



**King County**

**King County  
Citizens' Elections Oversight Committee**

**Annual Report  
For the Year 2021**

February 1, 2022

# 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 Foundation

Hillary Coleman

Registered King County Voter

Allison Feher

League of Women Voters

Linda Grez

Jurisdictional Representative

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

Stuart Holmes

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

\*Term expired in July 2021, opted not to request renewal and position currently unfilled

## Staff

Erin Arya, King County Council, External Relations Manager

Sherrie Hsu, King County Council, Senior Legislative Analyst

## **Citizens' Elections Oversight Committee Annual Report for the Year 2021**

### **Introduction**

Authorized in King County Code Section 2.53, the Citizens' Elections Oversight Committee (CEOC) is dedicated to helping King County maintain public confidence in elections. Per the King County Code, the CEOC makes recommendations to the King County 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 (hereafter referred to as KCE), and the King County Council (hereafter referred to as KCC or Council) by making recommendations and reporting to the Council to maintain public confidence. As such, this report is submitted pursuant to King County Code 2.53.041.5, which requires the CEOC to submit an annual report to Council on its “observations, findings and recommendations regarding the Special, Primary and General Elections.”

### **Committee Operations**

The CEOC met seven times in 2021 via Zoom videoconference. Kyle Vixie, a registered King County voter, is the chair of the committee and Eliseo Juárez, Spanish-speaking community representative is first vice chair, voter participation. Additionally, Jayson Todd Morris, disability community representative is vice chair, best practices and Nanette Sullivan of the Municipal League Foundation is vice chair, election monitoring. All officers hold renewable terms through the end of 2021, per the CEOC approved Charter and Bylaws. At the November 17, 2021 CEOC meeting, members Vixie, Juárez, and Morris were reelected to their respective officer positions through the end of December 2024.

A full list of committee members and KCC staff can be found on the preceding page. The jurisdictional representative (junior taxing district or a city with a population under 20,000) position was filled in 2021 by Linda Grez. Additionally, 2 of the 16 positions on the committee are currently vacant:

- Representative from an academic institution who has knowledge of elections
- Technology representative

One of these positions has been open since the committee was reconstituted in 2019 and the other since the middle of this year. We hope to fill them in 2022.

King County held a Legislative Branch and ESJ Training session for the CEOC on February 17, 2021, via Zoom. King County Elections also held a comprehensive training on a variety of topics, also via Zoom, on April 21, 2021. This training session was led by multiple KCE staff members who are experts in a variety of subject areas and was very well received by the CEOC participants.

In 2019, a Work Plan was approved and Workgroups were created, each led by a vice chair. The Work Plan for 2021 is found in Attachment A at the end of the document. Due to COVID-19, operation of the Workgroups has proven a challenge, and much of the committee's work has taken place in full committee meetings. Therefore, the committee may update the bylaws in early 2022 to better formalize and accommodate the current workflow.

1. **Guest Speakers.** The CEOC was able to welcome numerous guests to committee meetings which was made possible via the use of Zoom conferencing. This included, but was not limited to:
  - Former Washington Secretary of State Kim Wyman
  - King County Councilmember Kathy Lambert
  - King County Councilmember Girmay Zahilay
  - King County Councilmember Dave Upthegrove
  - King County Councilmember Jeanne Kohl-Welles
  - Washington State Districting Commissioner and King County Districting Committee Member Paul Graves
  - Bryan Finney, Founder/CEO Democracy Live
  - René LeBeau, Democracy Voucher Program Manager, Seattle Ethics and Elections Commission
  - Alison Eisinger and Maggie Malone with Seattle/King County Coalition on Homelessness (SKCCH)
  - King County Demographer Rebecca Maskin
  
2. **Drop Box Monitoring System.** The election monitoring workgroup created a Drop Box monitoring system in 2020 that utilized MS forms to spot situations of drop boxes that may be in conditions of poor drainage and lighting. Unfortunately, due to the need to update the County code to allow for transportation reimbursements for volunteers, this area has proved a challenge. This was communicated in two letters to the King County Council in 2022 (one from the Chair and the other from the Chair on behalf of the full committee) and these letters are attached at the end of this document.

### **King Conservation District Election**

According to state law, the King Conservation District (KCD) may run its own election but chose to partner with KCE. The Democracy Live online ballot platform was used to access and return ballots and KCE assisted with signature verification and ballot processing. KCD opted to mail a postcard this year to help create awareness of the election. Voters in Enumclaw, Federal Way, Pacific and Skykomish did not participate in this election. KCD elections follow a different set of rules and are not part of the typical special purpose district process. They may run their own elections and use alternative methods. Ballots are printed and tabulated like normal elections. Ballots were due electronically by March 23rd 5pm or if printed they had to be postmarked by March 26.

KCD hit a record for ballots returned with 9,509 votes cast. A postcard was mailed to the 1.3 million voters to raise awareness for the election. Voters returned 98% of ballots online. CEOC members were interested in hearing about the availability of translations for the election. KCD was not able to offer translated materials due to lack of resources. KCE shared the KCD election will

happen again in 2022. Additionally, the Washington State Conservation Commission voted to allow conservation districts the option to go on the general election ballot at its September 2021 meeting. KCE noted it as a strong show of support for a legislative proposal to allow KCD elections to be conducted by KCE which KCE advocates for.

The CEOC heard from Bryan Finney, Founder and CEOC of Democracy Live, about the online voting technology used in the KCD election. Finney discussed the possibilities for populations of voters otherwise disenfranchised to move their ballots online. He noted that in Arlington, VA, all voters with a disability have access to the technology and the ability to review their ballot, listen to the ballot, and electronically return it. Finney shared that Democracy Live is looking to pioneer innovations in voter education and outreach.

