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Delayed Democracy

The Operational and Partisan Impacts of California's Election Administration System

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I. Executive Summary

This report aims to determine the effect of California's universal vote-by-mail (VBM) system on ballot counting times and partisan outcomes in the state. The VBM system was designed to increase voter turnout and make voting as accessible as possible but came with the drawback of potentially slowing down the vote-counting process. First, analysis of Unprocessed Ballot Report (UBRs) from all California counties was used to determine whether counties with longer usage of the universal VBM system counted their ballots more efficiently. Second, an analysis of vote-count snapshots for congressional elections was conducted to determine the partisan effects of late-arriving ballots. A clear "rollout effect" was found, and the longer a county used universal VBM, the more efficient it became at ballot processing. A notable partisan effect was found as well, as Democratic congressional candidates were found to have systematically benefited from late ballot arrival and ballot curing deadlines. While VBM efficiency is improving through institutional learning, there remain persistent regional inefficiencies that are a cause for public concern. Furthermore, the structural partisan advantage of ballot deadline laws remains a key factor in the national contest for control of Congress.

II. Background

This report analyzes California's election administration systems, focusing on its transition to an all-VBM model. Every two years, California conducts a massive general election. With over 22 million registered voters, the most populous state in the country administers a process larger than in most countries. In recent years, California policymakers have pursued numerous legislative and administrative reforms aimed at expanding voter access while improving the speed and transparency of ballot processing.

The statutory foundation of the universal VBM system was established in 2016 with the passage of Senate Bill 450, also known as the Voter's Choice Act (VCA).¹ This measure was intended to increase voter turnout, with an emphasis on accessibility and convenience for all voters.² This opt-in act allowed counties to adopt fully VBM elections alongside other modernization measures, such as the establishment of countywide vote centers and expanded ballot drop-off options. In California, "fully VBM elections" means that all active registered voters receive mail-in ballots without needing to request them and can vote either at a polling place or by mail. However, the VCA forced the state to

- ¹ California Legislature, Sen. Bill No. 450, (2015-2016 Reg. Sess.) (Cal. 2016), http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_0401-0450/sb_450_bill_20160815_amended_asm_v95.html.
- ² Eric McGhee, *How the Voter's Choice Act Changed Turnout in California*. San Francisco: Public Policy Institute of California, July 2025. <https://www.ppic.org/publication/how-the-voters-choice-act-changed-turnout-in-california/>.

contend with a potential tradeoff between maximizing voter turnout and accessibility at the cost of slowing down the counting of votes and, therefore, the reporting of election results.³ During the COVID-19 pandemic, Governor Gavin Newsom issued Executive Order N-64-20, which required that all registered voters receive a mail-in ballot for the 2020 General Election.⁴ The following year, Assembly Bill 37 codified that emergency practice into law, permanently making California an all-VBM state.⁵ This process was first used in the 2021 Gubernatorial Recall Election.

Ballot receipt deadlines have also been extended over the same period. Prior to 2015, all mail-in ballots had to arrive by Election Day. Senate Bill 29 extended the deadline by three days, allowing ballots postmarked by Election Day and received within three days to be counted.⁶ Temporary emergency measures in 2020 extended that grace period to seventeen days. Finally, the passage of Assembly Bill 37 permanently set a seven-day post-election deadline for ballot receipt.⁷

Ballot processing times in California rapidly rose after the passage of these election reforms. In the 2012 Presidential Election, California had about 23% of its vote uncounted the day after the election. That proportion steadily rose each successive election, and by 2024, that number had risen to 38%. Many counties counted their votes even more slowly than the state as a whole, and several local, state, and even federal election results were unclear for weeks after the election. A thorough analysis of California's election procedures is needed to determine the nature of the relationship between its election laws, its ballot counting times, and the eventual partisan results of its elections.

III. Methods

Data sources

This report draws on two primary datasets. Unprocessed Ballot Reports (UBRs) were obtained from the California Secretary of State through a Public Records Act request, and archived vote-count snapshots were collected from the Internet Archive's capture of the *New York Times'* election results portal. The analysis covers California general elections in November 2016, 2018, 2020, and 2022.

