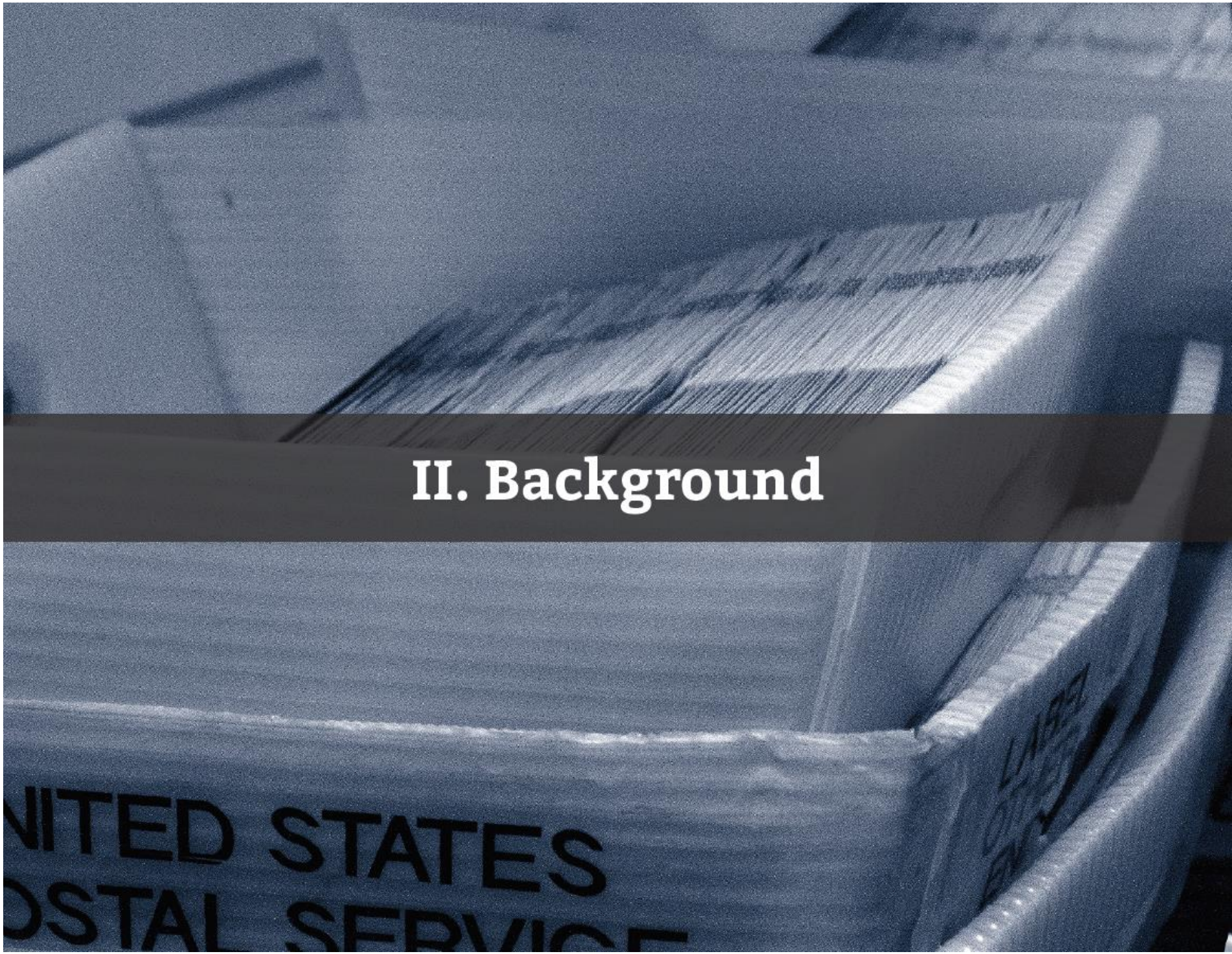
- accept personal differences and value others' perspectives
- communicate in a positive and courteous manner
- first listen to understand, then seek to be understood

INDIVIDUAL ACCOUNTABILITY
In all our actions we...

- accept and demonstrate personal responsibility at all times
- do what we say we are going to do
- are prudent with the use of public funds and resources

TRUST
In all our actions we...

- remain approachable and objective
- declare our intentions
- address issues honestly and directly
- right our wrongs in good faith



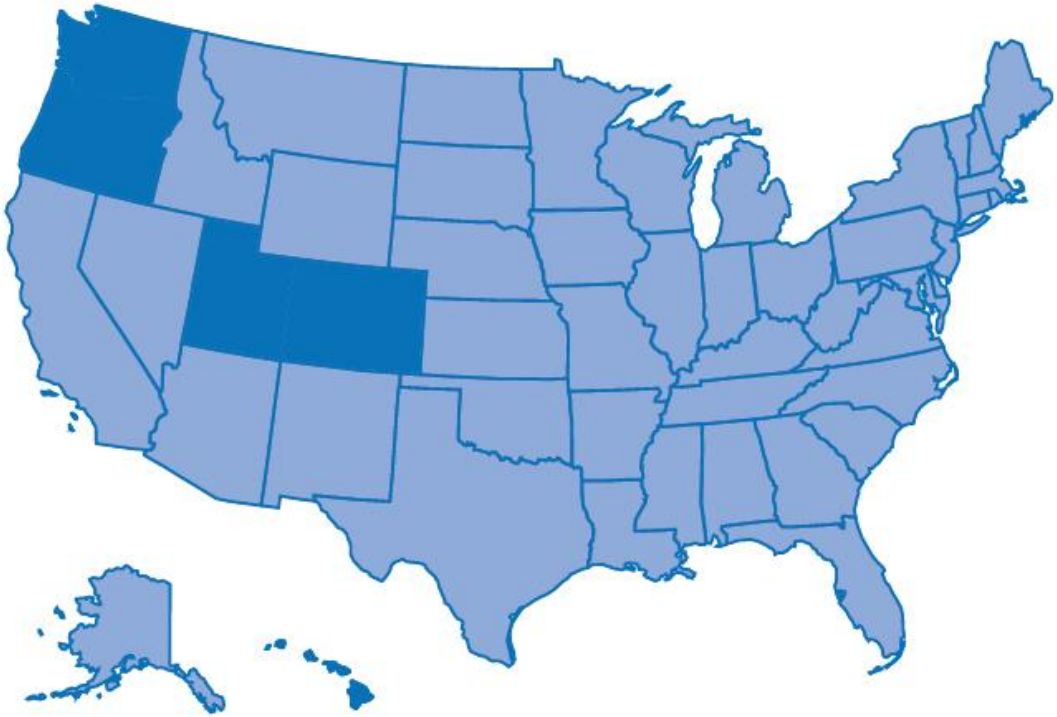
II. Background

Background

Oregon's long history of voting by mail

"Oregon has been voting by mail exclusively since voters approved Measure 60 in 1998 by the overwhelming margin of 69.4% to 30.6%. However, local elections have been conducted by mail in Oregon since Linn County Clerk Del Riley first pioneered the process in 1981 and it was made permanent state-wide for local elections in 1987."[1]

In April 2020, Oregon was one of five states — Oregon, Colorado, Hawaii, Washington and Utah — which administered all elections entirely by mail. In these five states, registered voters are proactively mailed ballots. Oregon, the first state to administer all elections entirely by mail, has been enhancing this process for over two decades.



