

GUIDELINES AND APPLICATION: SAN MATEO VOTER REGISTRATION FILE REQUEST



OFFICE OF
ASSESSOR-COUNTY CLERK-RECORDER & ELECTIONS
COUNTY OF SAN MATEO

MARK CHURCH
CHIEF ELECTIONS OFFICER &
ASSESSOR-COUNTY CLERK-RECORDER

Voter registration information is **NOT public data** and state laws govern how and by whom voter registration information may be used.

WARNING: The authorized recipients of the voter registration information are responsible for the security of all voter registration information provided through this request.

Please carefully read the following instructions to request the voter registration file or a specific voter's registration information.

1. Applicant **MUST** complete and return the attached application to the Election Office.
2. Applicant **MUST** provide as much detailed information as possible for the specified use of the voter registration records.
 - Election: information identifying the California candidate(s) or California ballot measure(s)
 - Candidate: information identifying federal, state, or local office
 - Committee for/against any initiative or referendum measure: information identifying the California initiative or referendum for which legal publication is made
 - Political: documentation establishing affiliation with the political organization
 - Scholarly: letter from a representative of the institution (professor, administrator, etc.) on the institution's letterhead stating that the applicant is authorized to receive the data
 - Journalistic: a clear photocopy of press pass
3. The application **MUST** include an **ORIGINAL** signature.
4. The application **MUST** include a clear copy of the applicant's current driver license or state identification card.
5. The fee **MUST** be included with the application. (See fee schedule)

Processing time: Requests will be processed in the order received. Once received, requests can take up to 5 business days to review and process. The Election Office will determine whether the application is complete and whether state law permits the proposed use of the voter registration information.

Data format: If the application is approved, the data will be made available via our secure FTP. A username and password will be provided, and the data can then be downloaded. The files will be provided in a plain text tab-delimited format.

End use: Once the requested information is received, the Election Office is not responsible for end-user technical support for processing data (text) files that are purchased and does not provide training or assistance on converting the data for usage. Once the voter registration information has been sent to the applicant, no refunds will be issued.

Authorized/Prohibited use: State law strictly governs how voter record data may be used. Use of the data is only authorized for the purpose approved on the application.

Prohibitions:

- Using the data for an unapproved purpose
- Sharing or transferring the data to any other party without the submission of a new application and the express written approval of the Election Office
- Using the data to harass any voter or voter's household
- Using the data for any commercial, advertising, or marketing purposes
- Leaving the voter data unsecured and publicly available online or offline

A violation of any of the above constitutes a misdemeanor, subject to significant fines. (Elections Code section 18109)

If the application is denied, the Election Office will notify the applicant explaining why the request was denied and return all application materials and monies.

Questions can be directed to:

Data Requests
40 Tower Road
San Mateo, CA 94402
data@smcacre.org
(650)312-5222

Codes and Regulations

California Elections Code 2188. Application for voter registration information.

- (a) Any application for voter registration information available pursuant to law and maintained by the Secretary of State or by the elections official of any county shall be made pursuant to this section.
- (b) The application shall set forth all of the following:
 - (1) The printed or typed name of the applicant in full.
 - (2) The complete residence address and complete business address of the applicant, giving street and number. If no street or number exists, a postal mailing address as well as an adequate designation sufficient to readily ascertain the location.
 - (3) The telephone number of the applicant, if one exists.
 - (4) The number of the applicant's driver's license, state identification card, or other identification approved by the Secretary of State if the applicant does not have a driver's license or state identification card.
 - (5) The specific information requested.
 - (6) A statement of the intended use of the information requested.
 - (c) If the application is on behalf of a person other than the applicant, the applicant shall, in addition to the information required by subdivision (b), set forth all of the following:
 - (1) The name of the person, organization, company, committee, association, or group requesting the voter registration information, including their complete mailing address and telephone number.
 - (2) The name of the person authorizing or requesting the applicant to obtain the voter registration information.
 - (d) The elections official shall request the applicant to display his or her identification for purposes of verifying that identifying numbers of the identification document match those written by the applicant on the application form.
 - (e) The applicant shall certify to the truth and correctness of the content of the application, under penalty of perjury, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The applicant shall state the date and place of execution of the declaration.
 - (f) Completed applications for voter registration information shall be retained by the elections official for five years from the date of application.
 - (g) This section shall not apply to requests for information by elections officials for election purposes or by other public agencies for governmental purposes.
 - (h) The Secretary of State may prescribe additional information to be included in the application for voter registration information.
 - (i) A county may not provide information for any political subdivision that is not wholly or partially contained within that county.

