



King County

**King County
Citizens' Elections Oversight Committee**

**Annual Report
For the Year 2019**

January 2020

King County Citizens' Elections Oversight Committee

Committee Members

Kyle Vixie

Chair

Registered King County voter

Eliseo Juárez

First Vice Chair, Voter Participation

Spanish-speaking community representative

Jayson Todd Morris

Vice Chair, Best Practices

Disability community representative

Nanette Sullivan

Vice Chair, Election Monitoring

Municipal League of King County

Hillary Coleman

Registered King County voter

Allison Feher

League of Women Voters

Julie Kang

Korean-speaking community representative

Jeffrey Manson

King County Democratic Party

Quynh Pham

Vietnamese-speaking community representative

Maya Manus

Urban League of Metropolitan Seattle

Sheryl Moss

Washington State Office of Secretary of State (*ex-officio, non-voting member*)

Seth Orr

Technology representative

Stefan Sharkansky

King County Republican Party

Stanley Tsao

Chinese-speaking community representative

Staff

Erin Arya, King County Council, External Relations Manager

Samantha Porter, King County Council, Senior Legislative Analyst

Citizens' Elections Oversight Committee Annual Report for the Year 2019

Introduction

The Citizens' Elections Oversight Committee (CEOC) is authorized in King County Code (KCC) Section 2.53. The Mission of the CEOC is to help King County maintain public confidence in elections. KCC further directs the CEOC to make recommendations to the Council to:

- A. Improve performance of the Department of Elections; and
- B. Help ensure that accountability and performance of the Department of Elections is provided in a transparent manner that is meaningful to the residents of King County.

The CEOC and its members serve the public, King County Elections, and the King County Council by making recommendations and reporting to Council annually in an effort to maintain public confidence in elections. This report is submitted pursuant to King County Code 2.53.041.5 requiring the CEOC to submit an annual report to the King County Council on its observations, findings, and recommendations regarding the special, primary, and general elections.

Committee Operations

The newly appointed CEOC met for the first time on August 14, 2019. At that time, Kyle Vixie, a registered King County Voter, was elected by the committee as Acting Chair.

Per the ordinance which established the CEOC, “before undertaking its other responsibilities [...] the committee shall elect officers and adopt administrative procedures consistent with this chapter.” To this end, the Acting Chair prepared a draft Charter and Bylaws for the new committee and requested King County Council staff review.

The CEOC met on October 9, 2019, where the CEOC Charter and Bylaws were approved unanimously by those members present. Kyle Vixie was elected Chair, and Eliseo Juárez elected Vice Chair, Voter Participation. Both with two-year officer terms through the end of 2021. The CEOC also met on November 12, 2019 where Jayson Todd Morris was elected Vice Chair, Best Practices and Nanette Sullivan was elected Vice Chair, Election Monitoring. The Chair appointed Eliseo Juárez as First Vice Chair, per the committee approved Bylaws at that time as well.

All of the positions on the committee have been filled to date with the exception of:

- One jurisdictional representative (junior taxing district or a city with a population under 20,000)
- One representative from an academic institution who has knowledge of elections

CEOC Activities

The broad mission of “to help King County maintain public confidence in elections” has motivated the CEOC to exceed the Council’s expectations outlined in the responsibilities section of KCC 2.53.041 and advance our charter via shared leadership with three Vice Chairs and Workgroups. The content of the 2020 Work Plan was derived from the previous CEOC and reviewed by King

County Council staff and King County Elections staff. It was then shared with the new CEOC for input, review, and approval.

King County Elections communicated a variety of areas in which the CEOC could weigh in for 2020 in creating the Work Plan. This included, per Director Wise, identifying and recommending opportunities for outreach and improving voter participation, trends in voting such as electronic voting and ranked choice voting, and discussing what respective communities and organizations need from King County Elections and the barriers that they might face.

Therefore, via the CEOC Bylaws and approved Work Plan, three Workgroups were created, each led by a Vice Chair. King County Ordinance 18086, which passed unanimously in 2015, promotes access to Elections for historically underrepresented communities. The CEOC will take this ordinance into account to help drive work of each of the Workgroups. The Workgroups are as follows, with a full outline of the Work Plan in Attachment A at the end of the document:

- 1. Best Practices Workgroup.** Led by Vice Chair, Jayson Todd Morris in association with Hillary Coleman, Jeff Manson, Seth Orr, Maya Manus, and Sheryl Moss (ex officio)
 - a. Monitor trends in voting such as electronic voting, ranked choice voting, etc. Get briefings on proposed or actual changes to state or federal election laws.
 - b. Identify and recommend opportunities for outreach to improve voter participation based upon other best practices researched in other municipalities and Elections staff feedback. Engage in proactive dialogue with Elections about goal setting and implementation of plans to improve voting.