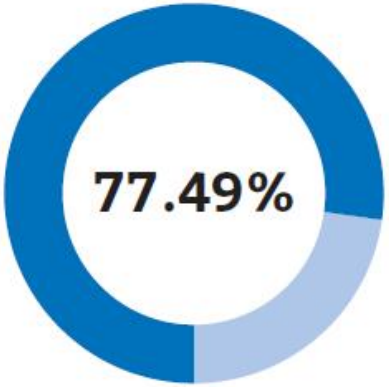
Oregon, Colorado, Hawaii, Washington and Utah administer all elections entirely by mail.

1. Clackamas County Elections website – Elections FAQ

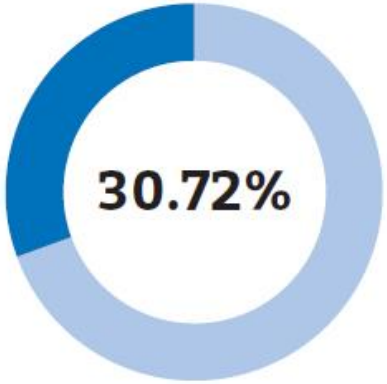
Clackamas County voter turnout

Voter turnout calculations are impacted by both the number of registered voters and the number of ballots cast. In January 2016, the Oregon Motor Voter Act became effective. This law makes voter registration automatic, shifting from an opt-in process to an opt-out process.[2]

As would be expected, Clackamas County has its highest voter turnout for general elections. For general elections with 100 or more voting precincts, the County averages 77.49% voter turnout. Its highest turnout was 85.61% for the 2004 Presidential election. The highest voter turnout for special elections with 100 or more voting precincts was the January 28, 2003 election which included Measure 28, increasing the Oregon income tax rates. The turnout for that election was 65.44%. Removing the two highest and two lowest turnout rates for special elections, the 20-year average is 30.72%. The May 18, 2021 Special District Election reported a turnout of 27.94%.[3]



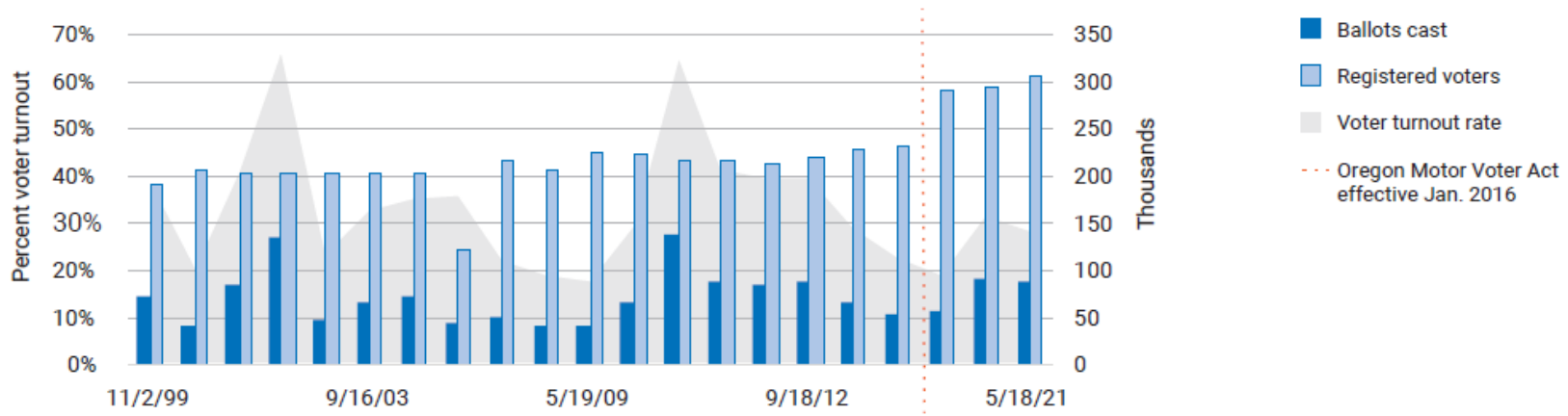
Average general election turnout



Average special election turnout

2. Oregon Secretary of State Oregon Motor Voter Act FAQ website
3. Auditor calculations based on election results reported on Clackamas County Election website

Voter Turnout Rates based on registered voters and ballots cast in Clackamas County Special Elections with 100 or more Precincts[4]



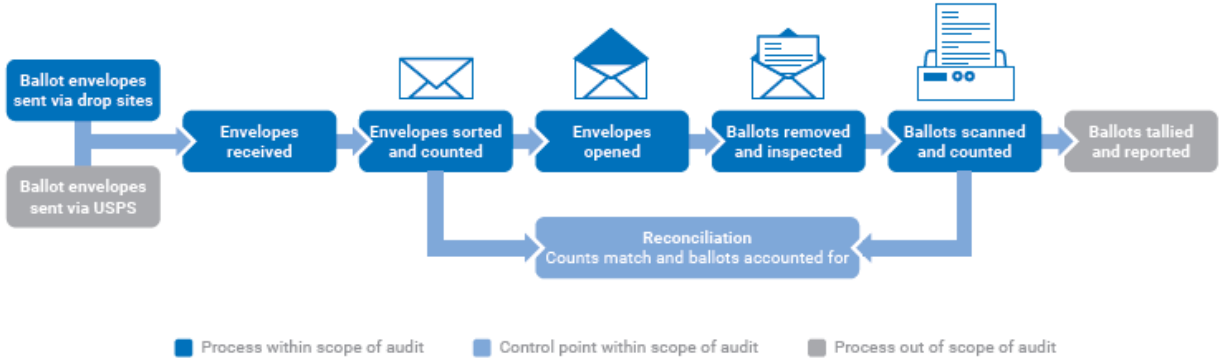
4. Based on election results as reported on Clackamas County Election website

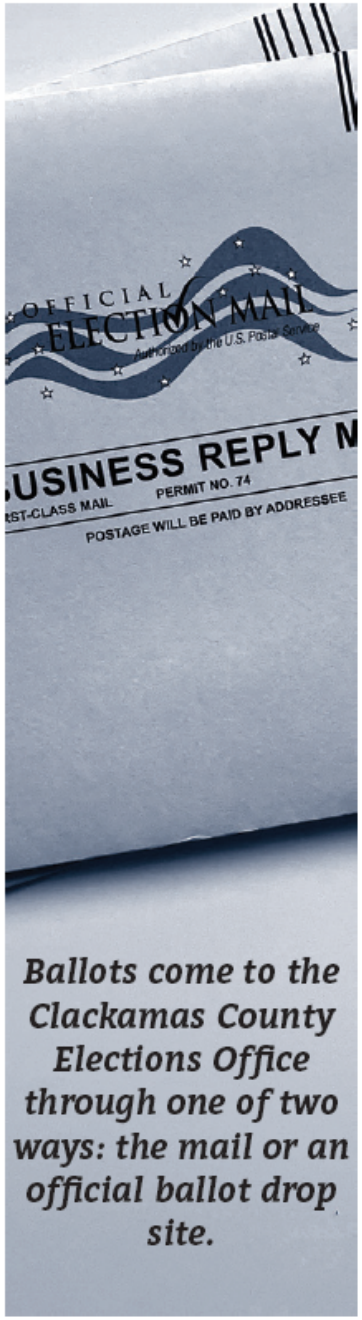
III. Observations

Observations

Ballot processing for complete and accurate Clackamas County elections

The Clerk's Office oversees the planning, coordination and conduction of elections, and ensures that elections are conducted according to statute and other related requirements. The Clerk's Office assures fair and unbiased application, operation, and interpretation of election laws, providing the public with complete and accurate information.[5] Clackamas County's ballot processing follows laws, rules and directives established in Oregon Revised Statues, developed by the Secretary of State, published in the Vote by Mail Manual and distributed to Oregon county clerks. Key ballot processing steps include: Receiving, Sorting and Counting, Signature Verification, Envelope Opening, Ballot Inspection, and Ballot Scanning & Counting.[6]





Ballots come to the Clackamas County Elections Office through one of two ways: the mail or an official ballot drop site.

