

AUDITOR-CONTROLLER/ TREASURER/TAX COLLECTOR



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LARRY WALKER
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March 21, 2013

Michael J. Scarpello, Director
Registrar of Voters
777 East Rialto Avenue
San Bernardino, CA 92415-0770

SUBJECT: AUDIT OF REGISTRAR OF VOTERS' I-9 COMPLIANCE

Introductory Remarks

In compliance with Article V, Section 6, of the San Bernardino County Charter and County Policy 02-02 entitled Internal Operational Auditing, we have completed an audit of the Office of the Registrar of Voters (ROV) to determine its compliance with the US Citizenship and Immigration Services' (USCIS) Form I-9 requirements for non-County employee poll workers. We conducted our audit in accordance with the International Standards for the Professional Practice of Internal Auditing established by the Institute of Internal Auditors.

Background

The Registrar of Voters (ROV) is responsible for all phases of the election process for the County's residents. The ROV oversees all local, state, and federal elections, including the management of voting systems, the employment of training of poll workers, election ballot processing, and vote tallying. The ROV typically operates year-round with a small staff of approximately 24 employees. Before elections, the number of employees may increase to as many as 300 temporary employees and 3,000 poll workers.

Objectives, Scope and Methodology

Our overall objective was to determine whether the Registrar of Voters (ROV) was complying with the US Citizenship and Immigration Services' (USCIS) Form I-9 requirements for non-County employee poll workers from July 1, 2011, through June 30, 2012.

Our audit included interviewing ROV staff directly involved in the election process to gain an understanding of how the Form I-9 procedures are performed for non-County poll workers.

Conclusion

On the USCIS website, we found a reference to a memo from the Assistant Commissioner, Employer and Labor Relations, US Department of Justice, Immigration and Naturalization

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Service dated February 18, 1988, exempting election and poll workers from employment verification procedures of the Immigration Reform and Control Act (IRCA) of 1986. We verified that the memo was still in effect as of January 9, 2013, by contacting the Department of Homeland Security (DHS). Therefore, we find that ROV is currently in compliance with the exemption to the employment verification procedures of non-County employee poll workers required by the IRCA.

We recommend that ROV contact DHS at least annually to validate the continued exemption of election and poll workers. Furthermore, identify and train appropriate departmental staff about the exemption.

Thank you very much for the cooperation extended by your staff during the course of this audit.

Respectfully submitted,

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