



To: Elizabeth Pape, County Internal Auditor
From: Steve Dennison, Deschutes County Clerk
Date: October 29, 2025
Subject: Management's Response to 2025 Elections Audit Report

2025 Elections Audit Response

Executive Summary

In light of this audit's findings, it is imperative to address the report's inaccuracies and emphasize the importance of factual integrity, especially during a time when elections face unprecedented challenges. Such challenges include reductions in federal funding, widespread false narratives and misinformation, threats to election workers and increasingly sophisticated cybersecurity risks. Discrepancies within audit processes that remain uncorrected and misleading only intensify these challenges. Accurate information is vital to uphold public trust in the electoral system, particularly when scrutiny is heightened. While some components of the report were seen as positives by audit committee members, this perception overlooks the harmful impact of the misinformation and false narratives this report contains. The refusal of the Internal Auditor to correct these inaccuracies before releasing the final report underscores the need for auditing reforms to ensure accountability and fairness in county publications. Unedited statements could unnecessarily harm the county's reputation and similarly impact other counties across the state.

Amidst these numerous external challenges, the dedicated staff of the County Clerk's Office work tirelessly to ensure transparent and secure elections. Their dedication to these values underscores their commitment to serving the public with integrity and honesty. The following responses address the audit report's inaccuracies, findings, and recommendations.

Despite the widespread inaccuracies identified in this report, as detailed in the responses below, the County Clerk's Office acknowledges the risks associated with the Internal County Auditor's recommendations. This recognition arises not from the Auditor's identification of these items, but from the fact that the recommendations already align with the office's ongoing commitment to excellence in the work that is the subject of this audit.

Request from Clerk's Office to Conduct this Audit

Following the 2020 Presidential Election, the County Clerk's Office requested an audit from the County Internal Auditor, then David Givans, to address the increase in misinformation and disinformation relating to elections. The County Clerk's Office, committed to transparency and integrity, sought to educate the public about the electoral process. This effort aimed to address concerns and misconceptions regarding critical components such as voter registration, ballot creation, vote tabulation, election results, and audits. David Givans understood the scope and significance of the Clerk's audit request, recognizing it as a proactive measure to demonstrate how the County safeguards democracy and voter integrity, rather than as a reactionary audit focused on performance or compliance issues. David Givans retired before the audit was initiated, possibly taking with him an understanding of the original intent and objectives of the elections audit.

Reputation

The Deschutes County Clerk's Office has a strong history of excellence in fulfilling its diverse responsibilities. The office maintains essential responsibilities such as overseeing elections, maintaining voter registrations, recording of real property records, issuing marriage licenses, processing passport applications, running the County Archives and Records Center and facilitating the Property Value Appeals Board, all while ensuring compliance with relevant regulations and laws.

In 1999, the Deschutes County Clerk's Office demonstrated its commitment to innovation by becoming the first county in Oregon to offer online access to public records. In August 2017, it led the state again by allowing couples to apply for marriage licenses online, enabling them to apply from anywhere in the world before visiting the office to complete the purchase.

In his effort to meet with staff and observe operations for each county throughout the state, on April 15, 2025 Oregon Secretary of State, Tobias Reed visited the Deschutes County Clerk's Office. As a testament to the positive reputation the office maintains, one month later, on May 14, Secretary Reed chose to return to Deschutes County for his first ride-along to ballot drop boxes to observe the ballot collection processes during the May 20, 2025 Special District Election. Secretary Reed "rode along to observe the process of gathering ballots from drop boxes, sorting, counting and security of the election system—says...ballots are safe and the results are accurate."¹ The Chief Elections Official in the state partnered with the Deschutes County Clerk's Office on a media tour because of the office's reputation for providing consistently accurate, transparent and compliant elections. The County Clerk's Office is honored to build on these successes and continue its dedication to quality public service to the voters of Deschutes County.

¹ Snively, Brooke. (2025, May 14). Oregon Secretary of State tours Deschutes County's voting system ahead of May 20 election. *Central Oregon Daily*. https://www.centraloregondaily.com/news/elections/oregon-may-20-special-election-voting-info/article_34956c7f-a7ed-40f8-b3b5-2c02833a26f0.html

Key Findings and Responses from the Audit:

1. Security Concerns

Audit Finding: Incomplete cooperation with the audit regarding information security of the Clear Ballot system. "Scope Impairment: Auditor Cannot Draw Conclusions Related to Information Security."