5. Clackamas County Clerk website
6. Process descriptions based on Clackamas County Elections interpretive diagrams displayed in the Elections public observation lobby. Diagram designed by County Internal Audit as general reference point; credit to King County Auditor's Office; Signature verification processes completed prior to opening envelopes, signature verification processes outside engagement scope; Reconciliation process reconciles OCVR and tallying systems.

Receiving, Sorting and Counting

Ballots come to the Clackamas County Elections Office through one of two ways: the mail or an official ballot drop site. Ballots may be delivered by hand directly to the Clerk's Office and deposited in either the outdoor or indoor official drop sites. In total, there were 25 Clackamas County official drop sites available during the May 18, 2021 Special District Election.[7]

Ballots are scanned by a sorter machine which reads the bar code and captures the signature on the ballot return envelope. The bar code identifies the voter who has returned the ballot. This information is uploaded to the State voter registration system, the Oregon Central Voter Registration System (OCVR), which allows the voter to track their ballot.

Signature Verification

The signature captured from every return envelope is compared to the signature on a scanned copy of the voter's registration card. Once the signature has been verified, the sorter batches ballots into two groups: ballots with accepted signatures and ballots with signatures needing further review. There are several return envelope issues that can occur which need further review and resolution, including:

- no signature on the return envelope,
- signature on the return envelope does not match the voter registration signature, or
- a different person has signed the return envelope.

The Elections Office follows up with the voters whose return envelope has been identified as needing further action and assists the voter with a resolution.

7. Official drop site locations are provided in the Voters' Pamphlet. An interactive Google map of all available drop site locations is provided on the Elections webpage.

Return Envelope Opening

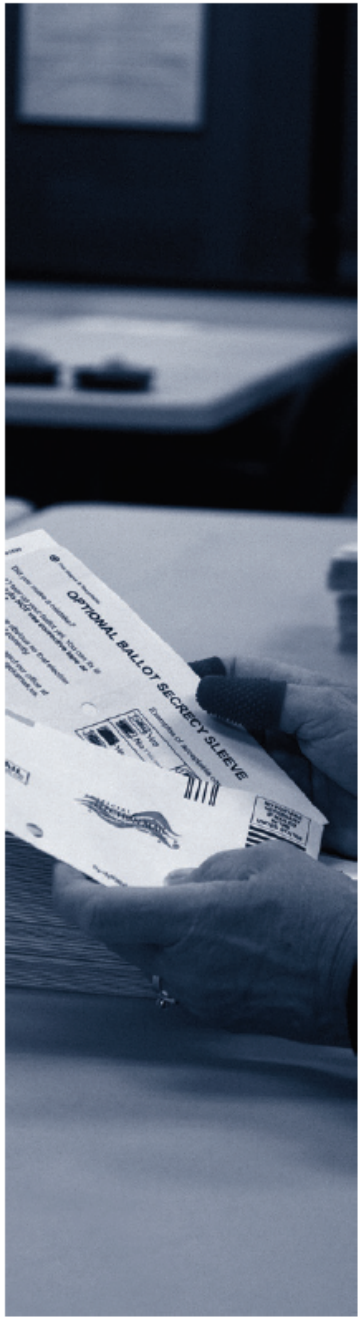
Return envelopes with verified signatures are batched and proceed to the return envelope opening stage. Prior to seven days before Election Day, the batches are stored with the return envelopes sealed. Once seven days prior to Election Day has been reached, batches of return envelopes are slit open by an opening machine. Batches of return envelopes are only opened if the batches will be processed during that day. Open batches are placed in tubs on a cart and moved to the ballot inspection area.[8]

Ballot Inspection

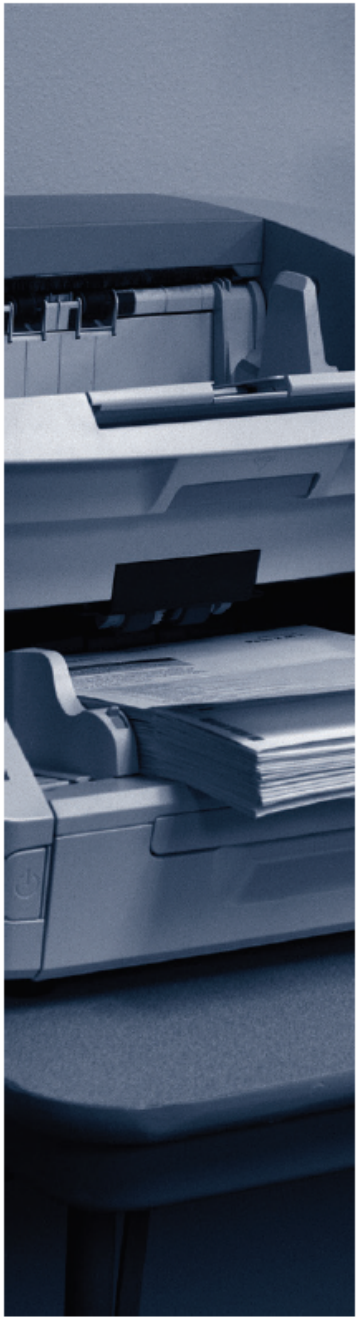
Tubs of ballots are processed in multiple, distinct steps, one batch at a time, by teams of 2 to 4 workers representing at least two different political affiliations.[9] First, the return envelopes are arranged with the voter's names faced down. Next, the secrecy envelopes containing the voted ballots are removed and the return envelopes are placed back in the tub. Secrecy of the ballot is retained even if the secrecy envelope was not used as the name and signature were not seen. There are no elements identifying the voter on the ballot.

Ballots are unfolded and inspected for any markings which would cause the tally system to be unable to read the voter's intent. If the markings are severe enough, the ballot is set aside for duplication and receives a unique tracking number for a reconciliation to the final number of ballots tallied. Ballots are not enhanced or modified.[10] Inspection teams log all activity for each batch processed. If more than one ballot is found in the return envelope or secrecy envelope, both ballots are rejected. Rejected ballot envelopes are archived according to retention rules.

Once the inspection is complete, ballots which were not rejected or set aside for duplication are banded and sent forward to be tallied.



8. Return envelope opening process may be impacted starting January 1, 2022 as a result of 2021 Legislative HB 3291
9. Election worker political affiliations are noted by colored lanyards visible to public observers. Additionally, election worker rosters, indicating political affiliation and processing roles, are available upon request.
10. Per Elections policy, to ensure the integrity of the inspection process, only Elections-approved items are allowed on processing tables.



