



King County

**King County
Citizens' Elections Oversight Committee**

The Honorable Dow Constantine, Chair
Metropolitan King County Council
516 Third Avenue, Suite 1200
Seattle WA 98104

March 26, 2009

Dear Chair Constantine:

It was a pleasure to present our 2008 Annual Report to the Committee of the Whole on February 25th of this year. Many of our members watched it on television or by streaming the video from the County's web site. At our March 11 meeting, we discussed the presentations and question-and-answer sessions that followed.

The CEOC would like to follow up on two of the issues that came up during these briefings and are now making two recommendations to you in this letter.

First, the committee is concerned that the County might delay the transition to vote by mail, because a Superintendent of Elections has not been appointed and confirmed. The CEOC agrees that the position of Superintendent is very important, and the Elections Office should continue making every effort to fill it as quickly as possible with a highly-qualified candidate. Nevertheless, the significant improvements made by the Office since 2004 have been accomplished without a Superintendent, and the CEOC believes that the transition can be accomplished without one. It should be noted that strong candidates identified by past national recruitment efforts have declined to pursue the job due to the uncertainties surrounding who would manage the office as well as the uncertainties surrounding the confirmation process.

Moreover, we believe King County is exposed to greater risk of elections errors by operating the approximately 500 polling places that depend on 2,000 temporary staff who receive intensive but limited training on a very complex process. In addition, the public is likely to be confused by this change back to poll voting, given the recent all-mail elections and the outreach about vote-by-mail that has already occurred. The specific wording of the motion unanimously approved by the CEOC with two members absent is:

The CEOC recommends that the Director of Elections be authorized to proceed with vote-by-mail elections even if there is not a Superintendent of Elections in place.

Second, we would like to make clear our position on using the new paper ballot tabulation equipment. We see no reason why the system should not be used if it passes State provisional certification and County acceptance and security testing. The County testing appears to be very rigorous, and we have a subcommittee observing that process. Both the elections expert and the security firm appear to know their business and are requiring extensive testing. Again, this concern can be cast in terms of evaluating the risks to the County. It appears to the CEOC that the risk of using the old ballot tabulation equipment is greater than the risk of using new equipment with State provisional/emergency certification and successful County testing. The specific language on this recommendation to the Council is:

The CEOC recommends the use of the new paper ballot tabulation system without federal certification, contingent upon provisional/emergency certification by the Secretary of State's Office, a favorable report by the independent testing company, and approval by the Director of Elections.

Thank you for considering these recommendations.

Sincerely,



Ellen Hansen, Chair, King County Citizens' Elections Oversight Committee

cc: Metropolitan King County Councilmembers
Sherril Huff, Director, Elections Office
Ron Sims, Executive, King County
Kurt Triplett, Chief of Staff for Executive Sims
Jim Buck, Chief Administrative Officer & Director, Department of Executive Services
Members, Citizens' Elections Oversight Committee