Response:

With election infrastructure and systems under constant attack from state and non-state actors, it is more imperative than ever to safeguard the federal and state election security measures established to protect our election systems.

In accordance with ORS 254.074 and OAR 165-007-0310, the County Clerk's Office develops and maintains a comprehensive Election Security Plan addressing various components. At a minimum, the plan must include the following components:

- (a) Ballot security at the printer;
- (b) Ballot storage security;
- (c) Ballot security during transport to inserter (if applicable), to the county, or to the post office;
- (d) Ballot security during insertion;
- (e) Ballot security at dropsites;
- (f) Security of voted ballots awaiting verification;
- (g) Security of voted ballots verified and awaiting inspection;
- (h) Security of voted ballots opened and inspected;
- (i) Facsimile ballot security;
- (j) Ballot tally system;
- (k) Early scanning procedure (if applicable);
- (l) Preventing the premature release of vote tally;
- (m) Post election security; and
- (n) Information about whether or not secrecy envelopes or sleeves will be used.

The County Clerk's Office is mandated by Oregon Revised Statutes, Oregon Administrative Rule, and Secretary of State's Critical Directive 2022-3 to keep the Election Security Plan and information pertaining to it confidential and free from public disclosure.

Secretary of State's Critical Directive 2022-3 (See attached) addresses Critical Infrastructure Security. This includes but is not limited to the physical security of elections offices, secure ballot storage, ballot scanning and tabulation machines, vote-by-mail infrastructure, information processing systems, communications systems, and elections security plans.

The U.S. Department of Homeland Security has designated elections as Critical Infrastructure. To safeguard this infrastructure, the Clerk's Office maintains strong partnerships with the Secretary of State, OACC, the FBI, and local law enforcement to protect personnel, facilities, and systems. This collaboration also ensures adherence to federal guidelines and best practices. Additionally, the Clerk's Office has had multiple assessments by Homeland Security to ensure its facilities are safe.

Upon receiving the Internal Auditor's request to access this Election Security Plan, the County Clerk deliberated, after thorough consultation with the State Elections Division of the Secretary

of State, the County Legal Department, other County Clerks throughout the state, and the Oregon Association of County Clerks (OACC), and concluded to safeguard the Election Security Plan from the public processes of the Internal Auditor. The County Clerk's Office could not provide the Internal Auditor the Election Security Plan or information pertaining to it without risk of violating the aforementioned laws and directives – a decision that was unanimously shared by County Clerks throughout Oregon.

While the Election Security Plan remains confidential, the Clerk's Office has been fully transparent with all other information requested by the Internal Auditor. The details provided confirm that the office:

- Complies with legal requirements and regulations in conducting elections.
- Maintains robust procedures.
- Conducts regular audits of election results to ensure all systems are working as designed.
- Provides public access to information.
- Is transparent in communication.
- Permits public observation, enabling the public to monitor processes for fairness and accuracy, demonstrating a transparent environment open to scrutiny and verification.
- Actively engages with community organizations to foster inclusive participation.
- Engages in public education initiatives to inform voters about their rights and the voting process.
- Receives feedback from voters and stakeholders to provide feedback and report issues.

2. Ballot Drop Box Accessibility

Audit Finding: Ballot drop boxes exceeded the height and had gaps, making them non-compliant with accessibility standards. "Ballot Drop Boxes Not Fully Accessible."

Response:

Deschutes County is deeply committed to ensuring accessibility and legal compliance across its voting infrastructure, reflecting a dedication to inclusivity and equity. By offering solutions for different access needs, such as designing drive-through ballot drop boxes for vehicle access and walk-up boxes with pedestrian-friendly routes, the county addresses specific user requirements and complies with federal and state guidelines. This approach ensures all voters, especially those with disabilities, can participate effortlessly, showcasing Deschutes County's proactive stance in maintaining functional integrity and enhancing the overall voting experience.

Additionally, vote-by-mail significantly enhances the accessibility of Deschutes County's election system by allowing all voters the convenience of returning their ballots, postage-paid, through the mail. Furthermore, the [Secretary of State's Online Ballot-Marking Tool](#) provides voters with disabilities and qualified military and overseas voters an alternate-format ballot that is fully accessible with screen-reader systems. These options eliminate the need to travel to drop sites, thereby accommodating individuals with mobility challenges, transportation issues, or scheduling conflicts. By ensuring every voter receives a ballot by mail, the county provides a flexible and inclusive option that aligns with Oregon's vote-by-mail system, further promoting civic engagement and participation across diverse populations.