Counties were grouped into three categories for comparison:

- **Historically All-VBM:** Early adopting counties that had conducted all-VBM elections for several years prior to the 2016 VCA
- **VCA:** Counties that adopted the Voter's Choice Act between 2016 and 2021 and conducted all-VBM elections before the mandated statewide VBM expansion in 2021
- **Non-VCA:** Counties that did not adopt the VCA and had partial VBM use prior to the mandated statewide VBM expansion in 2021

Both UBR and vote-count snapshots are taken at 7, 14, and 21 days after each election. Vote-count snapshots were also taken at 1- and 4-days post-election.

Analytical Approach

For each election year and post-election snapshot, separate ordinary least squares (OLS) regressions were run.

Dependent variable: Proportion of ballots still uncounted at the time of the snapshots

Key Predictors:

- VCA county indicator (1 = VCA county)
- All-VBM pre-2016 indicator (1 = historically All-VBM county)
- VBM proportion (share of ballots cast by mail)
- Total votes (county-level turnout measure)

Effectively, the regression determines whether there is a relationship between the proportion of uncounted votes and a county's classification as a VCA or Historically All-VBM county. A positive coefficient indicates a slower count relative to non-VCA counties. A negative coefficient indicates a faster count.

3 Bryan Steil and Joseph Morelle, *Why the Wait? Unpacking California's Untimely Election Counting Process: Hearing Before the Committee on House Administration, House of Representatives, 119th Cong., 1st Sess., April 29, 2025*. Washington, D.C.: U.S. Government Publishing Office, 2025. <https://www.congress.gov/119/chrg/CHRG-119hhrg60223/CHRG-119hhrg60223.pdf>.

4 State of California, Office of the Governor, Executive Order N-64-20, May 8, 2020. <https://www.gov.ca.gov/wp-content/uploads/2020/05/05.08.2020-EO-N-64-20-text.pdf>.

5 California Legislature, Assembly Bill No. 37 (2021-22 Reg. Sess.) (Cal. 2021), https://leginfo.ca.gov/faces/bill_TextClient.xhtml?bill_id=202120220AB37.