Ballot Scanning, Counting and Resolution

All ballots are fed into a scanner in the tally room. The unique serial number printed on each ballot ensures that only those ballots issued by the County are sent through the scanners and that ballots are not scanned more than once.

Once a batch of ballots has gone through the scanner, the system tells the operator how many ballots were read. This number is reconcilable to the log sheet from the ballot inspection team. Scanner operators are a mix of political affiliations overseen by a supervisor.

Each scanning machine is attached to two computers; one is next to the scanner and the other in the Ballot Resolution section of the tally room. Ballot Resolution teams consist of two people of different political affiliations. Resolution involves examining an image of each ballot the system detected as containing:

- An over vote – more than one box marked on a race or measure
- An under vote – no markings on a race or measure
- A write-in vote on any race
- A damaged vote – a box has been damaged

In those cases where the voter's intent was unable to be read by the system, resolution teams make on-line changes so that the tally is correct. These on-line changes are logged internally (including what change was made, when, and by whom) and can be reviewed at any time after the election. These changes are not made to the actual ballot itself, only to an electronic image of the ballot. In cases of a recount, the actual (unchanged) ballot is counted by hand by a recount team.

After tallying, ballots are stored in ballot transport boxes which are marked with the batches the box contains.

Public observation for transparency and accessibility

Clackamas County Elections welcomes observers. At Clackamas County, the entire ballot process flow, from receipt to archive, is accessible for public viewing from one continuous public observation lobby. It is important to the County that all voters feel confident in the process, feel welcome to come watch for themselves, and ask questions.[11]

In a facility specifically designed to support election processing, the County's public observation lobby provides one of the state's best election viewing opportunities.

The Public Observation Lobby is open whenever ballot processing is occurring. Visitors are asked to sign an Observation Log and abide by the County's Observation Policy. Several interpretive signs explain each of the activities visible through large, unobstructed windows encircling the Observation Lobby. The continuously forward flow of the processing steps provides clear insight and the opportunity to better understand the ballot life cycle. While observers are not allowed in the secure processing areas, Elections supervisors are available whenever visitors are present to answer questions and address observations.

Between May 11, 2021 and May 19, 2021, more than 40 observers witnessed the ballot processing for the May 18, 2021 Special District Election.

Public observation is a key control element supporting transparency and accountability in the vote-by-mail process. Public observation and engagement is strongly encouraged.[12]

11. Clackamas County Elections Observer Policy
12. An additional eight observers participated in the statutorily required (ORS 258.280) automatic recount of the Estacada School District, Zone 3 contest. The recount was conducted on June 16, 2021. The contest outcome did not change as a result of the recount.

Diagram of Elections Public Observation Area

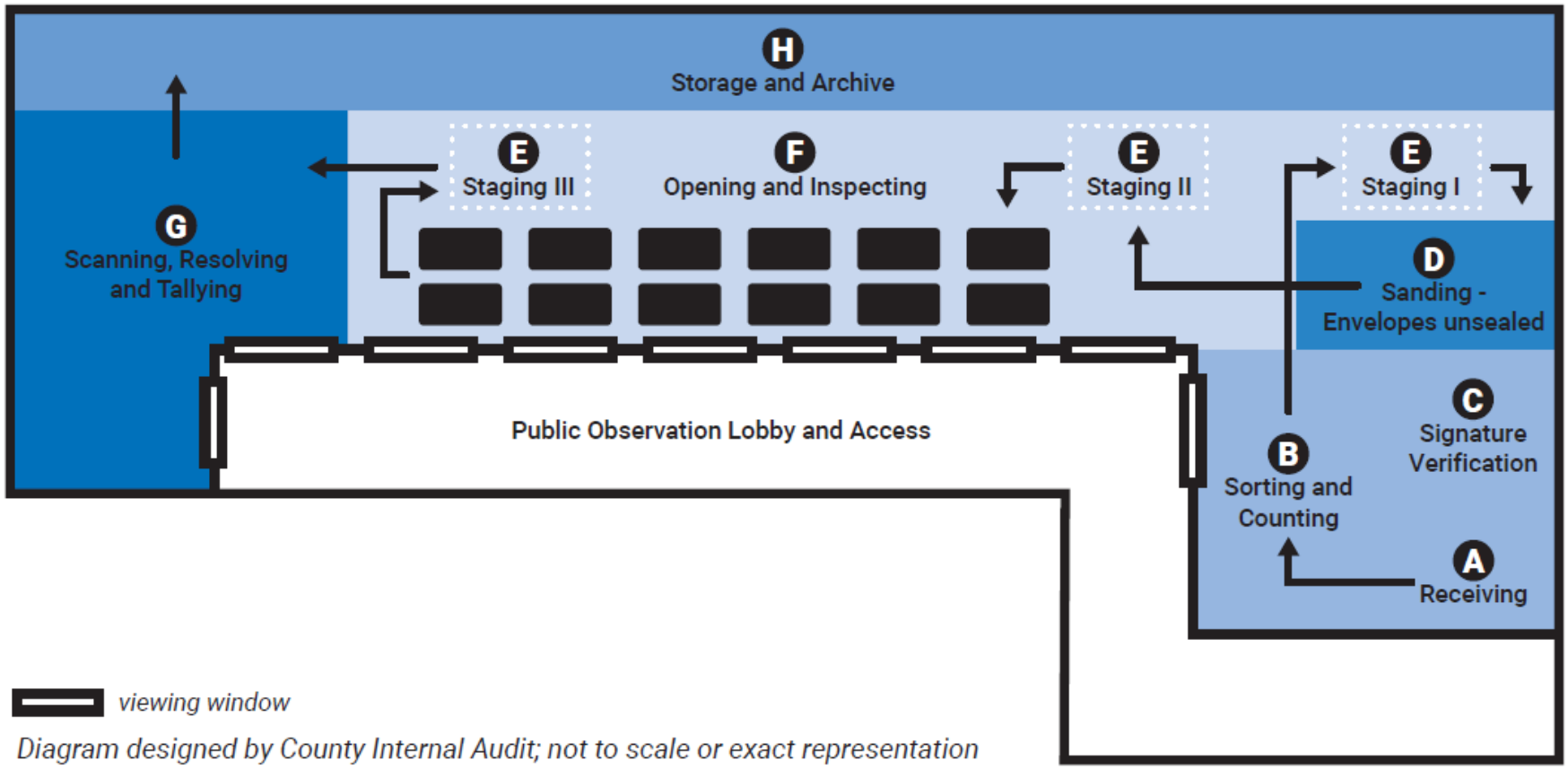


Diagram designed by County Internal Audit; not to scale or exact representation

Physical security for a safer facility

The Clackamas County Elections facility is located on the Clackamas County Red Soils campus. The secured processing center is supported by the close proximity and ready availability of County security and facility resources. The Oregon Secretary of State Vote By Mail manual, adopted by Oregon Administrative Rule No. 165-007-0030 and revised in March 2020 states, "Security protocols shall be established to ensure only authorized personnel have access to secure areas." For the May 18, 2021 Special District Election, over 60 temporary workers were hired to process ballots. According to Elections officials, many of these were retirees who routinely return each election to support the county through their efforts. The experience and institutional knowledge represented by this temporary workforce pool is highly valued and trusted by Elections officials.

