

KING COUNTY INDEPENDENT TASK FORCE ON ELECTIONS

Friday, 3 June 2005 2 – 5 p.m.
Seattle University Law School, Room 110
901 12th Avenue, Seattle, WA

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The Meeting's Goal:

**Begin to frame the issues the Task Force will address
during the next two months.**

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FINAL AGENDA

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| I. | 2:00 | Welcome; Review Today's Goals and Agenda | Cheryl Scott, Chair |
| II. | 2:05 | Work Plan Update | Cheryl/Jim Reid/Brian Malarky |
| | | <ul style="list-style-type: none">▪ <i>Review subcommittee membership and meeting schedule.</i>▪ <i>Review the roles of the CEOC and audit to help further define the unique role of our Task Force.</i>▪ <i>Review stakeholder interviews that are part of the Task Force's public outreach process.</i> | |
| III. | 2:25 | Overview of Washington State's Elections Process | Suzanne Sinclair, Vice Chair |
| | | <ul style="list-style-type: none">▪ <i>To understand "best practices" and establish a baseline for the "gaps analysis" that the Task Force will undertake, review and discuss a functional and chronological flow chart of the elections process in Washington State.</i> | |

- IV. 2:45 Framing the Questions and Issues Cheryl/Brian
- *Cheryl and Brian present a status report of the information that has been gathered to date to begin framing the questions and clarifying the issues that the Task Force will address.*
 - *Task Force members' questions of clarification.*
- V. 3:25 Discussion with Dean Logan, Director, REALS Dean/Task Force
- 3:55 break
- VI. 4:00 Executive Session Task Force/Staff
- *Review the performances of public employees.*
- 5:00 Adjourn

THE TASK FORCE'S NEXT MEETING:

FRIDAY, 17 JUNE 2005 2 – 5 P.M.
SEATTLE UNIVERSITY LAW SCHOOL

KING COUNTY INDEPENDENT TASK FORCE ON ELECTIONS

Friday, 3 June 2005 2:00-5:00 p.m.
Seattle University Law School, Room 110

FINAL SUMMARY

of the Meeting's Key Discussions, Decisions and Agreements

Task Force members present: Patricia Aitken, David Boerner, Phil Eaton, Susan Hutchison, John Lindback, Cheryl Scott, Suzanne Sinclair and Father Stephen Sundborg

Task Force member absent: Nick Handy and Joe Knight

Staff members present: Rita Brogan, Lee Keller, Brian Malarky, Jim Reid and Mike Sinsky

Guests: Mike Snyder, CEOC member; Mike Alvine, King County Council staff and lead staff for the CEOC; Dean Logan, King County Director of REALS, and Keith Ervin, The Seattle Times

KEY POINTS ABOUT OUR PROCESS AND THAT OF OTHER GROUPS

- In opening the meeting Task Force Chairperson Cheryl Scott commented that we are transitioning from staff fact-finding to committee work. The purpose of today's meeting is to hear preliminary findings from staff and the responses to those findings of King County Records, Elections and Licensing Services (REALS) Department Director Dean Logan. Between this meeting and our next one on 17 June, the committees will sort through the findings and identify problem statements that will serve as the foundation for future Task Force discussions and its recommendations to King County.
- The King County Council-appointed Citizens' Elections Oversight Committee (CEOC) has developed a work plan that complements ours. The CEOC is examining the 160 recommendations it made in May 2004 to determine: 1) which recommendations have been implemented and are the outcomes of implementing them; 2) which have not been implemented and why not. From this analysis will emerge a new set of recommendations. CEOC member Mike Snyder stated that the CEOC is dividing into subcommittees to complete this work that are organized around topics similar to those of our subgroups.
- Cheryl and Susan Hutchison will lead the Task Force's effort to solicit from community leaders across King County their advice and thoughts about problems, solutions and the challenges of restoring public trust and confidence in the elections system.