The County's Internal Auditor erroneously applied a US DOJ Checklist to judge accessibility of the County's drive-through ballot drop boxes. The US DOJ Checklist referenced by the Auditor is specific to Polling Places and walk-up ballot drop boxes. Deschutes County has one Polling Place and that is within the County Clerk's Office. This Polling Place is fully compliant with applicable ADA laws.

The United States Department of Justice Civil Rights Division details the American Disability Act requirements for accessibility. The 2010 ADA Standards for Accessible Design Section 228 Depositories, Vending Machines, Change Machines, Mail Boxes, and Fuel Dispensers states:

"228.1 General. Where provided, at least one of each type of depository, vending machine, change machine, and fuel dispenser shall comply with 309.

EXCEPTION: Drive-up only depositories shall not be required to comply with 309."² Section 309 mandates that operable parts such as depositories need to meet certain clear floor space, height, and force specifications³.

ADA Section 228 clearly exempts drive-through depositories from the Section 309 requirements referenced in DOJ Checklist the Auditor used to judge the county's drive-through drop boxes. Despite bringing this information to the Auditor's attention, the Auditor chose to keep this error in the report.

Deschutes County Clerk's Office ensures compliance with ADA guidelines through close coordination with the County's Facilities Department. Inspections of each drop box occur before, during and after each election cycle confirm their operational integrity and accessibility.

During the Audit Committee Meeting held on October 10, 2025, County Facilities Director Lee Randall clarified his department's ADA acumen and familiarity with ADA standards. Director Randall stated a distinction should be made between a drive-through and a walk-up ballot drop box.

- Drive-through ballot drop box (Drive Aisle)
 - Drive aisles are designed solely for vehicular use and not intended for pedestrian foot traffic.
 - Drive-through drop boxes are exempt from ADA Section 309 requirements.
- Walk-up ballot drop box (Accessible Route)
 - Must maintain an accessible route for pedestrians and be designed to ensure inclusivity and compliance with legal requirements, enabling individuals with disabilities to navigate public spaces safely and efficiently.

² (2010, September 15). 2010 ADA Standards for Accessible Design. ADA.GOV. <https://www.ada.gov/law-and-regs/design-standards/2010-stds/#section54>

³ (2010, September 15). 2010 ADA Standards for Accessible Design. ADA.GOV. <https://www.ada.gov/law-and-regs/design-standards/2010-stds/#309-operable-parts>

Director Randall further clarified that since "Accessible Route" is specifically for pedestrians, he would not apply [accessible route requirements] to a drive up box. "They (walk-up and drive-up boxes) are mutually exclusive: you would never route an accessible pedestrian route through a drive by where vehicles use it. We would not even want to encourage people to use a drive up box. The height standards vary due to pavement variability.... If it met the lowest standard of a walkup box which this checklist applies to, it would actually be too low to use from a vehicle."⁴ The reach range for a walk-up depository is 48-15 inches. If a drive-through drop box had a handle and opening at 15 inches above the ground, Director Randall is affirming this would be too low to use from a vehicle. Director Randall emphasized this point further by stating, "We work with the ADA every day. We have an in-house expert who [has] a master's degree in architecture. I asked him to review this [and] he came to the same conclusion that this standard would apply to the walk-up boxes that we have but not to the drive up."⁵

The Internal Auditor is incorrectly applying the US DOJ Checklist to the County's drive-through drop boxes, falsely stating that they fall out of ADA compliance. What is even more concerning is the Auditor's decision to continue apply this non-applicable standard despite being informed of the error on multiple occasions.

In the same section regarding drop box accessibility, the Auditor states, "locations had only one box without a designation." It should be noted that the Clerk's Office publishes locations and details regarding each dropsite on its website and in the Voters' Pamphlet. The Office also partners with the County Facilities Department to deploy ample traffic signage for every ballot drop box throughout the county. These efforts exceed state requirements. If the issue at hand is signage or communication regarding drop boxes, the Auditor should have simply stated this request rather than conflate it with ADA walk-up drop box requirements.

