



King County

CITIZENS' ELECTIONS OVERSIGHT COMMITTEE (CEOC)

September 15, 2021 Meeting | 11:30 a.m. to 1:00 p.m. | Zoom Conference

MINUTES

Members Present: Chair: Kyle Vixie, First Vice Chair: Eliseo Juárez, Vice Chair: Nanette Sullivan, Vice Chair: Jayson Todd Morris, Hillary Coleman, Allison Feher, Linda Grez, Stuart Holmes, Julie Kang, Jeff Manson, Maya Manus, Seth Orr, Quynh Pham, Stefan Sharkansky and Stanley Tsao

Absent: None

Special Guests: Washington Secretary of State Kim Wyman, René LeBeau, Democracy Voucher Program Manager, Seattle Ethics and Elections Commission, and Graciela Nunez Pargas, Legislative Aide, Councilmember Girmay Zahilay

Elections Staff: Janice Case and Kendall LeVan Hodson

Council Staff: Erin Arya, Patrick Hamacher, Sherrie Hsu and Miranda Leskinen

1. Call to Order

CEOC Chair Kyle Vixie called the meeting to order at 11:32 a.m.

2. Approve July 21, 2021 minutes

Vice Chair Jayson Morris moved approval of the minutes of the July 21, 2021 meeting with two amendments: first, marking Hillary Coleman absent, and second, changing the word “related” to “relocated” under item 4. Member Stefan Sharkansky seconded. Motion carried unanimously.

3. Director's Report

King County Elections (KCE) Chief of Staff Kendall LeVan Hodson presented the Director's report. She provided an update on the Seattle recall petition noting their office has been stamping pages and will start verifying signatures tomorrow (9/16). Over 16,000 signatures were submitted to KCE and 10,687 valid signatures are required to qualify for a ballot. KCE is targeting December 7 for an election if the petition is valid and certified. The charges and a statement from the elected official will appear on the ballot.

LeVan Hodson provided an update on the general election. Military, out of state and overseas voters will receive their ballots on Friday. KCE projects a 46% turnout. There are 12 ballot measures and three state advisory votes, 332 offices are up for election and there are 453 unique ballot combinations.

Levan Hodson shared that county auditors are interested in moving the primary based on poor turnout. There is also interest in more clearly defining electioneering and what it

is. King County is working on a pilot for risk limiting audits using random sampling and statistical data to ensure election results are accurate. Additionally, there are workshops with other departments in the state covering tabulation and ballot design for Ranked Choice Voting.

Chair Vixie inquired about the impact of covid on operations for the general election. Deputy Director Janice Case answered that KCE is continuing their best practices from last year and also have the county vaccination mandate for staff.

4. Secretary of State Kim Wyman with CEOC Questions/Comments

Secretary of State Kim Wyman shared that counties are starting to explore risk limiting audits. The Secretary of State's office (SOS) has a subject matter expert who is building out trainings for counties. Secretary Wyman said she is hopeful that in 2022 they can perform a statewide risk limiting audit. She said it is one more way that counties can be transparent, share that checks and balances exist, and that elections results are accurate.

Member Stefan Sharkansky asked what functions the audit covers. Secretary Wyman answered that it covers the tabulation process. She said the purpose is to overcome assertions that hackers made that they could overcome a random audit because it will only select random precincts. But when using a statistically significant sample a hacker cannot overcome that. She said her office hears the question "how do you know the code wasn't changed?" She said they know because they match up a random sample of ballots that would tell them if the code was changed. Secretary Wyman noted it is one more tool for counties to demonstrate to the public that the results are accurate.

Member Sharkansky raised that in 2004 there were too many ballots. Secretary Wyman shared they now have a six-sigma process to recognize every ballot in the process. It is a detailed report they submit with their certification reports and that is a level of detail that did not exist in 2004. She added that there is also a statewide voter registration list now that did not exist in 2004 there were different county lists that could not be compared to each other.

Secretary Wyman shared some of her thoughts on Ranked Choice Voting. She noted that a number of groups and citizens would like to see it implemented. She expressed some concern because of the challenge explaining to the public how it works and how votes will be counted. She shared there is already concern about people thinking elections aren't valid when they understand how the election works so she views Ranked Choice Voting in that context. She said if passed they will implement it and do a good job.

Secretary Wyman reported that VoteWA performed well, and they had a successful filing week in 2021. There were 3,700 filings and 1,322 credit card transactions, which saved counties \$9,000 in credit card fees because the state paid for them. She noted the development and testing they did and working with the counties made it a successful process.

When asked about what happens at the state level when an appeal is filed after administrative deadline, Secretary Wyman shared that the statewide process was created in 1912 and state laws determine when ballots must be delivered to voters so when litigation happens, they will always make the case for an expedited decision because of those deadlines.

First Vice Chair Eliseo Juárez inquired if SOS is hearing concerns from community that VoteWA cannot accept accent marks and diacritical marks online. He noted they can be added, but the candidates must call. Secretary Wyman expressed appreciation for bringing the issue to her attention noting she will look into it and get back to him.

5. Backgrounder on the City of Seattle Democracy Voucher Program

René LeBeau, Democracy Voucher Program Manager with the Seattle Ethics and Elections Commission provided an overview of the Democracy Voucher Program. It began in 2015 as a citizen-led initiative. Funding comes from a \$3 million per year property tax for a 10-year period. She shared that the goal of the program is to increase number of candidates and number of donors in Seattle elections. This optional program's participants must be a Seattle resident who is at least age 18 and a U.S. citizen, U.S. national, or lawful permanent resident. It is also optional for candidates to use. Voters may assign a voucher to a qualified candidate.