- 2. Election Monitoring Workgroup.** Led by Vice Chair, Nanette Sullivan in association with Allison Feher, Julie Kang, and Stefan Sharkansky.
 - a. Observe and monitor all aspects of the elections process during all elections (after official observer training) utilizing the King County Elections provided observable activities list available online. CEOC members will have their own badges and lanyards to pick-up at check-in anytime during ballots processing.
 - b. Recommend corrective actions (if any) and help ensure that any problems that arise are discussed in an open and public manner. This includes input and assistance to monitor and improve operations of existing drop boxes (including closing procedures) **

- 3. Voter Participation Workgroup.** Led by First Vice Chair, Eliseo Juárez in association with Hillary Coleman, Stanley Tsao, Jeff Manson, and Maya Manus.
 - a. Identify and recommend opportunities for outreach and improving voter participation with a focus on CEOC members respective communities and organizations. Communicate to King County Elections what various communities and organizations need from King County Elections and what barriers they face.
 - b. Respond to questions received from individuals, and from communities and organizations (with the CEOC Chair if necessary), about election processes and integrity in collaboration with King County Elections staff.
 - c. Evaluate opportunities to improve voter participation through the engagement of voters speaking languages other than English.

- d. Collaborate with Elections staff to overhaul the voters' pamphlet and make it more relevant and accessible for 2021. Assist with the development of other voter outreach tools and ballot and envelope structure and printing (if required).

** King County Elections held two training sessions for the CEOC to get up to speed for acting as elections observers starting with the November 5, 2019 elections. The CEOC members who were able to participate reported great satisfaction with the professionalism and content of the training process. There was also a video shared created by King County Elections that clearly explains the current drop box closing procedures.

The CEOC Chair is also representing the CEOC on the King County Regional Census Committee. Elections and the Census efforts are related both via their community outreach focus, and by ordinance which in part determines the committee's membership.

In addition to the Work Plan, the committee with assistance from staff also informally prepared a Content Calendar in collaboration with Director Wise to map out the topics for the coming year in advance of the January 2020 meeting. Agendas will still be generated in each month there is a full CEOC meeting, and the expectation is the CEOC will meet 8 times in 2020, twice the requirement specified in the ordinance that established the CEOC.

November 5, 2019 Election

Per Director Wise, ballots were mailed to more than 1.3 million registered voters in King County and 653,645 King County citizens returned a ballot for a 49% turnout. While initial election day returns appeared to lag behind projections (approximately 27%), the election ultimately finished with a turnout that was 14% higher than KC Election's original turnout projections of 43%. In total, 47% of ballots were returned at drop boxes and 53% were mailed in. King County Elections reports that performance issues (primarily transfer and upload speeds) with VoteWA have continued. Director Wise states that while workarounds were possible for this election, there remain concerns about next year's expected double volume as well as several overlapping elections.

There were five vote centers open during an eight-day period prior to the election in Seattle, Kenmore, Bellevue, Federal Way, and at Elections HQ in Renton where 481 new voters were registered. Voters who lost their ballot could get a replacement at these centers as well as online or via the call center at 206-296-VOTE. Voter registration at the vote centers was available until 8 p.m. on election day.

Ultimately, there were races in Mercer Island and Redmond separated by 40 and 66 votes, respectively, and these were recounted by machine. Mandatory machine recounts result when there are less than a 2,000 vote difference and also less than half of 1% of the total number of votes cast for both candidates. The race for Position 2 for the City of Bothell was recounted by hand. Mandatory hand recounts must be less than 150 votes and less than a quarter of 1% of the total number of votes cast for both candidates.

Director Wise reports that this election ended with the highest signature resolution rate in four election cycles. Additionally, 0.85% of unresolved signature issues for voters was the lowest in

the history of the statistics (since 2009). King County Elections tells us there continue to be process improvements and there will be a particular focus on resolving signature issues in South King County in 2020.

An additional note of interest per King County Elections is that voter return preferences continue to vary per election. Director Wise states that prepaid postage initially may have driven a shift back to mail, the length and complexity of the most previous ballot may have caused more last-minute voting. There were nearly 218,000 ballots returned via drop boxes on Election Day, including the newest location at Angle Lake Light Rail Station. Voters could also track their ballot using King County's My Voter Information tool online.

There were 68 drop boxes available across King County with the newest location at the Angle Lake Light Rail Station. King County Elections reports they are working on another location to be opened at the new Kent YMCA. Full-size drop boxes were at the Seahawks Game on October 20th at Touchdown City and at the north gates.

