



King County
Metropolitan King County Council
Committee of the Whole

STAFF REPORT

Agenda Item No.: 3	Date: 2 April 2007
Motion No.: 2007-0198	Prepared by: Nick Wagner

SUBJECT

Proposed Motion 2007-0198: “A MOTION calling for the protection of election security in King County by obtaining expert, peer and citizen review of election security plans.”

INTRODUCTION

The Committee of the Whole was briefed on this motion last Monday, 26 March 2007. The motion is now before the committee for action.

On 19 June 2006 the Council approved Ordinance 15523 (Attachment 1 to this staff report), which directed that all elections in King County be conducted entirely by mail, beginning on a date in 2007 or 2008 to be determined by the director of the Records, Elections, and Licensing Services Division of King County’s Department of Executive Services (“REALS”), but only after certain conditions were met.

On 30 March 2007 the Executive will be submitting recommendations to the Council for the purchase of high-speed paper ballot tabulation equipment and software. This equipment is being recommended to facilitate handling of the larger number of paper ballots that are expected with the transition to all-mail voting.

The Executive has asked the Council to review and approve these recommendations by 11 May 2007 in order to “remain on schedule” for the transition to all-mail voting. A copy of the proposed schedule, which is included in the Executive’s Vote-by-Mail Transition Report, is Attachment 2 to this staff report.

On 15 May 2007 the Executive will be submitting recommendations to the Council for the purchase of equipment and software for ballot tracking and signature verification. These purchases, too, are intended to facilitate all-mail voting. The equipment and software for ballot tracking will allow the Executive to comply with the Council’s directive, in Ordinance 15523, to make it possible for voters, “through use of the Internet, [to] follow the movement of their ballots as they move from King County to the voter and back to King County for counting and crediting the voter for voting.” The equipment and software for signature verification adds efficiency to the process of comparing the signature on each incoming mail ballot with the voter’s signature that is on file, to verify that the signature is genuine. This, too, will help the Executive deal with the larger number of paper ballots that is expected with the transition to all-mail voting.

The Executive has asked the Council to review and approve these recommendations by 1 July 2007 in order to “remain on schedule” for the transition to all-mail voting. See Attachment 2.

In summary, the schedule proposed by the Executive is as follows:

Date	Action
30 March 2007	Executive submits recommendations re. high-speed paper ballot tabulation equipment and software.
11 May 2007	Council completes review and approval of Executive’s recommendations.
15 May 2007	Executive submits recommendations re. equipment and software for mail ballot tracking and signature verification.
1 July 2007	Council completes review and approval of Executive’s recommendations.

SUMMARY OF THE PROPOSED MOTION

All of this equipment and software is complex, and all of it has a potential impact on election security—for the better, the Executive hopes and expects. Because of the potential impact on election security, the purchase of this equipment and software is likely to be a subject of interest and concern among the citizens of King County. For all these reasons, Proposed Motion 2007-0198 (Attachment 3 to this staff report) calls for three levels of independent review of the purchasing recommendations that are soon to be submitted to the Council by the Executive. The review is to be conducted by:

1. Experts in computer and election security, since each piece of equipment is essentially a specialized form of computer;
2. Peers of King County Elections personnel (that is, current and/or former election officials from other jurisdictions); and
3. Citizens of King County who are concerned about election security.

For the expert and peer review, requests for proposal have been sent to several consulting groups and individuals. An RFP was sent to one set of consultants for the expert review. A second RFP was sent to a different set of consultants for the peer review. The RFPs were explicitly subject to Council legislative action. The deadlines for responding are during the week of 26 March 2007.

For the citizen review, the proposal contemplates that the Citizens’ Elections Oversight Committee will solicit input from the public. The manner in which that will occur is not specified in the motion. The CEOC chair is receptive to this idea and has initiated a discussion of it with the other members of the committee.

FISCAL IMPACT

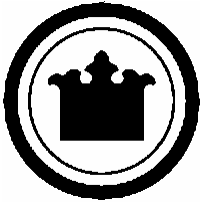
The budget for each of the RFPs is not to exceed \$24,950. The amount budgeted for purchase of the high-speed paper ballot tabulation equipment and software is \$1.5 million. The amount budgeted for purchase of the equipment and software for ballot tracking and signature verification is \$2.7 million.

INVITEES

1. Jim Buck, Interim Director, REALS, DES

ATTACHMENTS

1. Ordinance 15523
2. "Vote-by-Mail Transition Milestones" (from the Executive's "Vote-by-Mail Transition Report," dated 15 February 2007)
3. Proposed Motion No. 2007-0198



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 6, 2006

Ordinance 15523

Proposed No. 2006-0191.2

Sponsors Patterson, Ferguson and Phillips

1 AN ORDINANCE authorizing the conduct of vote-by-mail
2 elections and directing the director of the records, elections
3 and licensing services division to conduct all primary,
4 special and general elections in King County entirely by
5 mail ballot beginning on a date in 2007 or in 2008 to be
6 determined by the director only after certain conditions are
7 met.