6 California Legislature, Sen. Bill No. 29 (2013-2014 Reg. Sess.) (Cal. 2014), <https://legiscan.com/CA/text/SB29/2013>.

7 California Legislature, Assembly Bill No. 37 (2021-2022 Reg. Sess.).

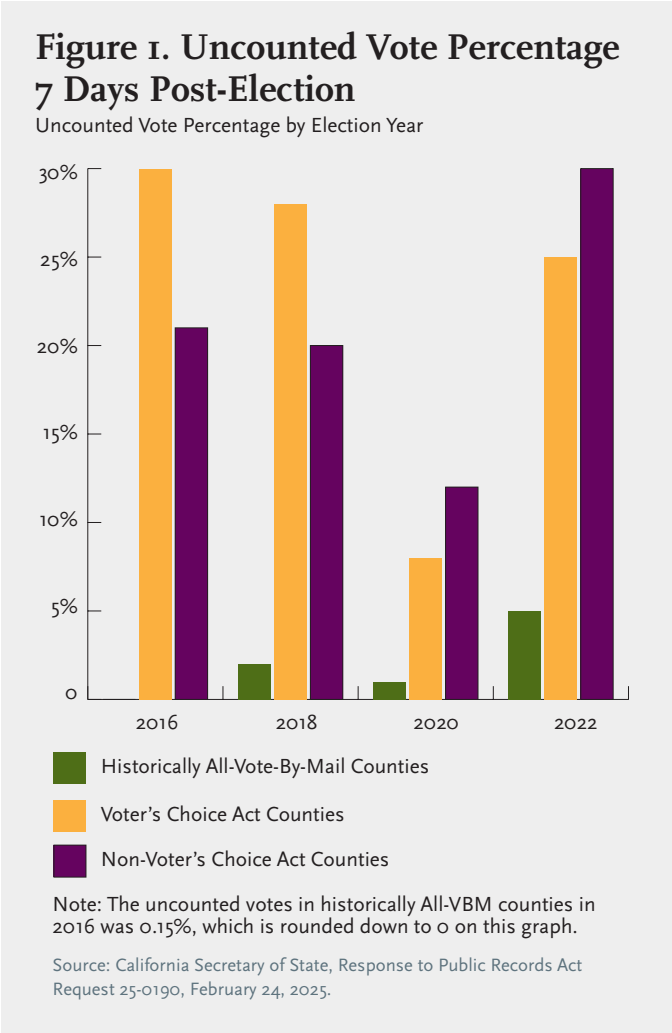
IV. Results

Ballot Counting

The data suggests a clear “rollout period” for VBM adoption: the longer that counties administered all-VBM elections, the more efficient they became at conducting them. Historically All-VBM counties, which have used VBM for over a decade, consistently processed ballots fastest. VCA counties initially counted more slowly than non-VCA counties, but they accelerated in subsequent elections, and by 2020, outpaced regular counties.

Three distinct metrics demonstrate this rollout period:

- 1. Raw Uncounted Ballots:** Early UBRs show that non-VCA counties held a disproportionate share of uncounted ballots. VCA counties began with larger uncounted proportions than non-VCA counties in 2016-2018, but reduced those shares over time. By 2020, VCA counties had lower uncounted proportions than the non-VCA counties. Historically All-VBM counties maintained the lowest uncounted proportions throughout.
- 2. Regression Analysis:** Separate regressions for each year and each UBR period post-election show consistent relationships between county type and the proportion of uncounted



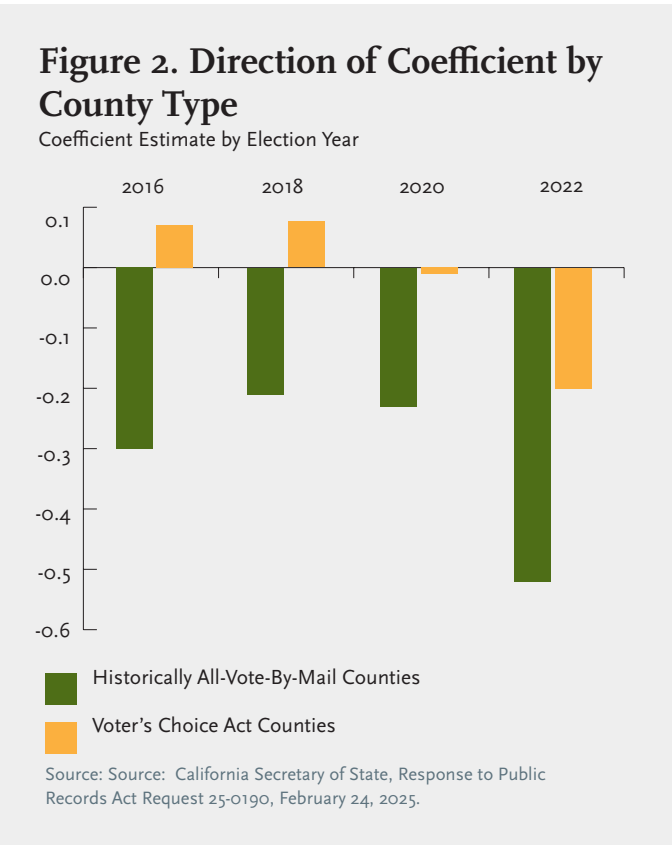
votes. Most coefficients are statistically significant or nearly so, suggesting meaningful differences in counting speed across county types. The non-VCA counties are the omitted reference category.

Table 1: County Type and Proportion of Uncounted Votes

Year	County Type	Coefficient	P value
2016	VCA	0.07	0.04*
	Historically All-VBM	-0.3	0.05*
2018	VCA	0.08	0.1
	Historically All-VBM	-0.22	0.06
2020	VCA	-0.01	0.74
	Historically All-VBM	-0.24	0.02*
2022	VCA	-0.2	0.06
	Historically All-VBM	-0.52	0.03*

Source: California Secretary of State, Response to Public Records Act Request 25-0190, February 24, 2025.

