



Oregon Driver and Motor Vehicle Services Oregon Motor Voter Issue FAQ

Updated Oct. 18, 2024

Situation

In Oregon, people 16 years and older who apply for or renew a state-issued driver's license, permit, or ID card and provide appropriate documentation proving U.S. citizenship have their information sent to Oregon's Secretary of State (SoS) to complete the automatic voter registration process. The Oregon Motor Voter (OMV) System at DMV includes a two-step review process by officials to verify registrants' identity and residence and confirm their eligibility to vote.

On July 29, 2024, the Institute for Responsive Government contacted ODOT's Information Services Branch with a few general questions about OMV. This inquiry prompted DMV to review customer data that went to the SoS Elections Division for registration as part of OMV. DMV's review of roughly 1.4 million records to date has found clerical, technical and policy errors that resulted in 1,561 records sent in error to SoS.

This review continues and has prompted several steps to minimize the potential for these or other errors to occur in the future. An After-Action Report released on Oct. 7, 2024, detailed sources for error, identified additional risks for continued possible errors in the system, and described how we're working to prevent such errors in the future. The report identified several corrective actions such as additional training and ongoing reviews and hiring a Voter Registration Integrity Manager.

How many people who were potentially registered to vote in error were found in DMV's review?

As of Oct. 7, 1,561 people who were potentially registered to vote in error were sent to SoS. DMV's review showed of the 1,561 documents, 1,292 were foreign passports; 199 were foreign birth certificates; 25 were other foreign documents; 44 were U.S. immigration documents (permanent resident cards or employment authorization cards); and one was an out-of-state license.

How many people have a voting history?

SoS is reviewing these documents to determine if any of these individuals have a voting history. These records contained evidence of DMV errors regarding citizenship status but that does not necessarily mean they belong to noncitizens. Of the 10 individuals identified in the earlier review who had a voting history, at least five were citizens.

How many records did DMV review?

Roughly 1.4 million total customer records were reviewed. The review of the 1.4 million records consisted of a system or manual review by DMV staff for each file to determine if incorrect citizenship was transmitted.

Why this set of records?

The original DMV data review consisted of standard licenses, permits, and ID cards issued after Jan. 1, 2021, where U.S. citizenship was indicated. It was believed the risk of error did not exist in records transmitted before 2021 or for REAL IDs, because on Jan. 1, 2021, Oregon DMV began accepting a broader set of identity documents, including foreign passports and birth certificates, to issue driver's licenses and ID cards, as well as the other reasons described in the After-Action Report. There have been approximately 1.4 million such transmissions during this period. Therefore, the 1.4 million records reviewed constituted the full data set at risk of the data processing error. DMV's error in interpreting citizenship for people from American Samoa goes back to 2016, so DMV looked further back for that error.

What is the Secretary of State doing to protect the integrity of the 2024 election?

SoS has directed county clerks to inactivate all 1,561 voter registrations and issue "due process" letters providing them with the opportunity to reregister if they can confirm their eligibility. Additionally, it will flag all individuals in the election management system, providing a second layer of security to ensure any ballots returned from this group are not counted without first verifying eligibility. These steps will ensure the error does not impact in the 2024 election.

How did DMV become aware of the errors?

The review was prompted when the Institute for Responsive Government called ODOT's Information Systems branch on July 29 to ask how automatic voter registration was going generally and inquire whether they were experiencing any issues. This prompted DMV to initiate a comprehensive review of potential citizenship data errors.

Please describe how the errors occurred.

DMV has identified three specific errors.

1. 1,259 errors sent to the SoS occurred due to a [clerical issue](#) where DMV front-line staff inadvertently chose the wrong document from a drop-down menu in the system, where the default choices included U.S. passport (as opposed to any other kind of passport) and U.S. birth certificate (as opposed to any other kind of birth certificate). This configuration did not take into proper account the need to minimize potential for human error when accurate input for OMV purposes should have been paramount. Front-line staff were not adequately trained on the importance of accuracy in this part of a transaction and why it was critical for the reliability of OMV to take the time to get it right every time.
2. DMV committed to an ongoing quality control process after the initial issue was identified, and through that work identified a technical error due to a configuration issue, where data entered in a particular order would write those files to a "site specific table." The query to pull data for manual review did not pull from the "site specific table." Essentially, this technological error prevented these records from being included in the earlier analysis. Having validated this technical issue, IT staff then searched the system for other similar records, identifying an additional 3,151 that went in the OMV file. DMV staff manually reviewed these records for any evidence there was an error in the way citizenship was identified and found 123 records had evidence of an error. DMV staff pinpointed evidence of an error in the way citizenship was identified by comparing the digital record with scanned supplemental documents. Whenever the supplemental document denoted a foreign document while the digital record denoted a U.S. document, the record was sent to SoS for inactivation.

