



King County

**King County
Citizens' Elections Oversight Committee**

**Annual Report
on King County Elections**

February 2009

King County Citizens' Elections Oversight Committee

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Washington State Democratic Party
King County Republican Party
King County Democratic Party

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Introduction

Ordinance 15453, enacted by the Metropolitan King County Council on May 6, 2006, reestablished the Citizens' Elections Oversight Committee (“CEOC”). The ordinance also established its mission: “...to help King County restore and maintain public confidence in elections.” The ordinance further directs the CEOC to make recommendations to the Council to:

- Improve performance of the King County elections division and
- Help ensure that accountability and performance of the elections division is provided in a transparent manner that is meaningful to the residents of King County.

This report is submitted pursuant to Ordinance 15453, section 5.B.5 requiring annual reports to the Council. The report is brief and focuses on the most important activities of the CEOC and of the Elections Division. The Committee will provide more detail to Councilmembers or meet individually with members if greater detail is needed.

CEOC Priority Concerns/Focus Areas

Overall, 2008 was another year of steady improvements to the elections process with small adjustments to standard procedures, new procedures for additional safeguards and continued tightening of the reconciliation process – one of the most challenging aspects of elections. Highlights are noted below.

- **Consolidation of elections operations into a single facility.** The CEOC inspected the facility when it was under construction and again in January 2008 after move-in. CEOC members noted the many cameras, security doors and other security features. The work areas appear to be well designed for both staff and observers. The facility has greatly simplified workflow, reduced the opportunities for mistakes and made the operation literally and figuratively more transparent to the public. We held all but one of our monthly meetings there.
- **Observed elections.** One of the most basic yet important activities undertaken each year by the CEOC is the observation of elections. During 2008 the CEOC observed every election and many canvassing board meetings. We asked questions of staff and they appeared to be well trained and understood the task they were performing. Reconciliation continues to improve. Polling place voting continues to be more of a managerial challenge than mail ballot processing. It will be good when the County moves to all-mail elections on a permanent basis.
- **Presidential year elections.** As expected, 2008 was an extraordinary year for turnout in the Primary and General elections. With over 1 million registered voters in King County, turnouts of 34 percent in the Primary Election and 83 percent in the General Election made the management and operation of this year’s elections very challenging. It became readily apparent that the ageing equipment used to feed and tabulate ballots,

and the software limitations were not up to the needs of the largest mail ballot operation in the United States. Even Los Angeles County, which has more registered voters than King, does not have as many absentee voters.

- **Certification of new ballot tabulation equipment.** It is fair to say that King County Elections, the CEOC and the Washington Secretary of State (SOS) are concerned over the lack of action by the federal Elections Assistance Commission to certify any new elections equipment in the United States. We understand that letters have been written to congressional delegations asking that the process be expedited while maintaining standards. It is clear that the County will need to be granted emergency certification from the Secretary of State if it is to use the new Premier Elections Solutions equipment in a May special election – prior to a county-wide election. Elections has been involved in ongoing dialogue with the SOS on this matter.
- **Transition to an elected director of elections.** While the CEOC as a body and individually took no position on the candidates, one benefit of Ms. Huff's election is the continuity the department will have as it continues to improve the conduct of elections. The County still needs a Superintendent of Elections, a key position for the department and one that is required to move to vote-by-mail on a permanent basis. Now that the leadership of the organization is secured for the present, the CEOC is optimistic that this position can be filled.
- **Regional or Accessible Voting Centers.** Accessible Voting Centers (AVCs) in Renton, Seattle and Bellevue were in use for the February Special Election. With turnout for that election at 25 percent, it is too early to tell how they will serve in a high-turnout election such as the 2009 Primary or General elections. Of particular concern is the number of individuals who may need provisional ballots. In the 2008 Primary 27,466 provisional ballots were cast.
- **Ballot drop boxes.** These boxes continue to gain popularity as more are installed and as voters become more aware of their existence. The CEOC has some concerns over the use of City of Seattle service centers as ballot drop boxes. Ballots can be physically dropped at these locations after 8 p.m. on Election Day and voters may think that their ballots will count. In accordance with State law, their ballots have not been counted, but it results in a confusing situation. It may be appropriate to review the overall placement of ballot drop boxes throughout the County as well as the decision to use service centers for drop boxes in Seattle.