- 3. Coefficient Direction and Magnitude:** The Historically All-VBM counties consistently counted the fastest, with negative coefficients throughout. VCA counties showed positive coefficients in 2016 and 2018 but shifted to negative coefficients in 2020 and 2022. This is consistent with a rollout period effect, as a negative coefficient suggests faster counting times relative to non-VCA counties. The magnitude of the negative coefficient for VCA counties increased from 2020 to 2022, suggesting even further process improvements and relative counting speed.



Partisan Effects

Across the four election cycles analyzed, eight congressional races experienced a “lead change” as ballots continued to be counted. That is, the candidate who was leading at a certain time had his or her lead overturned as more ballots were counted.

- 2024: CA 13, CA 45, CA 41, CA 27
- 2022: CA13
- 2020: none
- 2018: CA 21, CA 39, CA 45
- 2016: none

Of these races, six experienced lead changes at or after 14 days post-election, which this report terms a “very late flip.” Among these six contests, four resulted in a flip from a Republican lead to a Democratic lead, and two flipped from a Democratic lead to a Republican lead. In order to determine what role California’s election laws played in these late-flipping elections, a number of approaches must be considered.

A simple “hard-deadline” counterfactual approach imposes hypothetical deadlines for vote tabulation at various snapshots. If the vote count were stopped at these time intervals and the leading candidate declared the winner, this would be the expected changes to the net partisan composition of the House of Representatives.

- 4-day deadline: Net 0 (no partisan net change)
- 7-day deadline: Net R +5
- 14-day deadline: Net R +5
- 21-day deadline: Net R +1

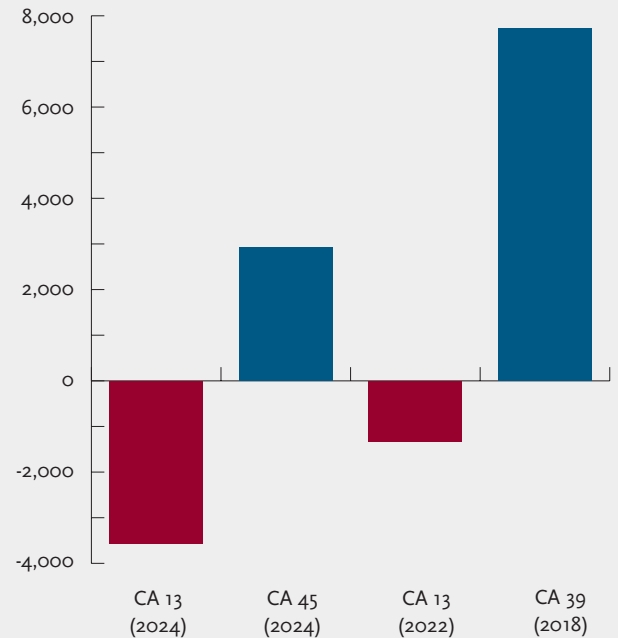
These counterfactuals suggest that tightening deadlines may have led to a modest but consistent net gain for Republicans in key seats. While this approach provides a rough understanding of the partisan impacts of late-arriving ballots, more granular analysis is needed to more confidently ascertain the impacts. Two approaches may be considered:

Late Arriving Ballots: First, one must understand the partisan breakdown of late-counted ballots. In the subset of late-flipping races, the final batches counted after 7, 14, and 21 days were analyzed to determine their partisan lean. It is important to note that these late-counted votes were not necessarily the very last cast votes, nor is it certain that they were the result of ballots that arrived after the election that were made permissible by California’s election laws. However, analyzing these batches still provides valuable insights as to the general lean of those votes.