Seattle King County Elections also tested a new model at the Seattle vote center location to learn how to handle an expected increase in same day registration volume for 2020. Therefore, on Monday, October 28th, King County Elections closed the Elections Annex in King County Administration Building and opened a larger location on the first floor of the Chinook Building. King County Elections will monitor and make improvements as needed to signage and messaging based upon the response from this change.

The CEOC has taken positive note of the strength of King County Elections social media content and voter communications efforts during the election cycle. In particular, the new "If You Care About This..." video. Per Director Wise: "No matter where you stand, no matter what your politics, these scenes are designed to get you thinking about what you care about. Both sides of each issue are represented in some way throughout the course of the video. We all view this video through our own unique lens and with our own perspectives, experiences, and biases." <https://www.youtube.com/watch?v=8ZZkSjYM61A>

Challenges

1. **Second (Replacement) Ballots.** King County Elections reports that in every election there about 2% of voters who receive second (replacement) ballots, with roughly 30,000 being sent in the November 5, 2019 election. While there was discussion through media platforms about second ballots during the election season, the number of replacement ballots that went out for the November 5, 2019 election was in line with past King County Elections expectations.

Replacement ballots are sent when there is an update to the voter record, for example an address change when a voter moves. Voters who receive replacement ballots also receive an insert communicating why they received a second ballot and which ballot to return. Director Wise shared these inserts with the CEOC and detailed this process with the committee via email and answered additional questions at the November 12, 2019 CEOC meeting.

While King County Elections reports that many unnecessary replacements are caught

before they are sent, regardless the system does not accept two ballots on the same record. The system automatically sorts out second ballots received for the same voter record, so additional ballots are not counted. King County Elections states that it is a very rare occurrence for any voter to try to return two ballots intentionally due to the risk of being prosecuted.

There was a small number of true duplicate ballots sent to people with a duplicate voter registration record. King County Elections reports that the duplicate-catching criteria in VoteWA is not as robust as the previous system and unfortunately some duplicate records were created. As a result, extra staff hours were required to manually fix duplicates in the system. Director Wise states that she is “confident that no person voted twice in the Primary and are confident that no person will be able to vote twice in the General as well.”

2. **Ballot.** The CEOC noted the use of spot color on the November 5, 2019 ballot, which in particular made it easier for voters to note where to start voting on the page without adding additional printing cost. The Ballot for November 5th was crowded, with the entire front dedicated to state measures (advisory votes). King County Elections reports they were pleased to be able to keep the ballot to one page. While the CEOC has not weighed in on this matter, Director Wise reports that eliminating advisory votes will be a legislative priority for King County Elections going forward.
3. **Accessibility.** For the November 5, 2019 Election, several CEOC members were able to observe activities, both at King County Elections and at drop box locations. CEOC members reported they were impressed by the organization and the professionalism at all phases of the vote tabulation process. Both CEOC members and Director Wise reported concerns about public access to the Elections Headquarters from a lack of a bus stop directly out front of the building and safe access to the building from the street and parking lot. Vice Chair Jayson Todd Morris will be connecting with King County Elections’ Disability Advisory Committee as well to seek CEOC partnership on accessibility initiatives.
4. **Universal Postal Union.** There was some concern at King County Elections regarding whether or not the United States would withdraw from the Universal Postal Union due to a rate dispute over Chinese package shipping. Withdrawing from the union may have brought higher postage and longer holds on ballots at customs. King County Elections reports that they communicated with military and overseas voters about the issue, encouraging the electronic ballot option, whereby 64% of 9,000 overseas voters receive an electronic ballot. Ultimately, however, the United States Executive Branch chose to remain in the Universal Postal Union.

Please note that the CEOC recommends the definition of mileage reimbursement be expanded to include other modes of transportation (bus, ride share, etc.).

Conclusion

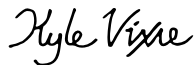
The new CEOC is well positioned going into 2020 to fulfill its mission to help King County maintain public confidence in elections. Collaborating with King County Elections to ensure the sustainability of fair, accessible, and accountable elections is in the best interest of all voters in

King County. With our recently approved Charter and Bylaws, Work Plan, and Content Calendar, plus a shared Workgroup model in place led by three Vice Chairs, the CEOC is prepared to contribute through action.

King County Elections has been incredibly welcoming of the new committee and has committed to the Chair that training resources will be brought to bear on a variety of topics to ensure the committee is fully up to speed. We appreciate that Director Wise has provided detailed responses to email questions and has personally toured CEOC members through the King County elections facility and introduced them to staff. We look forward to working with Director Wise and her team in the years ahead in a manner that adds value for all while respecting and advancing our oversight role.

As a commission chartered by the King County Council, our committee intends to always be open to feedback via community engagement and from the Council. We look forward to any level of direct engagement desired, including having Councilmembers attend CEOC meetings to highlight topics of interest.

