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### Informational Hearing

### *Voter Identification in California*

Tuesday, August 26, 2025  
10:00 a.m. – 1021 O Street, Room 2100

### Final Summary Document

#### *Overview*

During the hearing entitled “Voter Identification in California,” the Senate Committee on Elections and Constitutional Amendments heard testimony from nine scheduled witnesses, plus several members of the public. The hearing had two purposes:

- 1) To provide a clear understanding of how California currently confirms the identity of a voter during the voter registration process and when voting in an election; and
- 2) To find methods and procedures to improve the current system in order to increase confidence in California’s elections and improve the experience of the voter.

The hearing provided a thorough understanding of voter identification during voter registration and during voting, as well as a comparison of how California’s processes compare to other states’ processes. The testimony further covered in depth how election officials maintain the voter rolls. Witnesses also provided an overview of instances of voter fraud that occur when someone is misidentified or votes multiple times, how those cast ballots are accounted for, and if and when a prosecution occurs.

All witnesses were asked for suggestions to improve the current system, and while much of the testimony provided was a defense of the status quo, some recommendations included:

- Providing greater transparency in the elections process, including with regard to how voter rolls are established and maintained;

- Conducting an on-going public education campaign to dispel misinformation around the election process and instill greater confidence among voters;
- Using ID to check voters in at polling places to improve the check-in process; and
- Providing sufficient financial resources to support the administration of California elections, including voter identification processes.

A recurring theme of testimony provided was that any change made to the existing system must balance the extremely low rates of voter fraud under the current system against the cost of making changes to the system. Potential costs could include the training of workers, new equipment, and potentially denying qualified voters access to voting.

## *Summary of Witness Testimony*

### Panel 1: “Current Voter Identification in California”

- California Secretary of State (SOS) Shirley N. Weber, Ph.D.
- Tricia Webber, Santa Cruz County Clerk/Registrar of Voters (ROV)

Secretary Weber and Ms. Webber provided an overview of how voter identification occurs during the voter registration process, which principally depends on data from the California Department of Motor Vehicles (DMV) and the U.S. Social Security Administration (SSA) to confirm identity. These witnesses also reviewed the qualifications necessary to register to vote (U.S. citizen, at least 18 years old at time of election, not in prison, not mentally incompetent) and noted that a voter attests to these under penalty of perjury on the registration affidavit.

Secretary Weber and Ms. Webber reviewed the processes election officials use for maintaining the voter rolls, including regularly reviewing death notices, incarcerations, and change of address information from the United States Postal Service (USPS). Ms. Webber noted that county election officials regularly receive messages from California’s voter database, VoteCal, the USPS, the California Department of Corrections and Rehabilitation, Superior Courts, and directly from voters and their family members. They act on each of these to maintain voter files.

These witnesses stated that voters generally do not show ID at time of casting a ballot, except for very limited instances where the voter did not or was not able to provide identifying information when registering. For vote by mail (VBM) ballots, voter ID occurs via signature verification. When voting in person, it occurs when the voter speaks aloud at the request of the poll worker their name and address. The in-person voter signs an oath saying they are who they are and that they have not already voted.

Secretary Weber explained California's process for voter identification begins at registration when the identity of the person registering is most typically confirmed through the DMV or the SSA. She also outlined how some recent changes to voter ID laws in other states have made it more difficult to vote and how, in some places, voter ID requirements have led to voter suppression. Secretary Weber urged citizens to defend our democracy that we hold dear and the rights it provides to individuals. Secretary Weber pointed out that fraud requires intent and that voter fraud is very rare. Her office observes most of the double voting instances occur when an elderly person both votes in person and then later gets a ride to the polls where they mistakenly vote a second time.

**Recommendations:** Secretary Weber asked the Legislature to support necessary upgrades to VoteCal and for sufficient funding in future years for needed technology improvements.

Ms. Webber suggested using ID to check in a voter could facilitate that process, as scanning an ID would potentially save time and be simpler than the verbal process now used. She pointed out there would be many steps necessary to implement the use of voter ID, including specifying acceptable IDs, training of election workers, and dealing with a myriad of issues that could arise with out-of-date IDs, acceptable IDs, name changes, and other logistical challenges.

#### Panel 2: "Voter Identification in Other States"

- Katy Owens Hubler, the Director of Elections and Redistricting for the National Conference of State Legislatures (NCSL)
- David Becker, the Executive Director and Founder of the Center for Election Innovation and Research

Katy Owens Hubler and David Becker gave an overview of how other states identify voters both in the registration process and when casting a ballot.

Ms. Owens Hubler shared that voter identification is not new. In 1950, South Carolina became the first state to request voters show ID at the polls. By 2000, 14 states requested ID at the point of voting. These states requested a mix of photo and non-photo IDs but did not necessarily require ID to vote.