The following graphs illustrate the late batches of votes from 7, 14, and 21 days post-election in the six congressional races that resulted in a “very late flip.” While neither party maintains a consistent advantage for the 7-day batch, the

Figure 3. Net Democratic Vote Margin: Ballots Counted After Day 7

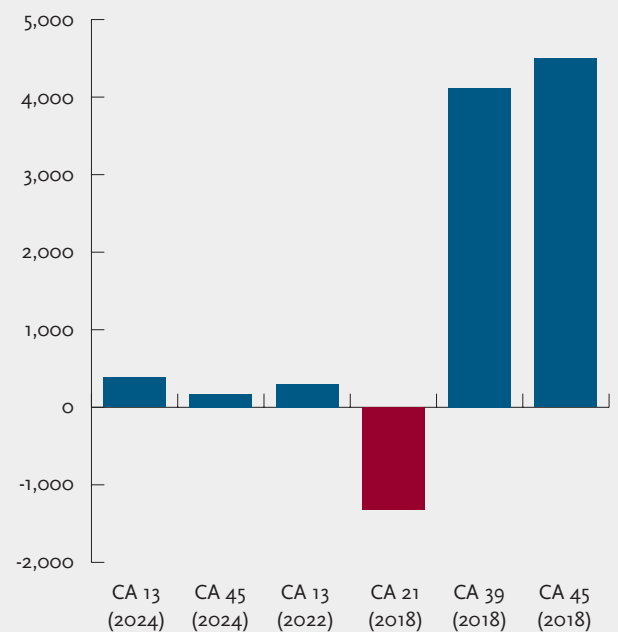
Net Democratic Votes by CA Congressional District in Races with Very Late Flips



Source: The New York Times, “Elections,” <https://www.nytimes.com/section/us/elections>, archived January 1, 2012-January 1, 2025 at Wayback Machine, <https://web.archive.org/>.

Figure 4. Net Democratic Vote Margin: Ballots Counted After Day 14

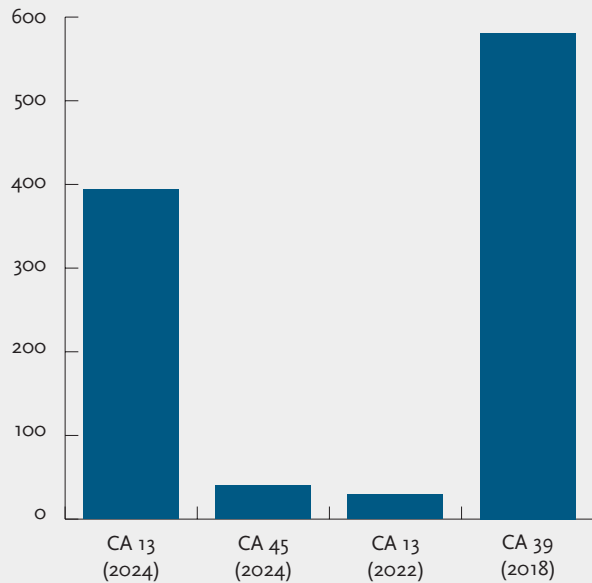
Net Democratic Votes by CA Congressional District in Races with Very Late Flips



Source: The New York Times, “Elections,” <https://www.nytimes.com/section/us/elections>, archived January 1, 2012-January 1, 2025 at Wayback Machine, <https://web.archive.org/>.

Figure 5. Net Democratic Vote Margin: Ballots Counted After Day 21

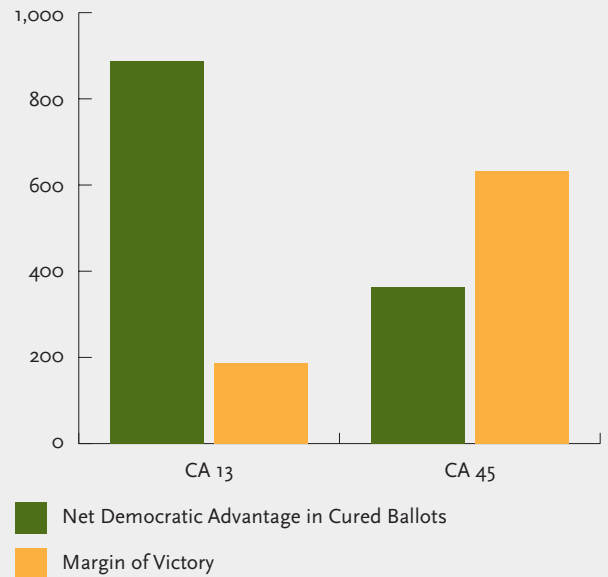
Net Democratic Votes by CA Congressional District in Races with Very Late Flips