California Elections Code 2194. Access to voter registration information. Limited Confidentiality. (Not Full Text)

- (a) Except as provided in Section 2194.1, the affidavit of voter registration information identified in Section 6254.4 of the Government Code:
 - (1) Shall be confidential and shall not appear on any computer terminal, list, affidavit, duplicate affidavit, or other medium routinely available to the public at the county elections official's office.
 - (2) Shall not be used for any personal, private, or commercial purpose, including, but not limited to:
 - (A) The harassment of any voter or voter's household.
 - (B) The advertising, solicitation, sale, or marketing of products or services to any voter or voter's household.
 - (C) Reproduction in print, broadcast visual or audio, or display on the Internet or any computer terminal unless pursuant to paragraph (3).
 - (3) Shall be provided with respect to any voter, subject to the provisions of Sections 2166, 2166.5, 2166.7, and 2188, to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State.

Elections Code 18109. Misuse of Information; Misdemeanor.

- (a) It is a misdemeanor for a person in possession of information identified in Section 2138.5, or obtained pursuant to Article 5 (commencing with Section 2183) of Chapter 2 of Division 2 of this code or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.
- (b) It is a misdemeanor for a person knowingly to acquire possession or use of voter registration information from the Secretary of State or a county elections official without first complying with Section 2188.

Government Code 6254.4. Voter Registration Information; Confidentiality.

- (a) The home address, telephone number, email address, precinct number, or other number specified by the Secretary of State for voter registration purposes, and prior registration information shown on the affidavit of registration, is confidential and shall not be disclosed to any person, except pursuant to Section 2194 of the Elections Code.
- (b) For purposes of this section, "home address" means street address only, and does not include an individual's city or post office address.
- (c) The California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on an affidavit of registration, or added to the voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.), are confidential and shall not be disclosed to any person.
- (d) The signature of the voter that is shown on the affidavit of registration is confidential and shall not be disclosed to any person.

California Code of Regulations Title 2, Division 7, Chapter 1, Article 1. Access To Voter Registration Information

19001. Definitions.

As used in this Article, the following words have the following meanings:

- (a) "Person" includes any person, firm, association, organization, partnership, business trust, corporation or company.
- (b) "Registration information" means all information maintained in the general index to the affidavits of registration whether set forth on electronic data processing tapes or tabulating cards pursuant to Elections Code Section 607 or in indices of registered voters pursuant to Elections Code Section 607 and includes all information partially or solely derived from the aforementioned information, whether displayed, transmitted or stored in any format or on any media whatsoever.
- (c) "A registration record" means the information or any portion thereof, set forth in an affidavit of registration executed by any person pursuant to Division 1, Chapter 2 of the Elections Code.
- (d) "Source Agency" means Secretary of State or local agency or person deputized by the state or local agency which maintains registration information.

19002. Use of Registration Information; Limitations.

Registration information obtained by any person from a source agency shall be used solely for election and governmental purposes.

19003. Permissible Uses.

Permissible uses of information obtained from a source agency shall include, but shall not be limited to, the following:

- (a) Using registration information for purposes of communicating with voters in connection with any election.
- (b) Sending communications, including but not limited to, mailings which campaign for or against any candidate or ballot measure in any election.
- (c) Sending communications, including but not limited to, mailings by or in behalf of any political party; provided however, that the content of such communications shall be devoted to news and opinions of candidates, elections, political party developments and related matters.
- (d) Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition.
- (e) Sending of newsletters or bulletins by any elected public official, political party or candidate for public office.
- (f) Conducting any survey of voters in connection with any election campaign.
- (g) Conducting any survey of opinions of voters by any government agency, political party, elected official or political candidate for election or governmental purposes.
- (h) Conducting an audit of voter registration lists for the purpose of detecting voter registration fraud.
- (i) Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or in support of or opposition to any ballot measure.
- (j) Any official use by any local, state, or federal governmental agency.

19004. Impermissible Uses.

The following uses of registration information obtained from a source agency shall be deemed other than for election and governmental purposes:

- (a) Any communication or other use solely or partially for any commercial purpose.
- (b) Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support of or opposition to a ballot measure.
- (c) Conducting any survey of opinions of voters other than those permitted by Sections 19003(f) and (g).

19005. Prior Written Authorization.

No person who obtains registration information from a source agency shall make any such information available under any terms, in any format, or for any purpose, to any person without receiving prior written authorization from the source agency. The source agency shall issue such authorization only after the person to receive such information has executed the written agreement set forth in Section 19008.