Opportunities for consistent implementation of physical security and access controls were noted.

Badge access

Temporary Elections workers did not routinely scan their unique access badge when entering or leaving the processing areas. Observations include personnel frequently "piggy backing" behind another staff member through an open door and personnel not scanning their access badge when leaving. At one point, a door secured by key card access was observed to be propped open with a door jam. This practice may allow unauthorized access to go undetected. Likewise, there is not a precise record of who entered or left processing areas or when. As such, key access logs are inaccurate or incomplete. In response to a 2013 report issued by the Clackamas County Elections Integrity Committee, access systems were upgraded to allow ingress and egress tracking. Continued progress toward full implementation of the report's recommendation to enhance access tracking is encouraged.

Open doors

The County Clerk is encouraged to address underlying conditions resulting in unsecured access doors. Two of the three access doors to the receiving, sorting and signature verification areas were frequently open and unlocked. Personnel entered the Elections facility through the loading dock door. Personnel not assigned duties in the processing areas adjacent to the loading dock door (receiving, sorting and signature verification) were observed walking through these areas when they arrived for, or left from, their shift in other processing areas, or when on their way to the restroom after delivering drop site totes.

Elections officials indicated the loading dock door was left open intentionally for three reasons:

1. It is difficult to detect when drop site delivery teams need access (and when to open the door) because there is no window at the loading dock door and, when the machines are running, it is hard to hear the teams knocking;

All access doors to election processing areas should be closed and secured at all times.

Enhance receipt protocols for damaged or non-standard return envelopes.

2. Temporary staff were not able to use the secure employee entrance to the Elections Office because card access to that door had not been granted to the temporary Elections workers[13]; and
3. The temperature and air quality in the processing areas can become uncomfortable due to the level of activity. The open doors help to moderate the heat.

To prevent unauthorized access that may jeopardize the safety and integrity of the Elections facility, personnel and election material, all access doors to election processing areas should be closed and secured at all times.

Chain of custody for ballot integrity

Visible flow of process is a significant chain of custody control. Elections officials and supervisors, as well as public visitors, may easily observe a majority of the handling and processing of return envelopes and ballots. Processing errors or inconsistencies can be detected and adjustments quickly made.

Reconciliation of total return envelopes received to total ballots tallied provides assurance that every eligible ballot received was tallied and that only eligible ballots are tallied. Prior to recording the receipt of a return envelope, the risk of the return envelope and ballot being misplaced or lost and remaining undetected is at its highest. Opportunities for enhancing custody controls during receiving processes were noted.

Receipt of damaged or non-standard return envelopes

The processing of damaged or non-standard return envelopes which are return envelopes that the sorting machine cannot process is an atypical receiving process. These return envelopes must be processed manually.

During the May 18, 2021 Special District Election receiving process, return envelopes which were damaged or could not be run through the sorting machine (i.e. too thick, wet or torn) were placed on the Elections supervisor's desk for later manual processing by the supervisor, including manually entering the receipt into the OCVR system.

The supervisor's desk was positioned on the other side of the low wall separating the receiving area from the signature verification area. The return envelopes were often tossed over the wall onto the desk rather than interrupting the receiving process to walk the return envelope to the supervisor's desk. The supervisor's desk

13. The Clerk's Office noted access changes experienced during COVID-19 protocol implementation impacted public access doors.

served multiple purposes, supported multiple tasks, had multiple items stored on it, and contained return envelopes in various stages of processing. The supervisor's desk was observed to be frequently unattended.

The receiving team did not log the segregated damaged return envelopes, individually or in total.

These returned envelopes, segregated due to an inability to apply normal receiving and sorting processes, were not subject to the same level of chain of custody controls applied to the majority of return envelopes (i.e. run envelopes through the sorting machine, identify and record). There was no record of receipt until the supervisor manually updated the OCVR system. Additionally, there was no segregation of duties between physical receipt and record of receipt.

A 2009 Performance Audit of the County Clerk's Office included a recommendation to "implement chain of custody protocols in all ballot processing efforts." Specifically, the report identified confirming custody between processing locations. Continued effort in response to this recommendation is encouraged. To enhance the chain of custody controls supporting receiving activities, the County Clerk should enhance receipt protocols for damaged or non-standard envelopes.

Reconciliation of the Inspection Control Log

The Inspection Control Log documents the batch results of manual table processing, opening the accepted return envelopes, and inspecting the ballots. The beginning number is recorded from the system generated tray tag and the ending number is calculated from the noted exceptions recorded on the log for that batch.

The Inspection Control Log was designed by the Clackamas County Elections Division to reconcile election ballot activity at the batch level. Discrepancies can be detected early for process adjustments to avoid errors. The Opening and Inspecting Table Instructions do not require batch confirmation of the number of opened return envelopes or the number of inspected ballots through a 100% hand count process. The Inspection Control Log does not clearly document the reconciliation of ballots to be tallied, prepared by the processing tables, to the final number of ballots scanned provided by the scanning machines.

The reconciliation of all return envelopes received to all ballots tallied occurs at the end of the cycle during the election certification process. The Clackamas County Ballot Count Report submitted to the Secretary of State Elections Division for the May 18, 2021 Special District Election reconciled within 5 ballots, or 0.005% of the total ballots tallied. A minimum of 5 ballots not recorded in the Oregon Central Voter Registration System were tallied.

To support early detection of potential variances, the County Clerk should enhance the Inspection Control Log documentation and batch reconciliation process.

IV. Recommendations

Recommendations

Physical Security

1. Require both ingress and egress door access scans

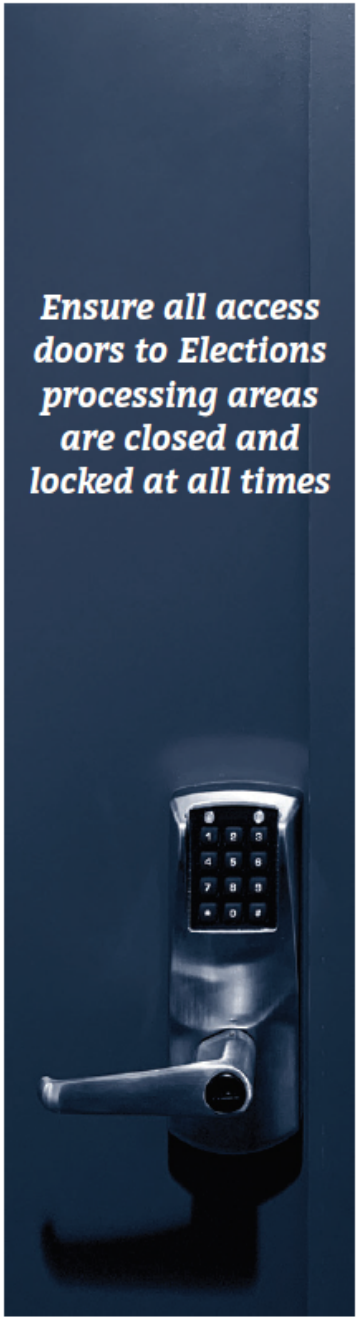
Recommendation
The County Clerk should establish and implement a scan in/scan out protocol for individual access to all secure Elections processing areas.