Respectfully Submitted,



Kyle Vixie
Chair, CEOC

Approved by CEOC on January 14, 2020



King County
CITIZENS' ELECTIONS OVERSIGHT COMMITTEE (CEOC)
Work Plan 2019-2020

Outside of the requirements that are codified in ordinance, this work plan is designed to be a living document that may be revised or amended by the committee at any time.

AREAS OF FOCUS
CEOC Workgroups

Best Practices

- Monitor trends in voting such as electronic voting, ranked choice voting, etc. Get briefings on proposed or actual changes to state or federal election laws.
- Identify and recommend opportunities for outreach to improve voter participation based upon other best practices researched in other municipalities and Elections staff feedback. Engage in proactive dialogue with Elections about goal setting and implementation of plans to improve voting.

Note: Typically, during the legislative session both Sheryl Moss and Julie Wise provide updates on what types of bills are moving through the legislature. The full committee will also receive updates from the Elections Director regarding their legislative platform.

Election Monitoring*

- Observe and monitor all aspects of the elections process during all elections (after official observer training) utilizing the King County Elections provided observable activities list available online. CEOC members will have their own badges and lanyards to pick-up at check-in anytime during ballots processing.
- Recommend corrective actions (if any) and help ensure that any problems that arise are discussed in an open and public manner. This includes input and assistance to monitor and improve operations of existing drop boxes (including closing procedures).**

Note: monitoring includes, but is not limited to: Accessible Voting Centers (AVCs), drop box utilization and closings, logic and accuracy tests, signature verification, sorting and opening of ballots, ballot accounting, ballot processing and tabulation, and reporting of results.

Voter Participation

- Identify and recommend opportunities for outreach and improving voter participation with a focus on CEOC members respective communities and organizations. Communicate to King County Elections what various communities and organizations need from King County Elections and what barriers they face.
- Respond to questions received from individuals, and from communities and organizations (with the CEOC Chair if necessary), about election processes and integrity in collaboration with King County Elections staff.
- Evaluate opportunities to improve voter participation through the engagement of voters speaking languages other than English.
- Collaborate with Elections staff to overhaul the voters' pamphlet and make it more relevant and accessible for 2021. Assist with the development of other voter outreach tools and ballot and envelope structure and printing (if required).

The CEOC will also report to the Council via the CEOC Chair observations, findings, and recommendations regarding elections operations and policies in an annual report to be delivered by February 1, 2020.

Attachment A

Attachment A

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Individual Member Training

Committee members are responsible for attending briefings and participating in trainings conducted by Elections staff or staff from the Secretary of State's Office on various aspects of elections to be held at committee meetings. This includes:

- Observer training for all members (in process)
- Drop box closer training (as part of a CEOC meeting and video)
- Elections 101 or voter registration focused training (additional info as requested by the committee).
- Election law/legislation: King County Elections is happy to reach out to their PAO representative to implement a training regarding WA State/County election laws (upon request by the committee).

* Each CEOC member will conduct at least one observation at Elections Headquarters, to ensure all members are informed as to current elections administration practices.

**CEOC members will report to the CEOC any problems that are observed or come to light.

PERPETUAL CEOC COMMITMENTS

Support and maintain clear channels of communication and solid working relationships.

Serve as a resource to the:

- Director of Elections: by helping to communicate key messages as appropriate.
- Elections Department Leadership: by serving as a sounding board for new ideas (to be proactively shared with the committee) as well as reviewing draft communications materials.
- Elections staff: to ensure that elections in King County are conducted with the highest integrity

Serve as a liaison between the:

- Elections Department and the public.
- Communities and organizations CEOC members represent.

Additionally, the CEOC shall (via the committee Chair and King County Council staff) work with Council to update the charter, duties, membership, and succession plan of the CEOC.

OPPORTUNITIES TO TRACK FOR 2021+

Adapted from King County Elections staff recommendations:

Ballot Drop Box Locations

While the committee may provide input and assistance to Elections on placement of potential new drop boxes (including providing any assistance needed in dealing with jurisdictions in the placement of drop boxes), with close to 70 drop box locations, King County Elections is not anticipating placing more boxes in the foreseeable future. At this point the focus is on stabilizing and staffing this program that has grown so dramatically over the past few years.

Tabulation Equipment and Prepaid Postage Projects

In recent years the CEOC has focused on the implementation of new ballot tabulation equipment. The CEOC will get a detailed overview of tabulation during the observer training, though the implementation phase is now complete. Additionally, prepaid postage is now standard practice and tasks related to the rollout are long since been completed.

Disaster planning

Longer term discussion if committee is interested. Currently King County does disaster planning on many different levels: internally, with King County in general and with the Secretary of State's Office.

Approved by CEOC on October 9, 2019

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