Member Hillary Coleman asked how vouchers are being used in practice, whether they are given to multiple candidates or whether multiple vouchers are given to one candidate. LeBeau said previously being given to same, but now they might see one person giving them to four different mayoral candidates.

Member Sharkansky asked to hear more about contribution limits and rules, and how independent expenditures affect the rules. LeBeau said mayoral limits are \$800,000 for the year and 400,000 for the primary election. If spending by an opponent occurs beyond that level, by an independent expenditure, or a combination thereof a candidate may ask to be released from the limit and privately fundraise beyond that.

6. Information Gathering Regarding the Democracy Voucher Topic

Graciela Nunez Pargas attended from Councilmember Zahilay's office and shared that their office is in the preliminary stakeholder input phase of looking into democracy vouchers to see if they are feasible at the county level. Some of the considerations they are weighing include that King County has 1.2 million registered voters which is a much larger pool than the City of Seattle. With the larger pool comes a larger price tag with considerations including how it will be funded (general fund or another source), voucher amounts, voter education, spending limits, and spending caps. Additionally, there is no existing infrastructure to administer the program in the current county government structure. Nunez Pargas asked for feedback from the CEOC to share with Councilmember Zahilay.

Member Manus noted a benefit is that Seattle is seeing a more diverse pool of primary candidates than in the past. People with no social capital are able to run for office. King County isn't as diverse as it should be and candidates of color find it difficult because of the time and money it takes to run.

Member Sharkansky felt it would be a poor idea to use this system. He noted there are many demands on the general fund already. He said in Seattle, we see that people who support candidates will find a way through an independent expenditure. And the oppositional spending allows candidates to be released from the spending limits. He said a lot of money is wasted; only a small amount is used as intended because most of the funding goes to campaign consultants who create a collection campaign for the vouchers.

Member Tsao asked to make sure education and community outreach to go along with the program. He shared that it took time for Seattle's program to gain traction because communities did not understand the program. He noted King County should make sure outreach is baked into the program from the beginning and not an afterthought.

Member Coleman noted she agreed with Member Tsao's comments. She felt if King County were to implement democracy vouchers the county would have an advantage given the current community partnerships in place. She asked what collaboration would be like between Seattle and King County. Would a voter in Seattle get eight vouchers because they live in both Seattle and King County? She cautioned there may be additional education needed for Seattle residents. She also noted that if a desired result is to reduce spending in elections this may be a vehicle, but that may not be a concern at the county level.

First Vice Chair Juárez felt it is good to explore to bring more people into the process however that comes. He cautioned that when Seattle has programs that pull from the General Fund there tends to be a decades long slide in investment as is the case with Seattle Public Libraries. He noted the Seattle democracy voucher website is difficult to use. He felt a website for a King County program should include good voter education, be user friendly and mobile accessible.

7. Ballot Initiative Timelines and Other Operational Challenges

LeVan Hodson shared that the ballot initiative process is very different depending on the rules of the jurisdiction and sometimes even if it is an even or odd numbered year. The ability of Elections staff to process the initiative depends upon what other work they are carrying out for the election concurrently.

She noted in 2017 Burien had a sanctuary city petition and King County had a safe injection site petition. Both went to court and they must comply with the direction of the court. If the ballot is already at the printer and the courts rule that a ballot measure must be removed, they will reprint the ballots.

LeVan Hodson also share that the King Conservation District (KCD) election will happen again in 2022. There is a state conservation commission meeting tomorrow (9/16) to decide whether to allow elections to go on a regular ballot, which would be a strong show of support for a legislative proposal to allow KCD elections to be conducted by KCE.

8. Districting Process Update

Council Initiatives Director Patrick Hamacher shared an update on the work of the King County Districting Committee. The committee recently completed over 20 community listening sessions to learn about communities of interest. The Census Data became available on August 12 and the Committee members are beginning work on their draft maps. There will be town hall meetings to review draft maps in October and a final public hearing on the final draft map around the end of November.

9. Election Observation Stipend Request Follow-up

Chair Vixie noted he is in communication with Council staff on this issue and will continue to follow-up on the request.

10. KCC Staff Updates

Staff introduced Sherrie Hsu, the new policy analyst for the King County Council covering elections. Staff also relayed that Carolyn Busch has left the Council and Janine Weihe is Acting Chief of Staff and as such sits on the Canvassing Board until a new Chief of Staff is hired. Staff indicated they would email an update on the timing of reappointments and advertising vacancies once they have more information.

11. New Business and/or for Good of the Order

First Vice Chair Juárez noted that at the next meeting he would like the committee to discuss camera etiquette when guest speakers attend virtual meetings.

Member Feher asked Elections staff if more signatures are needing further scrutiny during the verification process because signatures are changing and if the signature on the most recent ballot is added to the signatures used in the verification process. Deputy Director Case replied that they are not and unable to by the current law, but that signature challenge forms are used. LeVan Hodson added that their staff is working on mapping signature challenges.

12. Adjournment

Vice Chair Morris moved to adjourn the meeting. Member Feher seconded. The meeting was adjourned unanimously at 12:58 p.m.