In 2005, two states, Georgia and Indiana, first required voter ID in order to cast a ballot. Those without acceptable identification could cast a provisional ballot but had to return with valid ID in order for their votes to be counted. Thirty-six states now have some sort of voter ID at the polling place. Some states request and some require ID; some accept only photo IDs, and some accept IDs without a photo, such as a bank statement or utility bill.

Ms. Owens Hubler noted that if a state implements a system of voter ID at the polls, then it would also be necessary to increase free access to acceptable forms of IDs. Courts have found favor with the argument that charging for an ID to vote is a form of a poll tax, and therefore unconstitutional under the 24th Amendment to the U.S. Constitution.

In her testimony, Ms. Owens Hubler shared studies showing that voter identification laws do not necessarily increase confidence in elections, probably because the debate around such laws tends itself to lower voter confidence. That said, Pew Research survey data from last year shows that 69% of Democrats and 95% of Republicans nationwide support requiring a photo ID to vote.

David Becker testified that every state has a process to verify the identities of voters at polling places and when returning VBM ballots. He specifically discussed Georgia's rules, which for VBM ballots require a driver's license number, state ID number, or last four digits of a Social Security Number (SSN) be included when returning the ballot. He noted that 99.4% of Georgia voters have either a state ID or an SSN in their voter file. Several other states have similar systems. These systems have also increased the ease of counting VBM ballots, but instituting such a system requires a redesign of the VBM ballot return envelope.

Mr. Becker emphasized that states requiring ID need to have a failsafe in place to make sure that no eligible voter's vote goes uncounted. The most common form of failsafe for in person voter ID is an affidavit alternative to use when a voter does not have or cannot get a state ID. Idaho and Michigan, which employ these methods, both reported that only 0.2% of voters presented an affidavit alternative when voting during the 2020 election.

Mr. Becker noted that there are ways to implement voter ID without disenfranchising voters. He expressed frustration over the political use of voter fraud versus voter suppression in discussions about election administration, noting that the Heritage Foundation has found only about 1000 instances of voter fraud in this country since 1980, during which time hundreds of millions of votes that have been cast. He noted that the risk-reward calculation for a noncitizen to vote makes voter fraud an unlikely proposition.

**Recommendations:** Mr. Becker noted that California elections are as secure as ever, but stated that the use of voter ID when checking in at the polls would assure identity and increase efficiency.

Ms. Owens Hubler noted that NCSL does not make policy recommendations.

### Panel 3: “When Something Goes Wrong”

- Devin Lavelle, Assistant Director of California Research Bureau (CRB) at the California State Library
- Jessica Washington, Deputy District Attorney at the Sonoma County District Attorney’s Office

Devin Lavelle provided an overview of studies of voter fraud in California. This included a review of 14 California counties that have conducted grand jury investigations into voter fraud since 2020. The 14 counties found no evidence of voter fraud and were generally positive in their reviews. Nearly all noted potential areas for improvements including ensuring accurate voter rolls, strengthening trainings, improving formal procedures and documentation, securing facilities better, increasing transparency, communicating better with voters, and improving the in-person voter experience. Sutter County’s Grand Jury recommended an on-going public education campaign to dispel misinformation surrounding the electoral process, and prompting trust and confidence in elections.

CRB found little academic studies on voter fraud, as academia may consider this a settled question. Mr. Lavelle mentioned the Heritage Foundation Database, which since 2020 (but not including 2024’s elections) has found 10 cases of voter fraud.

Jessica Washington provided a summary of a case she prosecuted in which a voter, William Eschenbach, in Sonoma County voted twice in two elections. He voted once by mail and once in person in the June 2022 primary election and in the November 2022 general election. Mr. Eschenbach then bragged on social media that he voted twice and never heard a word from Sonoma County officials.

California Elections Code Section 18560(b) makes it a misdemeanor or felony to vote more than once, so the Sonoma County ROV referred Mr. Eschenbach’s case to the Sonoma County DA’s office. The ROV provided information from the county election management system that showed Mr. Eschenbach voted first by mail and then in person for both the primary election and the general election in 2022. The DA’s office learned the ROV counted the ballot it received first in each election, which in both instances were those he cast in person. His VBM ballots came in after Election Day, so those ballots were not counted, but were kept.

In 2024, Mr. Eschenbach was charged with two felony counts of voter fraud and then plead guilty to one count. The DA and ROV issued a joint press release to try to prevent anyone from trying this in the future and restore integrity in the system.

***Recommendations:*** CRB’s review provided this recommendation from Sutter County:

An on-going public education campaign to dispel misinformation around the election process and instill greater confidence among voters.

Ms. Washington's testimony provided the recommendation that public information could include making prosecutions of voter fraud public so as to discourage such fraud.