Management Response
Agree or disagree?

If disagree, why?

If agree, what will be done?

We put this into place for the November 2021 Election.



2. Secure loading dock door

Recommendation
The County Clerk should ensure all access doors to Elections processing areas are closed and locked at all times. When actively receiving deliveries with an open loading dock door, all other doors in the receiving, sorting, and signature verification areas should be closed and locked.

To address noted concerns, the County Clerk should:

- Install a door bell and light, or similar notification devices, on the outside of the loading dock door to alert staff inside when delivery access is required.
- Ensure appropriate employee building access is granted to temporary Elections workers and that all temporary workers used the employee entrance.
- Address temperature and air quality concerns with Clackamas County Facilities and consider other ventilation options.
- Post signs stating doors must remain secured during election processing activities.

Management Response
Agree or disagree?

If disagree, why?

If agree, what will be done?

This was not normal and happened due to changes made in the building security and COVID. The Supervisors were on duty and Supervisors know all the people who are working. There was no actual compromise but we needed to get past a temporary problem. We are working with Facilities to come up with a workable solution for door security.

Who will do it?

Facilities

When will it be done by?

Will try to have it completed by the May 2022 Primary Election. We must partner with Facilities and rely on their schedule. Time frame also depends on approval of payment for this work because it was not budgeted in the 2021/2022 budget cycle.

Chain of Custody

3. Enhance receipt protocols for damaged or non-standard return envelopes

Recommendation
The County Clerk should enhance receipt protocols for damaged or non-standard return envelopes by:

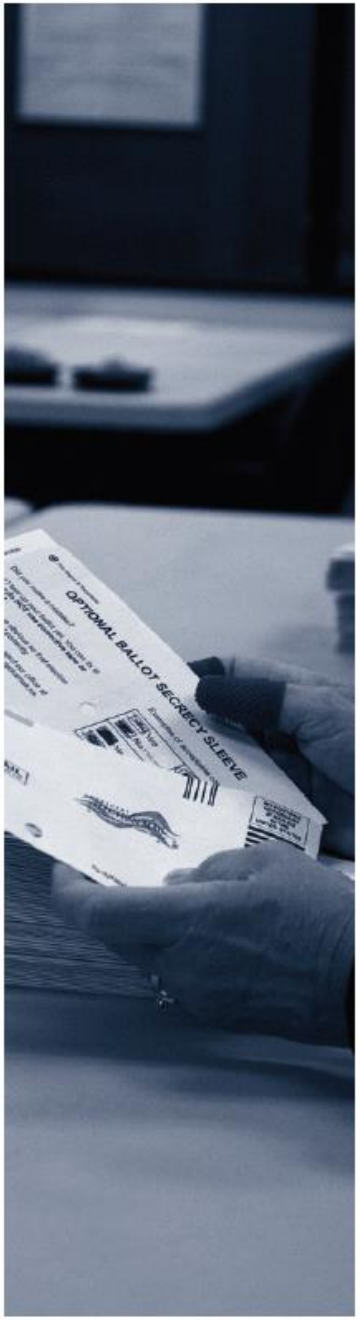
- Placing receptacles or small hanging bins for exception items (i.e. damaged return envelopes, envelopes for other counties, garbage, etc.) in the receiving area.
- Enhancing and documenting the receiving procedures to include the use of an exception log for items received which cannot be processed under normal protocols, including damaged or non-standard return envelopes which cannot be processed through sorting machine. This log should be created by receiving personnel for the items secured prior to transferring custody to the Elections supervisor for manual processing.
- Enhancing and documenting reconciliation processes to include reconciling the exceptions receipt log to the OCVR system.

Management Response
Agree or disagree?

If disagree, why?

Disagree, This is an area where it is critical not to add unnecessary steps to slow down the process. In a large election, the signature verification process can run steady all day for several days. It is an area where there are multiple people working to tray incoming envelopes, feed the sorter and tray envelopes from the sorter. There are envelopes the sorter for whatever reason cannot read and must be dealt with by hand. The sorter replaces workers traying envelopes and then hand scanning them into the system for signature verification which was tedious and very time consuming. As Clackamas County's voter rolls grew, scanning envelopes in for signature verification by hand was no longer feasible and the sorter became the best option.

Some of the envelopes that go to the supervisor for hand entry, as the process was done before the sorter and as most counties in Oregon do for all ballots, come from the workers traying incoming envelopes but this is a very small portion of what the supervisor must process by hand. The majority of the envelopes the supervisor must process by hand come from the sorter. When the machine is running the worker removing envelopes from the machine does not have time to evaluate why the machine will not read the



envelope or log that it does not. These envelopes are placed in a tub at the supervisor's desk which the supervisor processes throughout the day as workflow allows. This is a fluid process in which the worker traying from the sorter is frequently adding to the tub, the supervisor is monitoring it, processing as the tub fills, and their workflow allows. These envelopes are processed each day and are accounted for in the statewide voter registration system, just as the ones from the sorter are each day.

Adding steps to the process would slow the process significantly creating a bottleneck in the ballot flow and adding more expense to the election in personnel. The recommendation does not add value that would out way the slowdown of the system.

If agree, what will be done?

Who will do it?

When will it be done by?

4. Confirm Inspection Control Log batch reconciliations

Recommendation
The County Clerk should enhance the Inspection Control Log documentation and reconciliation process by:

- Requiring manual confirmation of the original batch count, the beginning number of return envelopes to be opened, and the ending number of ballots to be tallied. Team members' signatures should attest to this confirmation. The Opening and Inspecting Table Instructions should be updated to include manual count procedures.
- Enhancing documented verification that the number of ballots to be tallied reconciles with the final number of ballots scanned. A signature block should be added to the Inspection Control Log to allow for the scanner's signature and attestation of the confirmation. Scanning instructions should be documented to include enhanced verification procedures, including immediate supervisor notification of discrepancies and the method of documenting resolutions.
- Ensuring the Original Batch Count for all manually prepared batches, those damaged or non-standard return envelopes manually entered into the OCVR system and without a system generated tag, is supported by an OCVR report attached to the Inspection Control Log. Instructions for preparation of manual batches should be documented to include this reconciliation procedure.

Management Response
Agree or disagree?

If disagree, why?

Batches that the signature verification supervisor enters by hand are counted by the opening boards for a batch total. All other batches come from the sorter with a try tag indicating the number of ballots in the batch. The opening board indicates on the Inspection Control Log any ballots rejected at the table and sends the batch to the scanners with the Inspection Control Log. Every batch that goes through the scanners is checked by the scanner operator to ensure the same number ballots was scanned as the Inspection Control Log indicates are in the batch. If the number is off the scanning supervisor and the opening board supervisor review the discrepancy and reconcile the batch before moving on. Adding a hand count of all batches at the opening boards would significantly slow the process and add unnecessary expense to the election.