Source: *The New York Times*, "Elections," <https://www.nytimes.com/section/us/elections>, archived January 1, 2012-January 1, 2025 at Wayback Machine, <https://web.archive.org/>.

Figure 6. Net Democratic Advantage in Cured Ballots in Cured Ballots

Votes in CA Congressional Districts 13 and 45 (2024)



Source: *The New York Times*, "Elections," <https://www.nytimes.com/section/us/elections>, archived January 1, 2012-January 1, 2025 at Wayback Machine, <https://web.archive.org/>.

subsequent batches resulted in an almost uniform advantage for the Democratic Party. While the exact makeup of these final batches is impossible to ascertain, it is likely that the Democratic Party maintains a systematic advantage in late-arriving and late-cast ballots that are more likely to show up in the very latest batches. Note that some congressional races were excluded from each of these visuals if that date's particular granular data was not available in the Internet Archive snapshots.

Signature Curing: Second, this dynamic can be partially explained through the ballot curing process. After a 2017 lawsuit⁸ and the passage of Senate Bill 759 in 2018,⁹ election officials are now required to notify voters of mismatched or missing signatures and give them an opportunity to "cure" their ballot prior to certification. In practice, this creates a "second inning" of counting, where ballots initially flagged as non-compliant can be later added to the vote total, with such notifications being permitted as late as eight days prior to certification.¹⁰ This analysis focuses on the 2024 elections

⁸ American Civil Liberties Union, "Court Cases: La Follette v. Padilla," last updated August 21, 2017. <https://www.aclu.org/cases/la-follette-v-padilla>.

⁹ California Legislature, Sen. Bill. No. 759 (2017-2018 Reg. Sess.) (Cal. 2018), https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB759.

¹⁰ See Roxana Arjon, et al., Policy Practicum: "Every Vote Counts" Voting Verification Project, Stanford, CA: Stanford Law School, 2020. <https://law.stanford.edu/education/only-at-sls/law-policy-lab/practi-cums-2019-2020/every-vote-counts-voter-verification-project-8o6z/>.

in CA 13 and CA 45, for which data regarding cured ballots is readily available.

In CA 13, 6,031 ballots were identified for curing. 2,586 belonged to registered Democrats, and 1,551 belonged to registered Republicans. Both Democrats and Republicans cured their ballots at a rate of approximately 86% (2,227 and 1,340 ballots, respectively). The total number of cured ballots far exceeded Democrat Adam Gray's eventual 187-vote margin of victory. The net Democratic margin among cured ballots of 887 also far exceeded his margin.

In CA 45, 4,825 ballots were identified for curing. 1,728 were registered Democrats and 1,486 were registered Republicans. Democrats cured about 75% while Republicans cured about 63% (1,296 and 934, respectively). The total number of cured ballots again far exceeded the certified margin in the race, and the net Democratic advantage of 362 made up a very significant portion of Democrat Derek Tran's eventual victory margin of 653 votes.

Exit polling from California suggests that the vast majority of registered party voters voted for their respective party's congressional candidate, with partisan voting rates of 96% for both parties.¹¹ This supports the use of registration as a rough proxy for likely candidate preference when evaluating cure outcomes, since individual ballot preferences cannot be ascertained.

¹¹ CNN, "Exit Poll Results 2024 | CNN Politics." November 12, 2024. <https://www.cnn.com/election/2024/exit-polls/national-results/general/us-house/o>.