PRELIMINARY PROBLEMS OF ELECTIONS PROCESSES

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Task Force Vice-Chair Suzanne Sinclair presented a detailed illustration of the chronology of events in Washington State's elections system. These key points emerged from her presentation and the brief discussion that followed:

- Washington State conducts two complex elections simultaneously: the election conducted on election day through voting at polling places, and the election conducted through voting by absentee ballot. Our election by absentee ballot is one of the biggest in the United States in terms of the percent of voters who cast absentee ballots and the steps we take to ensure they can do so. Most county election offices in our state, no matter how many voters they have, find it daunting to simultaneously conduct these two complicated elections.
- Another factor challenging elections officials is the number of elections that are conducted in a year. In 2005 Washington State holds elections in February, March, April, May, September and November.
- In past years most problems appeared to occur at the "front end" of the system, such as problems with registering voters, getting absentee ballots to voters, and receiving completed absentee ballots from voters in time to be counted. In 2004 many of the problems appeared to be at the "back end" of the system, such as reconciling the count of voters who signed the poll book with the number of votes counted in the ballot boxes, or reconciling the number of absentee ballots that were received with those that were counted as part of the total vote.

Brian Malarky, the Task Force's Chief Reviewing Officer, then presented the *preliminary, incomplete* findings from the fact-finding he has conducted to date. The hand-out Brian presented and explained to Task Force members is included as an attachment to this summary.

Following his presentation and remarks by REALS Director Dean Logan, the discussion among Task Force members elicited these facts, perspectives, questions or suggestions:

- Much of the complexity of our elections system may be attributed to the increasing use of absentee ballots. The perceived benefit of voting by absentee is a higher percentage of citizens who vote.
- Another factor contributing to the complexity of our process is the issuance of provisional ballots at the polling place on election day. Provisional ballots are issued to voters who arrive at a polling place expecting to be able to vote but whose name does not appear on the precinct's poll book. After they cast a provisional ballot, elections workers must conduct research to determine whether or not they are eligible to vote, and if their vote can be counted.
- Of 2660 precincts in King County, approximately fifty conduct all-mail voting because they have fewer than 200 voters.
- State law allows up to 900 voters per precinct; the King County charter prescribes precincts in this county to have 200-400 voters.
- Many counties have partisan races only in even numbered years (those in which federal and statewide races take place). King County has partisan races every year.

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- Federal law requires that because of the percentage of citizens in King County who speak Chinese, all election materials be printed in Chinese as well as English.
- As a result of the 2000 presidential election, the federal government passed legislation—the Help America Vote Act (HAVA)—that expanded the role of the States in elections.
- States have different processes for allowing ex-felons to vote. Some, like Oregon, allow people to vote once they have been released from prison. Others, like Washington, have more complicated procedures by which ex-felons regain their voting rights.
- In 2005 our elections system is complicated by two factors: 1) lawsuits challenging the change in our state's process of selecting two candidates through the primary election who will face each other in the general; and 2) elections in all nine King County Council districts because of the voter-approved reduction of the Council from thirteen to nine members. Regarding the first issue, the change in the system requires a different ballot style from last year, when we used the "Montana" system in the primary election, and the lawsuit could delay the printing and distribution of ballots for both absentee voting and voting on primary election day at the polls.
- *To determine if King County's challenges and problems are unusual, Task Force members requested staff to examine comparable counties around the nation. "Comparable" is defined as counties with similar numbers of residents and registered voters, and with comparable systems for voting by absentee ballot or at polling places.*
- *Task Force members also suggested that at our next meeting we should focus on five or six things that caused 80% of the problems in the 2004 election.*

TASK FORCE'S NEXT MEETING IS FRIDAY, 17 JUNE FROM 1-5 P.M.

The Task Force meeting adjourned at 5:10 p.m. The next meeting will be at the Seattle University Law School, Room 110 on Friday, 17 June from 1-5 p.m. ***Please note that the Task Force members have decided to convene their meetings one hour earlier and to meet for four hours rather than three.***