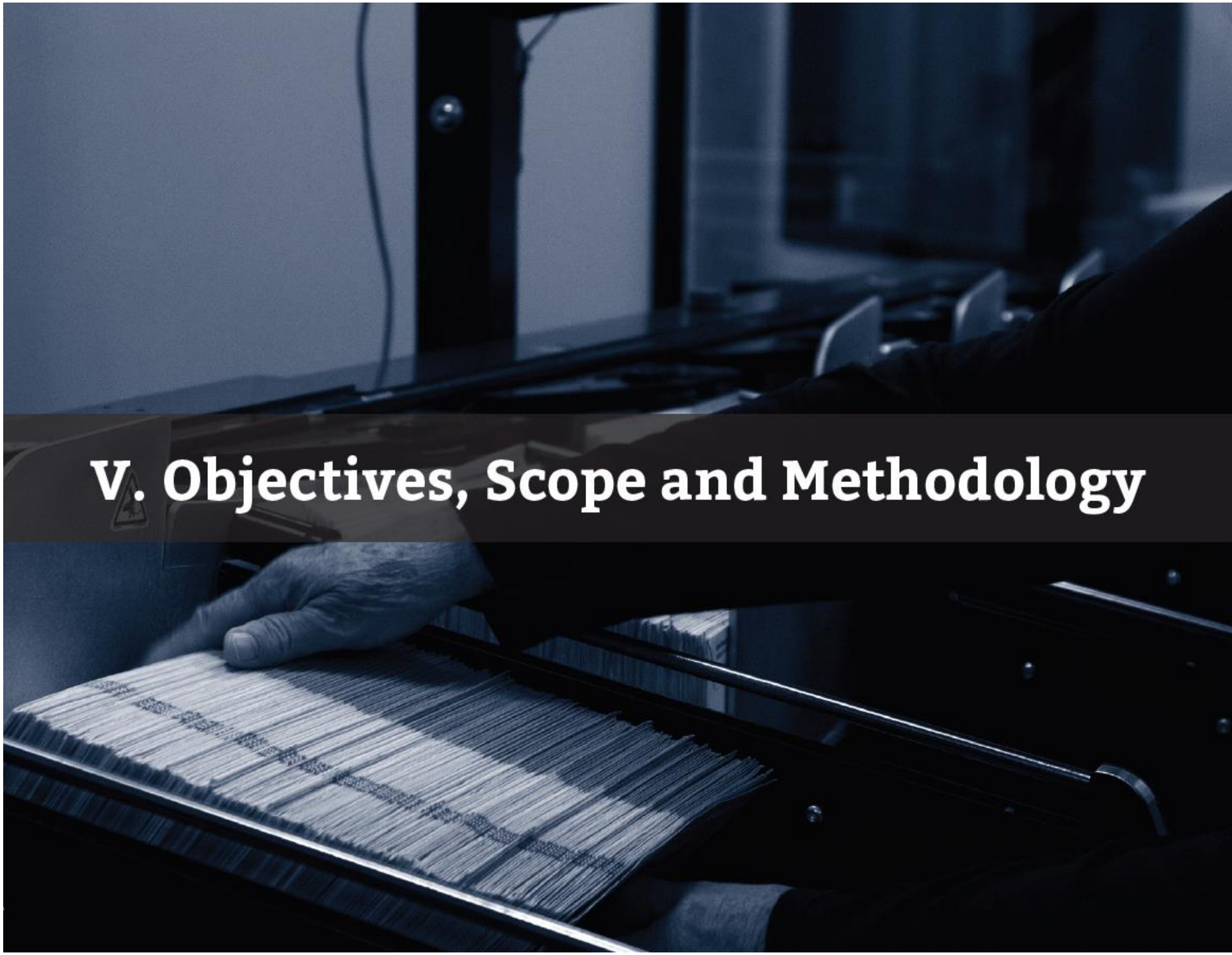
There is no need for a signature block for the scan operators as they are assigned a machine, which is known to the elections manager and the supervisor.

The recommendation does not add v*alue that would out way the slow down of the system.*

If agree, what will be done?

Who will do it?

When will it be done by?



V. Objectives, Scope and Methodology

Objectives, Scope and Methodology

In accordance with the Clackamas County 2021 Audit Plan, County Internal Audit evaluated the State of Oregon May 18, 2021 Oregon Special District Election held in Clackamas County. County Internal Audit engagements are selected and designed to address high risk potential while maximizing County Internal Audit resources and impact. Selection as a topic for an internal audit engagement does not mean an auditable unit is being managed ineffectively or internal controls are inadequate. It merely indicates that the services or functions the entity, office or department is responsible for are, by nature, high priority activities with high risk potential because of factors as:

- Having a large amount of expenditures or revenues;
- Having a high level of liquid assets, such as cash;
- Management's assessment of the control environment; or
- A high degree of public interest.

The high degree of public interest and the perceived value of individual ballots, similar to the susceptibility of cash, contributed to the allocation of County Internal Audit resources to address potential risks inherent to Elections activities. Risks are barriers that may negatively impact the Elections Division's ability to achieve its goals, including complying with the County's approved Elections Security Plan.

The narrow scope of this engagement focused only on the physical custody and security of cast ballots processed for the May 18, 2021 Oregon Special District Election held in Clackamas County.

General objectives for the ballot security assurance engagement were to:

- independently assess the physical security and safeguarding controls supporting the processing of cast ballots (processing steps to include: return intake, sorting, signature verification, opening, scanning, and storing);
- independently assess the potential risk of a mishandled or lost ballot, a miscounted ballot, or a modified ballot;
- advocate for continuous improvement through observations and recommendations; and
- create transparency for the County.

This engagement did NOT:

- assess any information technology or advanced electronic systems (hardware or software) used in County elections, including systems used in signature verification or tallying;
- recount or verify any election results for any contest included in the May 18, 2021 Special District Election or any other election; or
- validate the voter registration or eligibility process.

To achieve engagement objectives, County Internal Audit:

- reviewed Oregon Revised Statutes chapters 171,198, 203,204, 221, 236, 246 through 260; the Oregon Administrative Rules Elections Division - Chapter 165; the Vote by Mail Manual; and other directives issued by the Secretary of State.
- reviewed the January 2021 Security Plan filed with Oregon State Elections;
- reviewed Clackamas County's Elections webpage and provided documents, including past audit reports;
- reviewed State elections procedures, training, and guidance provided to staff;
- conducted interviews with Clackamas County Elections team members;
- observed return intake, sorting, signature verification, opening, scanning and storing procedures throughout the May 18, 2021 Special District Election cycle; and
- researched election processing at other Oregon jurisdictions.

The County's ability to minimize the risks of mishandling, miscounting, or modification of a cast ballot was assessed with respect to alignment and compliance with Oregon State Elections Vote by Mail Manual and Clackamas County's submitted Security Plan. Opportunities for continuous improvement and strengthened controls beyond legal requirements within these areas of risk were also considered.

Engagement fieldwork and report development processes were completed in September 2021. The report publishing process was completed in December 2021.