19006. Charges; Deposits.

The source agency may designate the price which is to be charged for the use of such registration information. The source agency may also require the payment of a deposit or the execution of a bond to cover the costs of supplying such registration information.

19007. Penalties.

Every person, who directly or indirectly obtains registration information from a source agency, shall be liable to the State of California, as a penalty for any use of said registration information which is not authorized by Section 607 of the Elections Code and the regulations promulgated pursuant thereto, for an amount equal to the sum of 50 ¢ multiplied by the number of registration records which such person used in an unauthorized manner.

Unauthorized use by any applicant of any portion of the information obtained pursuant to this Chapter shall raise a presumption that all such information obtained by such applicant was so misused. Illustration: X Data Corp. obtains registration information from a source agency and uses this information to address a commercial mailing to 10,000 voters. Under the provision of this section, X Data Corp. is obligated to pay the State of California the sum of \$5000, which constitutes the sum of 50 ¢ multiplied by 10,000, the number of registration records which were used in an unauthorized manner.

19009. Submissions to Secretary of State.

The Secretary of State may require that the applicant submit to the Secretary of State a copy of all mailings conducted by the applicant pursuant to this Chapter.

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MARK CHURCH
CHIEF ELECTIONS OFFICER &
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Application – Please Print

Full Name of Person Requesting Data		Name of Organization or Committee	
Title or Position	Email Address		Phone Number
Address (street number and name)	City	State	Zip
Use Information			
What type(s) of organization(s), or committee(s) do you represent?			
<input type="checkbox"/> Election	<input type="checkbox"/> Scholarly	<input type="checkbox"/> Journalistic	
<input type="checkbox"/> Political	<input type="checkbox"/> Governmental	<input type="checkbox"/> Other _____	
Name of Candidate or Campaign			
Intended Use of This Information - Explain your intended use of this information.			
<p>By signing below, applicant and beneficiary (if applicable) hereby:</p> <ul style="list-style-type: none"> Agree that the information set forth in the voter registration records will be used for the approved purposes, consistent with state law, as defined by Elections Code section 2194, California Code of Regulations section 19003, and Government Code section 6254.4. Agree to maintain information in a secure and confidential manner and notify the Secretary of State immediately of any violation or breach. Agree not to sell, lease, loan, or deliver possession of the registration information, or a copy thereof, or any portion thereof, in any form or format, to any person, organization, or agency without first submitting a new application and receiving written authorization from the Secretary of State to release such registration information. Understand that it is a misdemeanor for a person in possession of voter registration information to use or permit the use of all or any part of the information for any purpose other than as permitted by law. (Elections Code section 18109) Agree to pay to the State of California, as compensation for any unauthorized use of each individual's registration information, an amount equal to the sum of fifty cents (\$.50) multiplied by the number of times each registration record is used by the applicant and/or the beneficiary, if applicable, in an unauthorized manner. (California Code of Regulations sections 19001-19009) 			
I certify under penalty of perjury, under the laws of the State of California, that all the information provided on this application is true and correct.			
Signature of Applicant or Agent		Date	
Print Name of Applicant or Agent			
Residential Address (street number and name)	City	State	Zip

Fee Schedule

File	Cost
Voter Data File	\$125 per request
Vote by Mail File/Challenged Signature File	No Cost
In Office Lookup	No Cost
Paper Print Out (Walking List)	50¢ per 1,000 voters

Type of Data Requested

Voter Registration Data File – File containing all active, registered voters in specified district including some or all vote history.

Single File Format with voting history for 5 elections. If no elections are specified, last five **statewide** elections will be provided.

Previous Election History Requested: (5 Only) _____

District Requested: _____

Two File Format – Voter data will be in one file, vote history in another.

District Requested: _____

Vote by Mail File – File is only available from the start of early voting though Election Day. File is a list of all voters who were mailed a ballot and the return status of that ballot. Challenged Signature data will be available at E-7 through certification.

County-wide Vote by Mail file

Challenged signature file

In-Office Voter Information Lookup – Limited voter lookup. Addresses are not visible to other than Law Enforcement personnel.

Paper Print-Out – Sometimes called a “Walking List”. This file has limited usability. Paper print out ONLY.

With Phone Numbers

With Vote History

District/Precinct Requested: _____

For Office Use Only

Date Stamp	Date	
	Amount Due	
	Check Number	
	Identification Provided (Make copy of ID)	
	Verified by	