Improvements in the Elections Division

As noted earlier in this report, the Elections Division has continued to improve all aspects of conducting elections relating to staff performance and procedural matters. In particular, the CEOC notes the following improvements.

- **Twenty-two successful elections.** Since the 2004 primary election, the division has conducted 22 elections without serious errors. While there have been a few problems with each election, as reported in the media, staff continues to refine procedures, particularly the reconciliation of ballots. For the last general election mail ballots were reconciled within four ballots while poll ballots were reconciled within 15.

- **Vote-by-mail project.** Elections continues to make progress in preparing to conduct all elections by mail. Staff continues to target the May 2009 special election for the first use of new tabulation equipment using both polls and mail ballots. If this milestone is met, their plan is to go to VBM for the August 2009 primary election.
- **New elections tabulation equipment.** The contract for new ballot tabulation equipment has been signed, the equipment has been delivered and is undergoing acceptance testing, state certification, and security testing as required by the Council. The CEOC has a subcommittee observing the testing of equipment.
- **Subcommittee work to increase content on the Elections web site.** The CEOC established a subcommittee to explore the potential of putting more content on the elections web site. An example might be posting duplicated ballots. Elections management is open to increasing content and work is ongoing on this subject.
- **Successful implementation of the new top two primary system.** Elections officials and voters throughout the state were challenged to implement a new top two primary system following a U.S. Supreme Court decision. There was effective public outreach and the primary election was well run.
- **Use of the new Pitney Bowes ballot processing equipment.** Previously a mail house was used to sort voted ballots when they were returned. Now, returned ballots are sorted in-house, saving money and increasing security. The equipment is very effective at setting up the next stages of ballot processing. A mail house is still used to send ballots to voters.
- **All-mail election conducted in May for three jurisdictions.** In May all-mail elections were conducted for three jurisdictions. No problems were encountered.
- **CEOC will study Ranked Choice Voting per Council request.** Motion 12854 requests the CEOC to study ranked choice voting and to report its findings back to the Council by January 2, 2010. The CEOC has agreed to undertake this task and has begun preliminary work.

Looking forward to the balance of 2009

The CEOC intends to continue its focus on the issues described above and other issues of concern, both through direct observation of elections as they occur and through briefings that the committee will request from Elections staff during the course of this year. Items of note we will be following this year are listed below.

Certification and use of new ballot tabulation equipment. The last presidential election demonstrated the real need the County has for new equipment. The CEOC will observe testing and certification by the Secretary of State as well as the additional security testing required by the Council. We will also follow federal certification when that process begins in earnest.

Accessible Voting Centers. While these three centers worked well in the small primary election held in February, the CEOC will continue to monitor their use in higher voter turnout elections.

Installation of remaining ballot drop boxes. As noted above, ballot drop boxes are gaining popularity with voters. The CEOC will continue to monitor their use and security. We will also continue to evaluate the appropriateness of using community service centers in Seattle as ballot drop boxes.

Observe elections in 2009. This continues to be a high-priority activity for the CEOC. This is where the “rubber hits the road” in elections and it seems each election is an opportunity to make small improvements. We credit management and staff for their own work to continually improve, and appreciate their openness to CEOC suggestions.

Transition to an elected elections director. Now that the results of Initiative 25 and the February election are final, the CEOC will watch to see what, if any changes take place with an elected director.

Superintendent of elections. Now that the uncertainty surrounding an elected elections director has been removed for the present, the CEOC hopes that the director can expeditiously hire a skilled superintendent of elections. We will be anxious to review the qualifications of the recommended candidate.