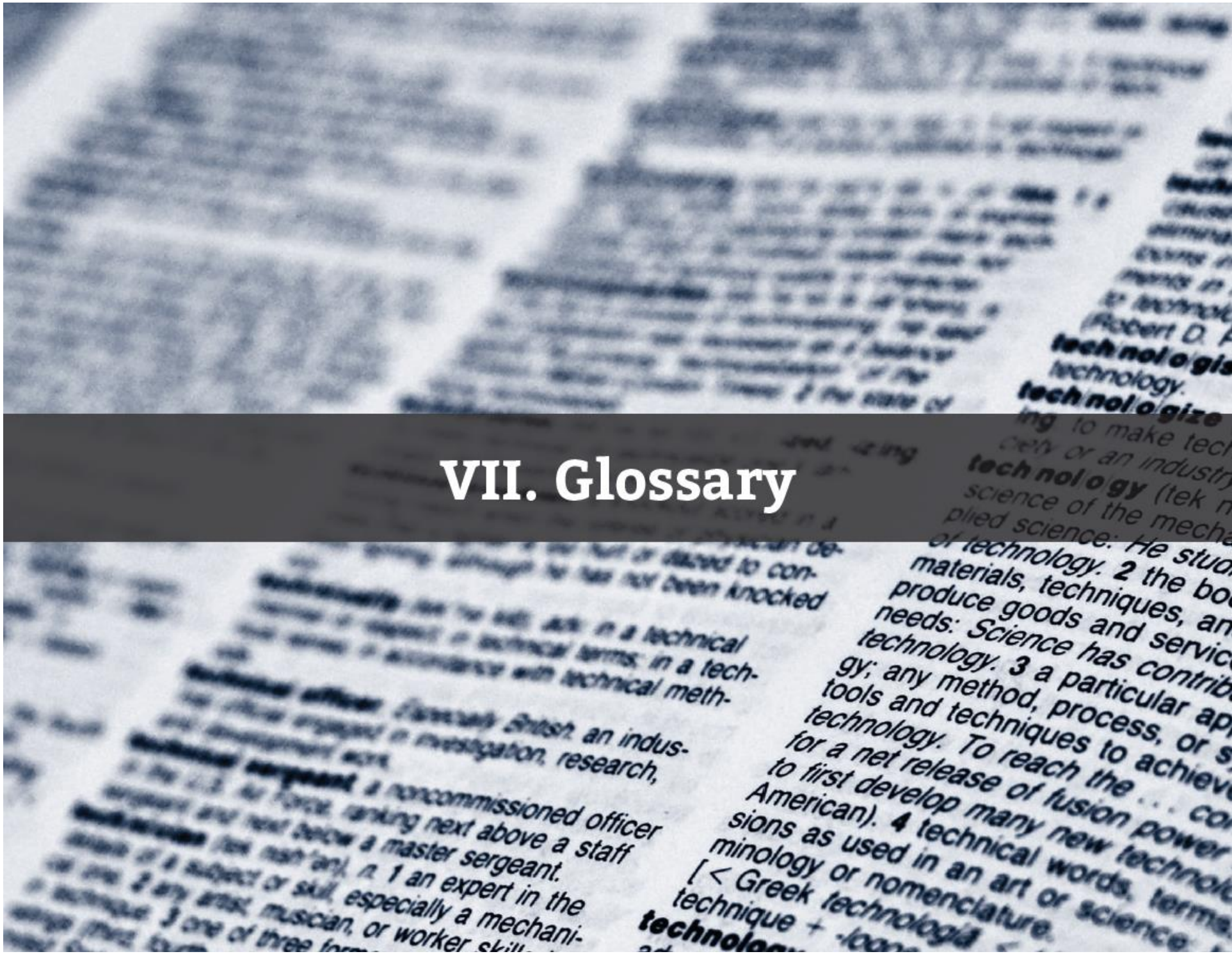
VI. About the Office of County Internal Audit

About the Office of County Internal Audit

The Office of County Internal Audit provides assurance, consulting, and investigative services to the public, employees, offices and departments of Clackamas County so they can feel confident that the public's interests are protected and can engage with an accountable, high performing, and transparent local government. The Office helps Clackamas County accomplish its mission by bringing a systematic, disciplined approach to evaluating and improving the effectiveness of governance, risk management, and control processes.

The Office of County Internal Audit governs itself by adherence to The Institute of Internal Auditors' mandatory guidance, including the Definition of Internal Auditing, the Code of Ethics, and the *International Standards for the Professional Practice of Internal Auditing*.[14] The Office does not fully conform to the Standards to the extent the Office has not received an external review. Obtaining an external peer review is one of the Office's strategic goals. The County Internal Auditor, the Chief Audit Executive, reports functionally to the Internal Audit Oversight Committee and administratively to the publicly elected County Treasurer. This authority allows the Office of County Internal Audit to provide independent, objective, and risk-based assurance, advice and insight. The Office is designed to add value and improve County operations and the County's ability to serve.

14. Governance documents available on the Institute of Internal Auditors' website https://na.theiia.org/standards-guidance/mandatory-guidance/pages/standards.aspx



VII. Glossary

Glossary

Term	Definition per Oregon Secretary of State Vote By Mail Manual
Ballot Cast	A ballot that has been deposited into an official drop site, the USPS mail or submitted to the county elections office.
Canvass	The official tally of votes for any given election. The purpose of the canvass is to account for every ballot cast and ensure that every valid vote cast is included in the election totals.
Challenged Ballot	Ballot that is held for further research because there is a question as to the voter's eligibility (such as questions regarding address) or because the signatures on the return identification ballot envelope and the registration record do not match.
County Elections Official	The county clerk or the county official in charge of elections.
Defective Ballot	Ballots that cannot be accurately tallied by the counting equipment unless enhanced or duplicated. These are found by the inspection boards or are identified by the ballot counting equipment.
Duplicate Ballot	A blank ballot onto which original votes are copied exactly for purposes of counting. A duplicate ballot is created when the original ballot is damaged or is not machine-readable and cannot be enhanced.
Enhance	The process of modifying an original ballot in order to make it machine-readable, or the process of digitally modifying an image to make it tally per voter's intent. The process includes darkening a vote area so the counting/scanning equipment can see the vote or enhancing a vote areas so the counting equipment will not read an extraneous mark or an erasure as a vote. The alterations must be made so that the original ballot can be seen in the event of a contest of election. Note: Clackamas County does not enhance ballots. All defective ballots are duplicated and the original ballot is retained.

Inspection Board	Person who perform the task of inspecting ballots after the ballots are removed from the secrecy envelopes and before the ballots are counted. (County used Opening/Inspection teams and refers to Opening/Inspection Tables)
Machine-rejected Ballot	Defective ballot that is not machine-readable, including a ripped or torn ballot, a ballot voted with an instrument that cannot be read by the machine or a ballot with extraneous marks within the read head path.
Observer	An individual who has obtained prior approval from the county elections official in representing a candidate, measure, PAC, special interest group or Political Party or a member of the general public for the purpose of observing the election processes. These individuals are only to observe and may not at any time interfere or interact with elections staff while they are performing their duties and must direct any questions only to a designated supervisory staff person.
OCVR	Oregon Central Voter Registration System
Opening Board (County refers to Opening/Inspection Tables)	Persons performing the task of removing ballots from the return identification and secrecy envelopes. (County used Opening/Inspection teams and refers to Opening/Inspection Tables)
Rejected Ballot	Ballots that have passed signature verification but which cannot be counted because of other problems.
Return Identification Ballot Envelope (Return Envelope)	The envelope issued by the county elections official for a particular election and used by the voter to return a voted ballot. Envelope displays voter's name, address, precinct, ballot type and other pertinent information and provides a place for voter to sign under oath.
Unaccepted Ballot	Ballots that are not processed beyond the step of signature verification. Includes envelopes with no signature, signature does not match, ballots not returned in returned identification ballot envelope. Ballot does not arrive before 8 pm on Election Day.

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