3. DMV leadership was made aware through a media inquiry from Willamette Week on Oct. 2 of a potential issue with residents of the U.S. territory of American Samoa and Swains Island. These residents use a U.S. passport but are not eligible to vote in some elections. This is a feature of citizenship law unique to American Samoa and Swains Island, as residents of other U.S. territories are citizens of the U.S. DMV policy has been to identify these individuals as U.S. citizens, making them eligible for automatic voter registration. That policy was incorrect. DMV identified 178 records in which there is evidence a person born in American Samoa presented an identity document that did not prove U.S. citizenship. DMV has no information on whether these individuals are U.S. citizens. The limited information available in the system means this is almost certainly not all the American Samoans who have received credentials from Oregon DMV. DMV sent these documents to SoS for inactivation. DMV is working to develop other ways to identify additional possible residents of American Samoa. DMV has updated its policy to ensure these individuals are not identified as U.S. citizens unless they present a document proving U.S. citizenship.

Will there be any broader investigations of DMV staff?

This appears to be a clerical error due to how the user interface was set up. Confirmed errors were spread across 49 of our 59 field offices and 387 employees. A greater number of errors were found in offices with higher customer volumes. DMV field offices range from having just one or two employees in places like Lakeview and Madras, to our largest office in Beaverton with 22 employees. Specifically, the highest number of errors were found in the Beaverton and North Salem offices, which are among DMV's busiest offices. The errors occurred among customers residing in 29 of Oregon's 36 counties spread across the state. DMV's Fraud Unit is already analyzing the data and will continue to do so to determine if an investigation of potential internal fraud is warranted. To date, the Fraud Unit has not found evidence of fraud, but its analysis continues.

Will there be an outside review of this situation, such as an external audit?

The Governor directed Oregon DMV to initiate a full-scale Oregon DMV data integrity review overseen by a panel of external data experts to produce preliminary recommendations for improved data management by the end of 2024. Additionally, the Governor and Oregon Secretary of State LaVonne Griffin-Valade have jointly called for an independent, external audit of the Oregon Motor Voter program. The Oregon Department of Administrative Services shall immediately identify an independent, external third-party vendor to conduct the audit. The scope of the audit will be determined by the vendor.

Can you describe the process that occurs at DMV to record citizenship? What, if anything, will be changed about that process now?

Customers are required to present documents that prove identity, date of birth, and residence in Oregon when they request a new driver's license, permit or ID card. For identity and date of birth, citizenship documents such as U.S. passports and birth certificates and documents showing naturalization prove those things. When DMV employees enter these documents into the system, the system codes the customer as a citizen and sends that record to SoS to register them to vote.

When presented with a document, DMV counter staff assess the type of document and its validity. A second employee then double checks the type of identification before it is recorded in the system. In rare cases, staff chose the incorrect option on a drop-down menu, identifying a customer as having provided proof of U.S. citizenship when they did not. This was more common with passports than with birth certificates.

After this issue was identified, DMV made two key changes to the system. The first change revised the software program to require confirmation that a U.S. passport was presented. In addition, DMV instituted a third review at the end of the day in which a manager reviews all files to verify accuracy before the information is sent to Elections Division for Automatic Voter Registration. DMV is also changing the user interface to make it less likely that DMV staff will select the wrong document, including by separating foreign documents from U.S. documents that prove citizenship onto completely different screens.

What has DMV done to fix this situation?

As soon as DMV began to identify the causes of errors, it immediately began putting in place changes to mitigate for the errors it was seeing. DMV has taken the following corrective actions to date:

- Aug. 18: Changed the drop-down menu of source documents to alphabetical order to ensure U.S. passport and U.S. birth certificate are no longer the default options to reduce the likelihood they are inadvertently selected.
- Aug. 23: Instituted daily, manual checks by office managers or lead staff to ensure transactions are accurately coded for citizenship.
- Aug. 28: Held a statewide, all field office staff training on the daily review process.
- Aug. 28: Instituted a system prompt when U.S. passport is chosen to ensure that was the intended entry.
- Sept. 18: Put in place a system change for U.S. birth certificates to require entry of state and county of birth when a U.S. birth certificate entered (previously an optional entry).
- Sept. 18: Held a statewide, field office staff intensive training. The training included what needs to be entered on the form; the importance of accurate transfer of information from the form to system entry; the fact this information is used for OMV and therefore the importance of accuracy; additional information on the system changes they were already seeing; and the system changes launching that day.
- Sept. 27: System mitigation from Aug. 28 improved, so all document types that create the citizenship indicator receive the prompt to ensure that was the intended entry.
- Oct. 4: Implemented updated process for all field staff to analyze source documents to determine if it involves the territory of American Samoa, so those records can be separated and not sent in the OMV file to SoS.
- Oct. 8: Formed an Internal Controls Workgroup for field staff, to prioritize critical transactions or elements to spot-check, and cadence for review, to ensure quality and accuracy in processing transactions.
- Oct. 9: Statewide, all field office staff received intensive training on types of identity documents, including what does or does not prove citizenship, correct process for using the form indicating the source document used, and new system changes to be effective by this date.
- Oct. 11: Changed the user interface so the source document entry screen starts with only two choices: documents that prove U.S. citizenship or documents that do not prove U.S. citizenship. Based on that choice, the next screen has a drop-down menu that only contains source document types that meet that selection (e.g., choice of “does not prove U.S. Citizenship” will direct to a screen with a drop-down menu that only includes documents that do not prove citizenship). The two different screens – Proves U.S. Citizenship or Does not Prove U.S. Citizenship - are color-coded as a visual prompt to staff.
- Oct. 11: Changed the user interface to require the document’s country of origin be entered. If the country entered does not match with the type of document selected, the transaction cannot move forward.

- Oct. 14: Revised existing training modules for newly hired field office staff to include more robust information and direction about OMV, voter registration, system indicators of citizenship and proper completion of the form indicating the source document used. This training is now being delivered.
- Oct. 18: All field staff have completed three additional mandatory trainings.

The following upcoming system and training mitigations for DMV are in development:

- Changing the user interface to require entry of the issuance year for U.S. passports. The configuration of digits in U.S. passport numbers has changed over time and is different from that of other countries. Forcing the entry of an accurate number of digits for the year of the U.S. passport will further prevent mistakes. This will be a “soft” stop, allowing the transaction to continue, to account for U.S. emergency passports, that do not have standard numbering. Projected completion date: Nov. 9, 2024
- Changing the user interface to create a particular source document type for documents from the territory of American Samoa, which will be in the category of not proving U.S. citizenship, and therefore will automatically not go to SoS in the OMV file. Until that system change is made, DMV will use a manual reporting process to stop such records from going in the OMV file. Projected completion date: Nov. 19, 2024
- Continuing to re-review the 130,000 manually reviewed files to identify those without supporting documents and determine which should be flagged in the system to take additional action at the next interaction to prompt submitting proof of citizenship. Projected review and record flag to be complete is Dec. 1, 2024. However, due to the volume of records and depth of analysis, this may take more time.

How will the Governor’s pause on Oregon Motor Voter affect voters before the November election?

The Oregon Motor Voter deadline to register for the November election was Sept. 24 (the automated process didn’t stop on Sept. 24, but because there’s a built-in delay in the system, people who went through the automated process after that date were not registered in time to receive a ballot for the 2024 election), so this situation will have no impact on the upcoming election.

Oregonians could continue to register to vote [in-person at a local election office until](#) close of business Oct. 15, [online](#) by 11:59 p.m. Oct. 15 or [by mail \(postmarked by\)](#) Oct 15. They could also consult their county elections office or the [Secretary of State office](#).

During the pause, DMV will collect this data from customers, and it will build up daily in the Oregon Motor Voter file. All OMV data will be held at DMV and not sent to Secretary of State until DMV receives the go-ahead from the Governor’s Office. This will result in a delay in people being registered through OMV. In addition, DMV will resume asking customers who otherwise would have had their data sent in the OMV file whether they want to proactively register to vote. Once the Governor lifts the pause, DMV will return to the hybrid model of both asking and automatic voter registration.

Are you going to disclose the list of ineligible voters, including those with a voting history?

Oregon law prohibits SoS from disclosing information concerning citizenship or immigration status except as otherwise required by law (ORS 180.805(4)(a)). Disclosure of DMV records is also prohibited in this circumstance (ORS 801.177-.181; ORS 192.355(10)). This list would also be exempt under Oregon Public Records Law because the disclosure of this information would be an unreasonable invasion of privacy that could subject people to threats of violence. Learn more at [SOS-FAQ.pdf](#).

How have the ineligible voters, including those with a voting history, been contacted? Are they aware they may be ineligible?

County clerks have or will send letters to those who were mistakenly registered to vote. This group will have the opportunity to provide updated proof of citizenship and re-register to vote if they are eligible. Learn more at [SOS-FAQ.pdf](#).

If a vote or votes were cast by ineligible voters, will there be criminal prosecution?

If SoS finds evidence to suggest anyone voted inappropriately, they will refer that information to the DOJ consistent with existing process. Learn more at [SOS-FAQ.pdf](#).