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9

10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 SECTION 1. Findings:

12 A. The number of King County voters who vote by absentee ballot currently
13 fluctuates between approximately seventy and eighty percent in any given election.

14 B. In the 2005 primary, 81.73 percent of the ballots cast in King County were
15 cast by mail.

16 C. Nearly sixty percent of all registered voters in King County are currently
17 registered to automatically vote by absentee ballot.

18 D. The current dual system of conducting elections by mail and polls in King
19 County requires five hundred twenty-eight polling locations and close to four thousand
20 poll workers for a countywide election, plus a full scale mail ballot processing operation
21 and facility.

22 E. In 2005, the Washington state Legislature amended Title 29A RCW to allow
23 counties the option of conducting all elections by mail.

24 F. As of April 2006, thirty-four of the thirty-nine counties in Washington state
25 have adopted legislation to authorize all mail voting.

26 G. Conducting all elections in King County by mail will allow the county to
27 focus resources and systems to gain efficiencies and increase security by limiting
28 dependency on human interaction and ballot handling.

29 SECTION 2. The director of the records, elections and licensing services division
30 is directed to conduct all King County elections entirely by mail ballot in accordance with
31 state law beginning on a date in 2007 or in 2008 determined by the director only after the
32 following conditions have been met:

33 A. A new director of records, elections and licensing services and a
34 superintendent of elections have been appointed by the executive and confirmed by the
35 council;

36 B. The director and elections section staff have completed the cultural change
37 and management training recommended by the citizens' election oversight committee and
38 the independent task force on elections; and

39 C. The executive has transmitted and the council has approved by motion a plan
40 with cost estimates for regional voting centers and ballot drop boxes. The plan shall be

41 filed in the form of an original and ten copies with the clerk of the council, who will
42 retain the original and will forward copies to each councilmember and to the lead staff of
43 the committee-of-the-whole.

44 SECTION 3. There shall be an electronic tracking system established for tracking
45 ballots so that voters can, through use of the Internet, follow the movement of their
46 ballots as they move from King County to the voter and back to King County for
47 counting and crediting the voter for voting.

48 SECTION 4. Prior to implementation of vote-by-mail elections, the executive
49 shall transmit to the council a report that identifies the estimated capital and operating
50 cost of regional voting centers and drop boxes, including staffing costs for temporary
51 workers and sheriff deputies that may be needed at regional voting centers and in the
52 transport of ballots, a map identifying the location of regional voting centers and drop
53 boxes and security measures that will be put in place for regional voting centers and drop
54 boxes. Implementation of vote-by-mail shall not occur until the council has approved the
55 report by motion. The report shall be filed in the form of an original and ten copies with

Ordinance 15523

56 the clerk of the council, who will retain the original and will forward copies to each
57 councilmember and to the lead staff of the committee-of-the-whole.

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Ordinance 15523 was introduced on 5/1/2006 and passed as amended by the
Metropolitan King County Council on 6/19/2006, by the following vote:

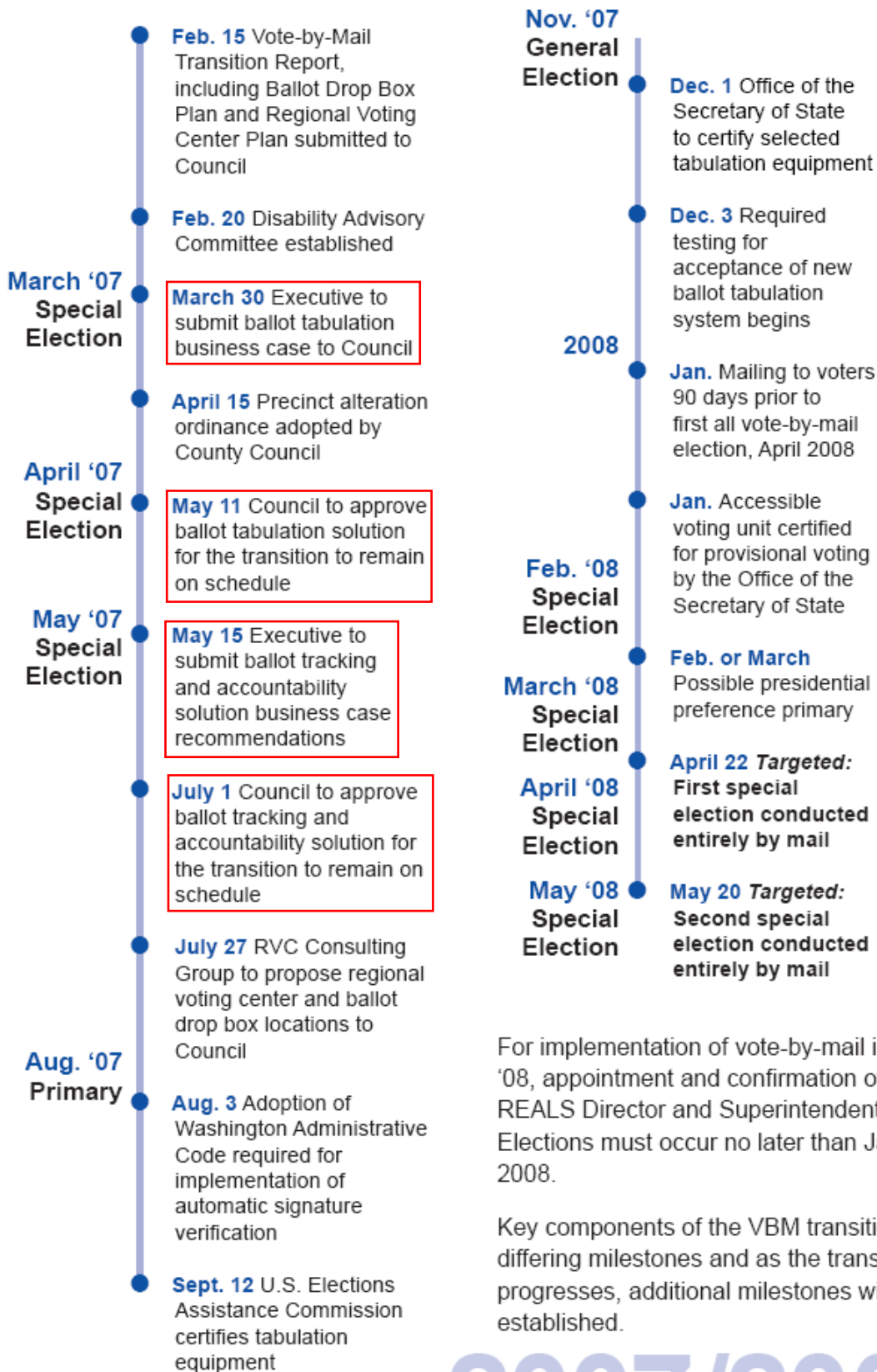
Yes: 5 - Mr. Phillips, Mr. Ferguson, Mr. Gossett, Ms. Patterson and Mr.
Constantine
No: 4 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn and Ms. Hague
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:

APPROVED this 29th day of June, 2006.

Attachments None



For implementation of vote-by-mail in April '08, appointment and confirmation of the REALS Director and Superintendent of Elections must occur no later than Jan. 1, 2008.

Key components of the VBM transition have differing milestones and as the transition progresses, additional milestones will be established.

2007/2008 Vote-by-Mail Transition Milestones



Signature Report

March 23, 2007

Motion

Proposed No. 2007-0198.1

Sponsors Phillips, Ferguson, Constantine
and Patterson

1 A MOTION calling for the protection of election security
2 in King County by obtaining expert, peer and citizen
3 review of election security plans.
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6 WHEREAS, public confidence in the election process rests on voters' firm
7 conviction that the process is secure—that only qualified voters have voted and that the
8 vote count is accurate and has not been tainted by either error or fraud, and

9 WHEREAS, the introduction of computer technology into the election process
10 has improved elections by allowing results to be reported more quickly and by making
11 possible new methods of verifying the accuracy of voter registration records and vote
12 counts, and

13 WHEREAS, the use of computer technology has also created, however, a
14 potential for new kinds of error and fraud, such as tampering with electronic voting
15 machines, which must be guarded against, and

16 WHEREAS, the metropolitan King County council has recognized the importance
17 of ensuring the security of the county's election process by adopting legislation requiring

18 the executive to submit, for council review and approval, proposals for the purchase of
19 new election equipment and software that address, among other things, the security issues
20 related to those products, and

21 WHEREAS, the council believes that in conducting that review it would be
22 beneficial to obtain independent expert, peer and citizen reviews;

23 NOW, THEREFORE, BE IT MOVED by the Council of King County:

24 A. The council shall obtain independent review and analysis of the executive's
25 proposals for purchasing new election equipment and software. The review and analysis
26 shall be obtained from experts in computer and election security and from election
27 officials.

28 B. The council shall also request that the King County citizens' election oversight
29 committee review the election equipment and software proposals from a security
30 standpoint and solicit input from citizens on election security concerns.

31 C. The council asks the executive to cooperate in these efforts by transmitting the
32 proposals for the purchase of new election equipment and software in sufficient time to

33 allow the council to obtain these independent reviews before taking action on the
34 proposals.

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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:

Attachments None