The Clerk's Office is committed to continuous improvement and will enhance its processes and checklists to ensure that all components of the drop boxes are thoroughly examined during routine checks.

3. Voter Accommodation Awareness

Audit Finding: Limited awareness of available voter accommodations and translations. "Accommodations Offered, but Outreach Could Be Improved."

Response:

Deschutes County Clerk's Office ensures compliance with federal and state voting accessibility requirements by providing diverse resources and accommodations. The Voters' Pamphlet is distributed to all registered voters and is available online⁶⁷. An audio version is also available and posted online to assist visually impaired individuals. For non-English speakers, the pamphlet contains links to translated versions on the Secretary of State's website. The county website enhances accessibility further with a translation feature that supports nine languages, addressing

⁴ (2025, October 10). Audit Committee Meeting. Deschutes County. <https://www.deschutes.org/bc-ac/page/audit-committee-meeting-7>

⁵ (2025, October 10). Audit Committee Meeting. Deschutes County. <https://www.deschutes.org/bc-ac/page/audit-committee-meeting-7>

⁶ (2023). Chapter 251 – Voters' Pamphlet. Oregon Legislature. https://www.oregonlegislature.gov/bills_laws/ors/ors251.html

⁷ (2025, October 28). Secretary of State Elections Division – Chapter 165. Oregon Secretary of State Tobias Read. OAR 165-022 <https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=179>

the linguistic diversity. This robust approach fosters an inclusive voting environment, ensuring that all voters, regardless of language or ability, have access to critical election information.

The Auditor did not provide specific information on what standard she is measuring Deschutes County against. The County Clerk's Office has not received feedback of any kind from the public regarding communication about available accommodations. The Auditor somehow received feedback from unknown "representatives from the disability community" who said "there was not enough awareness about available accommodations. The report goes on to walk back this statement by stating, "the problem was not specific to Deschutes County, but that Multnomah County did a better job of promoting accommodations." It is unreasonable to compare these two counties given the vast differences in population, demographics and budgetary resources. If the standard of measure is Multnomah County instead of federal and state law, the Deschutes County Clerk's Office asks for a more reasonable measurement. In a similar fashion, the Auditor referred to feedback provided by "the Latino community" but would not provide additional information when requested by the County Clerk.

Missing from the audit report was the fact that the Clerk's Office makes significant efforts to conduct various outreach initiatives despite limited funding and resources.

Below are examples of how the Clerk's Office disseminates and promotes accurate information regarding voter registration, elections, and voting:

- **Website Management:** Maintain a website with up-to-date election information.
- **Public Communication:** Collaborate with the County Communication Team to share key dates and processes through county social media and press releases.
- **Voters' Pamphlet Distribution:** Create and distribute a Voters' Pamphlet for every election, sent to every household during countywide elections. Contents include:
 - Access to translated information
 - Key dates and deadlines
 - Voting Information:
 - Qualifications and procedures for registration
 - Registration deadlines and contact info
 - Voting Instructions
 - List of ballot drop sites and locations
 - Overview of the election process
 - Information about candidates and measures
 - Additional necessary information
- **Media Engagement:** Conduct interviews and participate in podcasts and spotlight articles with the County Public Information Officer (PIO).
- **Public Engagement:**
 - Provide office tours office and processes for interested parties.
 - Present to groups upon request.
 - Conduct "Election Observer" training during primary and general elections to educate those interested in the overall process.
- **Youth Engagement:** Organize art and coloring contests, including an "I Voted" sticker contest, to engage and educate youth about voting.
- **Educational Programs:** Present at the County College program to explain the election process.
- **Community Involvement:** Volunteer at the county booth during fairs when available.

This comprehensive approach shows the commitment of the Clerk's Office to providing transparent and accessible voting information to the community, while managing resource constraints effectively. Additional interest might focus on exploring innovative digital outreach techniques or partnerships to enhance voter engagement and education.

This approach is regularly reassessed to identify opportunities for improvement. This continuous improvement process ensures that outreach efforts remain effective, relevant, and responsive to community needs.

4. Other Concerns with Audit Report

Audit statement:

The electoral process is increasingly scrutinized and public confidence in elections has lost ground. In Deschutes County, the responsibility to uphold the integrity of elections is more vital than ever.