Panel 4: "Recommendations for Changing Voter Identification Practices"

- Collen Britton, Solano County Coordinator/Volunteer for the Election Integrity Project California (EIPCa)
- Conrad Crump, Senior Health Policy Advocate for Disability Rights California (DRC)
- Rosalind Gold, Chief Public Policy Officer of the NALEO Educational Fund

The final panel included representatives from voting advocacy organizations. The committee requested that these witnesses testify to ways that voter identification practices in California could be improved.

Ms. Britton stated that EIPCa believes many changes must be made to California's election processes if it is to be honest, transparent, and trusted by the electorate. One of these concerns is voter ID. EIPCa looks for cracks in the system for fraud to occur and believes that faulty voter rolls, mass mailing of ballots, and unlimited "ballot harvesting" create opportunities for fraud to occur. She further stated that signature curing is tedious, subjective, and ineffective. Simply put, EIPCa states that voter ID with every ballot is needed.

Ms. Britton stated that VoteCal is unreliable and provided several example of EIPCa's evidence for this, including that in the 2020 presidential election, VoteCal recorded 124,000 more votes than voters. Similarly, in 2022, EIPCa found nearly 44,000 more votes and over 22,000 more voters than what was certified by the California SOS. She cited that in 2022 general election that 21,355 voters had two or three votes credited to their respective registration ID numbers. (Please see addendum to this summary.)

Finally, Ms. Britton cited National Bureau of Economic Research data showing voter ID requirements have negligible effect on turnout or registration on any group defined by race, gender, age, or party affiliation.

Conrad Crump on behalf of DRC noted the title of this panel suggests that witnesses should be recommending changes to California voter ID laws, but stricter voter ID requirements could be a detriment for people with disabilities, people of color, and low-income Californians. Mr. Crump stated the real issue is access and voter ID can make access harder. Finally, he pointed out that those with disabilities have challenges getting and retaining government-issued identifications.

Rosalind Gold stated based on its work with Latino voters, NALEO opposes anything more restrictive in the way of voter ID in California or for documentary requirements of citizenship to vote. She said that both were unnecessary, can impair the ability to vote,

and tend to discriminate against voters who are young or people of color. Further, voter ID only adds costs to counties that have other needs to address. Ms. Gold quoted the Brennan Center for Justice that a person is more likely to be struck by lightning than to impersonate another voter. Further, she cited 2023 survey data from the Brennan Center and others that found black people and Latinos nationally were less likely than white people to have access to a driver's license, showing the discriminatory impacts of strict voter requirements of great concern.

**Recommendations:** Ms. Britton recommended that every person must show a government-issued ID to vote, and if a voter comes to the polls without ID, they must go home and get it. She also recommended showing proof of citizenship to register to vote.

Mr. Crump urged the committee to keep status quo.

Ms. Gold said that voter ID is a “bad solution in search of a nonexistent problem.”

## *Conclusion*

The hearing provided a thorough overview of the current system of voter ID in California and other states. It provided some recommendations on how California could improve voter ID. It also showed voter confidence could be improved through better public information and transparency around voting, voter rolls and their maintenance, systems in place to ensure that a voter who casts multiple votes only has one counted, and the prosecution of those who intentionally commit voter fraud.

## *Addendum*

As noted in an earlier version of this hearing summary, committee staff followed up with the SOS's office regarding EIPCa's reports that more votes were cast than there were voters in recent California elections. SOS staff noted the existence of legal action that referenced these reports, notifying committee staff that EIPCa had sued the SOS and several local election officials over matters related to election administration and vote dilution.

The federal district court dismissed EIPCa's lawsuit in 2024 for failure to state a claim. EIPCa appealed this ruling to the Ninth Circuit of the U.S. Court of Appeals.

EIPCa introduced some of the same numbers in its appeal as it provided in testimony at this hearing, including specifically in the 2020 presidential election, VoteCal recorded 124,000 more votes than it had voters. In its August 2024 decision, the appellate court stated:

In other words, 124,000 people voted for the first time in California. Such an assertion does not remotely amount to an allegation that 124,000 *ineligible* voters cast ballots, or that 124,000 invalid *mail-in* ballots were cast. The only plausible inference we may draw from EIPCa's allegation is one consistent with the ordinary practice of democracy: 124,000 people, accounting for less than one percent of all votes cast in California's 2020 general election, voted for the first time in that election.

EIPCa then requested an en banc panel for the Ninth Circuit hear this appeal. The court rejected this request in October 2024. No further appeals have been made.

EIPCa told committee staff it disagrees with both the lower court and the Ninth Circuit panel and stated that both made their findings without looking at the evidence EIPCa presented. EIPCa continues to believe there are serious issues with VoteCal that impact all voters.

EIPCa's ongoing concerns, and the lack of resolution to them, reaffirm the recommendations at the beginning of this summary, specifically the need for greater transparency in the elections process and for upgrades to VoteCal.

October 15, 2025