



Legislation Text

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Clerk 05/04/2005

A MOTION related to elections administration; finding that serious management errors occurred before, during, and after the 2004 election in King County and declaring that it is the policy of King County that the council has lost confidence in the management performance of the director of the records, elections and licensing services division and calling upon the county executive to consider requesting the resignation of Dean Logan.

WHEREAS, mistakes and accounting errors by King County elections officials before, during and after the 2004 election have cast a shadow on Elections Director Dean Logan, and

WHEREAS, it is the purpose of the following findings to outline the evidence of gross mismanagement before, during and after the 2004 election, and

WHEREAS, on November 16, 2004, during the ballot counting process, King County found ten thousand additional ballots that officials had not included in prior estimations of ballots remaining to be counted, and

WHEREAS, on November 17, 2004, the initial vote count results showed Dino Rossi leading Christine Gregoire by two hundred sixty-one votes, within the statutory margin to trigger a mandatory machine recount, and

WHEREAS, on November 24, 2004, the mandatory machine recount ended with Rossi leading Gregoire by forty-two votes, and

WHEREAS, on November 26, 2004, King County elections officials found three hundred thirty-six

more ballots not previously counted, and

WHEREAS, on December 3, 2004, the Washington State Democrats requested a hand recount of ballots cast in the governor's race, the hand count began on December 8, 2004, and

WHEREAS, during the week of December 13, 2004, King County elections officials, on three different occasions, revealed that they found a total of five hundred seventy-three ballots that had previously not been counted, and

WHEREAS, on December 18, 2004, King County elections officials found one hundred fifty more ballots that had not previously been counted, and

WHEREAS, King County Council Chair Larry Phillips' ballot was amongst seven hundred thirty-five "no signature on file" absentee ballots that were initially rejected; on December 17, 2004, these ballots were counted for the first time, and

WHEREAS, the hand recount ended on December 23, 2004, with Gregoire leading Rossi by one hundred twenty-nine votes; one hundred nineteen of that advantage resulted from ballots that were counted for the first time during the recount, and

WHEREAS, continued accounting discrepancies have led to widespread confusion about King County's procedures for reconciliation and the general reliability of the election results, and

WHEREAS, for example, King County released an updated version of its voter database during the first week in January 2005, which revealed over four hundred fifty individuals credited with voting in the November 2004 election who were not listed as registered voters on a voter database that King County released in December 2004, and

WHEREAS, in addition to the numerous occasions on which elections officials in King County "found" additional ballots that had not previously been counted, King County officials have publicly admitted that the number of ballots counted in King County exceeds the total number of voters credited with voting by at least one thousand eight hundred, and

WHEREAS, by other accounts, a comparison between King County voter files and King County precinct canvassing records indicates an overall discrepancy of over nine thousand five hundred instead of one thousand eight hundred, and

WHEREAS, during the week of April 4, 2005, Logan acknowledged that the mail ballot report - a report accounting for absentee ballots - was flawed, and

WHEREAS, King County elections officials have admitted that hundreds of provisional ballots were fed into voting machines without verification and by mistake, making it impossible to authenticate their legality, and

WHEREAS, different estimations of the un-verified and counted provisional ballots range from six hundred sixty to seven hundred eighty-five, and

WHEREAS, on April 2, 2005, the Seattle Times reported that King County elections officials had found more absentee ballots that were not counted in the 2004 election, and

WHEREAS, elections officials failed to inform members of the King County council of these ninety-three newly-discovered ballots, and as a result, on April 2, 2005 Councilmember Reagan Dunn asked for Logan's resignation, and

WHEREAS, on April 4, 2005, Councilmember Steve Hammond called for Elections Director Dean Logan's resignation, and

WHEREAS, Logan has not resigned, and

WHEREAS, during the month of April 2005, two more absentee ballots were found that were not counted, and

WHEREAS, King County failed to mail military ballots to voters in a timely manner, resulting in many soldiers serving overseas not having their votes counted in the 2004 election, and

WHEREAS, the King County prosecutor's office has confirmed that hundreds of felons cast illegal ballots in King County on Election Day 2004, and

WHEREAS, ballots were not included in mailings to voters for the April 26, 2005, Valley General Hospital district levy election, prompting elections officials to put three elections section employees on paid administrative leave, and

WHEREAS, on November 17, 2004, Elections Director Logan certified the results of the gubernatorial election, and has since stated under oath that he does not know whether the returns in King County were accurate within one hundred twenty-nine votes, and

WHEREAS, after errors by King County elections in 2002, the citizens' election oversight committee was formed and issued a detailed one-hundred-fifty-eight-page set of recommendations, and

WHEREAS, Elections Director Logan has stated publicly that many of the recommendations of the citizens' committee were not implemented, and

WHEREAS, various public opinion polls taken following the 2004 election show that King County residents have lost faith in the accuracy and transparency of the elections system, and

WHEREAS, public confidence in the elections process is critical for a well-functioning democracy, and

WHEREAS, Elections Director Logan, by his gross mismanagement of the elections section before, during and after the 2004 election, has undoubtedly contributed to the public's dissatisfaction and distrust in King County elections;

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

- A. The council finds that serious management errors occurred before, during and after the 2004 elections in King County as set forth above;
- B. Confidence by the public and the council in the management performance of elections in King County has been very seriously damaged by these errors;
- C. The council hereby votes "no confidence" in the management performance of Dean Logan, director of the records, elections and licensing services division; and
- D. The council hereby calls upon the King County executive to consider asking for the resignation of

Dean Logan as a necessary step toward rebuilding public confidence in the management of King County's elections.