Response:

The audit was initiated at the County Clerk's request in an effort to enhance transparency in response to public concerns about election integrity. However, the focus on inaccuracies rather than the election process may have hindered potential benefits. By concentrating on the mechanics of what the County Clerk's Office does and how the department consistently achieves accuracy, this audit could have provided more substantial insights into the reliability of election systems. While some counties face audits after costly errors, proactive auditing of successful processes ensures continuous improvement without financial repercussions. Addressing how the County Clerk's Office maintains secure and accurate elections time and again would offer deeper value and reinforce public confidence.

Audit statement:

Previous findings related to information security also contributed to a heightened sense of risk in this area. During a 2024 integrated audit, auditors found that Clerk's Office recording staff not elections staff) disabled supervisor review and segregation of duties controls in software to make it easier to void receipts and to circumvent review processes. Staff were also using shared logins due to a perception that logging in and out of shared workstations took too much time. We recommended the Office either resolve these control issues or formally accept the risk of not implementing controls. Staff chose to resolve the controls issues. We also found that software access rights had not been updated during a 2008 cash handling audit.

Response:

The County Clerk's Office requested that this paragraph be removed since its topic is unrelated to the scope of work of the elections audit. This paragraph highlights past information security issues that were acknowledged and resolved last year as part of a different audit. There is no apparent direct link between last year's control issues and the specific objectives of this election audit; consequently it's important to recognize that off-topic references such as references to past, resolved audits, could indirectly influence public trust in the Clerk's Office. This, in turn, might affect perceptions of election integrity. The Auditor denied the request of the Clerk to remove this paragraph from the report.

Audit statement:

The Americans with Disabilities Act, National Voters Registration Act, and Voting Rights Act require assistance and translation for registering and voting.

Response:

This statement is not true. Neither the National Voter Registration Act (NVRA) nor the Voting Rights Act (VRA) requires translation for registration and voting nationwide. Only specific jurisdictions must provide translated materials and assistance, based on demographic criteria set by the VRA.

Audit statement:

Election staff have the authority to interpret voter intent. If staff abuse this authority it could result in reduced confidence in elections.

Response:

The suggestion that the Clerk's Office staff might "abuse this authority," leading to reduced confidence in elections, is unwarranted and does not reflect the commitment and integrity that team consistently demonstrates.

Staff adhere to strict guidelines from the Oregon Vote by Mail Manual for interpreting voter intent. Training is provided to ensure they follow procedures accurately. Ballot interpretation guidance is clearly laid out, and staff follow these protocols diligently to uphold electoral integrity. Ballot adjudication follows a strict two-person integrity policy where staff different political party affiliations work together to verify the voter intent of ballots that contain overvotes, undervotes, write-in names, and stray marks. Additionally, adjudication is done in a secure room under camera surveillance. Control processes, consistent with federal and state best practices for election security, abound here.

The Clerk's Office team is highly trained and dedicated to maintaining the electoral process's integrity, ensuring transparency and accountability at every step. Any implication otherwise fails to recognize the robust checks and balances in place that support fair and accurate election outcomes. These practices ensure that every vote is counted as intended, reflecting the team's unwavering commitment to a fair and transparent electoral process.

Audit statement:

The Clerk's Office website did not include information about accommodations or translation/interpretation.

Response:

This statement is not true. Information about accommodations and links to translated materials are provided in each Voters' Pamphlet created by the Clerk's Office. These pamphlets are also posted on the election webpage for each election.

Closing Comments

In response to the audit report's concerns, it is crucial to address the vague reference to the "disability community" and "representatives from the Latino community" by seeking clarification from the Auditor as well as highlighting the Clerk's Office's proactive outreach and accessibility (such as ADA-compliant facilities and accessible voting machines). The lack of specific ORS and OAR citations in the report necessitates a request for these details to ensure compliance with laws such as the ADA and Help America Vote Act (HAVA). The efforts of the Clerk's Office already exceed statutory requirements through enhanced election worker training, user-friendly voting guides, and collaboration with community organizations. However, budgetary and staffing constraints limit initiatives, despite the office's efficient use of resources to maximize accessibility benefits. The Clerk's Office maintains a strong commitment to accessibility, with plans for future enhancements contingent on resources, and seek ongoing engagement with advocacy groups for guidance. This situation underscores the need to explore additional funding opportunities, examine best practices from other jurisdictions, and ensure alignment with evolving needs in the disability community.