V. Discussion and Explanations

Ballot Counting

This analysis of California's VBM processes reveals a mixed but instructive picture. On one hand, the experience of early adopters of the VCA demonstrates that counties tend to become more efficient over time. Although initial implementation slowed ballot processing, these counties soon outpaced those operating under the traditional system. This improvement likely reflects the elimination of procedural bottlenecks in the vote-counting process. Comparable research from the 2020 general election in Salt Lake City analyzed election workers as they processed ballots, documented by video footage.¹² Certain bottlenecks, such as signature verification, envelope opening, ballot adjudication, and inefficient machine usage, led to delays. As California counties refine their workflows and adopt best practices from their peers, further gains in efficiency are likely. Most counties have operated under the all-VBM systems only since 2021, and with each election cycle, institutional learning should continue to streamline their operations.

However, persistent disparities across counties raise questions about administrative consistency and efficiency. Alameda County, despite being a VCA county, had counted less than 30% of its ballots two days after the election, and did not surpass 70% ballot count until more than a week post-election. Even if the state can process ballots more quickly over time, regionalized inefficiencies can still delay results and undermine public confidence. If the outcome of key races were to hinge on these slow-counting counties, legitimacy and trust in California's election systems could be called into question. To address this problem, counties should not just comply with the minimum requirements for the VCA framework but should aim to emulate the most efficient counties in the state. Election Administration Plans are publicly available documents that specifically delineate county procedures for VCA counties, and learning from and adopting the best practices can help eliminate any regional inefficiencies.¹³

Partisan Effects

The implications of California's election systems extend well beyond bureaucratic efficiency and carry significant partisan consequences. Several heavily contested congressional races have been influenced by and, in some cases, have been effectively decided by, California's election administration laws. In

the 2024 election, races in the 13th and 45th districts were likely determined by ballots verified and counted during the curing period. Across multiple prior cycles, Democratic candidates have consistently benefited from a late-counting advantage. While only six races since the introduction of widespread VBM usage have resulted in overturned leads, these shifts can nonetheless determine control of Congress in an era of rising polarization and partisanship. In 2024, a net change in just three congressional districts would have reversed the control of the House of Representatives. Since 2020, neither party has maintained a House majority resilient enough to withstand more than four flipped seats, making California's election processes potentially decisive on a national scale.

Given these stakes, the partisan calculus around California's VBM and curing laws is likely to continue. Democrats, who have consistently been able to leverage these systems to their advantage, are likely to support maintaining or expanding existing VBM and curing provisions. As long as they are able to turn out voters in ballot-curing operations and maintain a net partisan advantage in late-arriving ballots, these systems offer them structural advantages. Republicans, meanwhile, face a strategic choice. They may be incentivized to either oppose some of California's election provisions or to invest in more sophisticated ballot-curing operations and VBM outreach efforts aimed at narrowing the partisan divide in late electoral outcomes. In either case, California's administrative procedures are poised to remain a focal point of national political strategy, and the debates about operational efficiency can heavily influence the fight for control of Congress.

VI. Conclusion

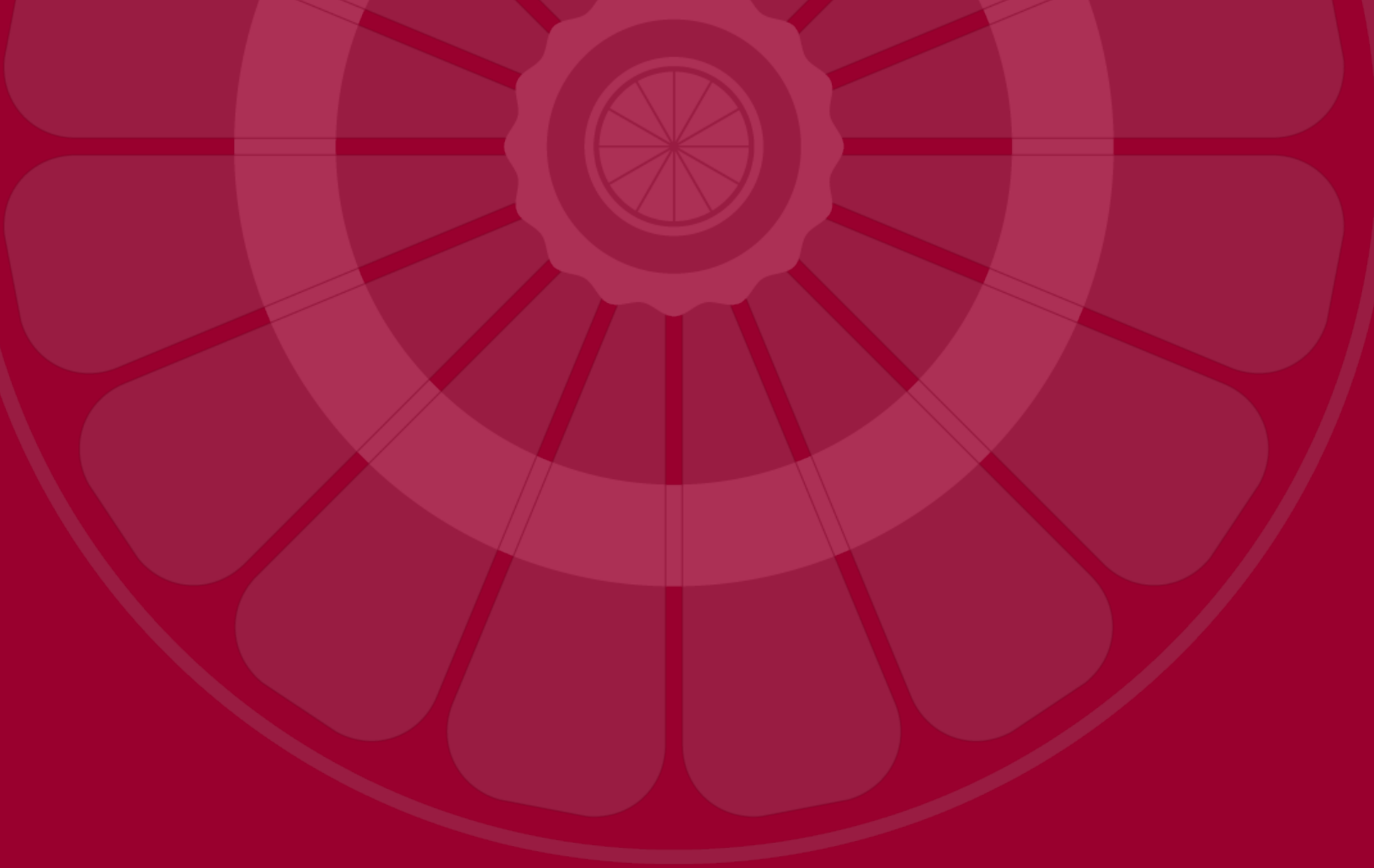
California's transition to a universal VBM system has shaped both the administrative and political dimensions of its elections. The data indicates a clear pattern of institutional learning, and counties that adopted all-VBM elections earlier have steadily improved in their ballot processing speeds. However, overall ballot counting times in the state remain lengthy, with some slow-counting counties delaying the results of key races and the state as a whole. Additionally, California's election laws have introduced small but meaningful partisan effects. Late-arriving and cured ballots have, in some cases, altered the outcomes of key congressional races. Thus far, the Democratic Party has more consistently benefited from these laws. While these patterns do not necessarily imply bias in administration, they highlight the degree to which procedural timelines can influence substantive political results. Looking ahead, California faces the continued challenge of encouraging voter participation, reducing ballot counting times, and maintaining public confidence in its election systems.

¹² Leonie S. Otte, Gianna M. Wadowski, and Gretchen A. Macht, *Analysis of Vote-by-Mail Processing: A Time Study from Salt Lake City*. 2023 ESRA Conference, August 30, 2023. <https://esra-conference.org/publications/analysis-vote-mail-processing-time-study-salt-lake-city>.

¹³ California Secretary of State, "VCA Participating Counties," n.d., accessed November 25, 2025, <https://www.sos.ca.gov/voters-choice-act/vca-participating-counties>.

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