CEOC members had the opportunity to share feedback and ask questions during Finney's presentation. Member Sharkansky shared that he received a demo of the online system in 2020 and that the signature was a better match when observed, but he felt that an Alternative ID to a signature should be pursued. He noted the person operating the system during the demo was able to look up his ballot. Finney responded about finding the right balance of security and accessibility. He noted voters can access the ballot online and print it out and process that way or submit online.

Member Manus inquired about some of the tactics Democracy Live is exploring for accessibility. Finney responded about the need for next generation voters to explore next generation technology. He noted to fully engage voters requires providing next generation technology where you operate your life which is on the phone. He noted the possibilities of lowering the cost of running for office or the ease of which voters can find out who is funding a candidate. Finney noted the potential is not only for the ballot but also in fostering informed voters.

### **April Special Election (April 27)**

Ballots were mailed on April 7 to 66,500 registered King County voters. Three measures for City of Shoreline (approx. 40,113 voters), Shoreline Fire Department (approx. 40,113 voters) and King County Fire Protection District 16 (approx. 26,438 voters and includes Kenmore and Lake Forest Park). Eleven drop boxes are in those areas. The pre-election ballot return projection was 35% and the actual ballot return rate was 36.64%.

### **Candidate Filing**

Online candidate filing through the VoteWA system ran from May 17 at 9am until 4pm on May 21. KCE offered in person filing assistance at its Renton headquarters.

There were 646 filings, which bested the previous record of 634 in 2017. 94.7% filed online. All told 57 offices had more than 3 candidates (which means a primary), 93 had 2 or more candidates file and 180 had a single candidate file. No one filed for 9 offices, so a special filing period was opened for August 4-6. A lot draw to determine ballot order was livestreamed on May 21st.

KCE shared that due to recent legislation Seattle candidates submitted their voter pamphlet statements directly to KCE. They must follow county formatting requirements and the 300 words maximum.

### **Primary Election (August 3)**

For the Primary Election, 35 districts, 57 offices, and 217 candidates were on the ballot along with seven ballot measures. Ballots were mailed to armed services voters on June 18 and to regular voters on July 14. There were 1,410,000 registered voters with a 34.95% turnout (similar to past odd year primaries). There were 131 unique ballot combinations and KCE also produced ballots in Chinese, Korean, Spanish, Vietnamese. All 73 ballot drop boxes were open including a new one at Kent Panther Lake Library which moved from Kentridge High School.

Director Wise shared with the CEOC that she is interested in holding the primary in late May or early June (consistent with other regional states) due to summer vacation schedules and plans to advocate for the change in Olympia. She also shared that limited English speakers and younger voters have higher signature challenge rates so KCE is having discussions about how to better communicate why they need your signature.

### **City of Seattle Charter Amendment (Compassion Seattle)**

KCE began verifying signatures for the City of Seattle Charter Amendment (Compassion Seattle) the week of Thursday, July 15. With a required of 33,060 signatures (and more than 60,000 and 7,000 pages submitted) this was a significant amount of work to number, sort scan and enter pages into the petition module of the VoteWA system. KCE brought in 40 temporary staff to help out with voter look up and signature verification. The work was completed on Monday, July 26. There was some confusion as to whether or not the amendment would appear on the ballot. A judge struck the measure on a Friday and then the organization filed an appeal.

Per the Director: “We’ve been clear that our deadline was actually this past Monday – that’s the date we started building ballots, which must be to our print vendor by September 9 to meet our legal mailing deadline for overseas and service voters. One thing that I think a lot of people are surprised by is that we actually do need every minute of that time before our vendor deadline. In addition to translating all of our ballots into Chinese, Korean, Spanish and Vietnamese, we’re also proofing – and double-proofing – all 455 of those ballot styles – in five languages. All that said, of course we will figure out how to comply with whatever direction the court provides but the longer we have to wait for a conclusion the more difficult it gets.”

Ultimately, the appellate court upheld the removal of Charter Amendment 29 (Compassion Seattle) from the November ballot. Per the Director: “Being in limbo mid-ballot build is tough for our team, but as always, they handled it with grace and confidence. I’m also grateful to our partners in the Prosecuting Attorney’s Office for being on-top of our processes and administrative deadlines, as well as the courts for making timely decisions so we are able to move forward as quickly as possible.”

Chief of Staff, Kendall LeVan Hodson, shared that the ballot initiative process is very different depending on the rules of the jurisdiction and sometimes even if it is an even or odd numbered year. The ability of Elections staff to process the initiative depends upon what other work they are carrying out for the election concurrently. She noted in 2017 Burien had a sanctuary city petition and King County had a safe injection site petition. Both went to court, and KCE must comply with the direction of the court. If the ballot is already at the printer and the courts rule that a ballot measure must be removed, they will reprint the ballots.

## **General Election (November 2)**

KCE mailed ballots to overseas, service and out-of-state voters on September 17. They projected a 46% turnout for this election. There were 12 ballot measures, 332 offices, 482 candidates, and ultimately 455 unique ballot style combinations. Regular ballots were mailed on October 13.

King County Elections opened vote centers at Lumen Field in partnership with the Seattle Seahawks, Bellevue College, Kent Centennial Center, Kenmore City Hall, Federal Way Performing Arts & Event Center, and Elections headquarters in Renton. Student Engagement Hubs were also open at UW Seattle and UW Bothell. Roughly 1,500 voters were assisted in-person at the vote centers. There were 74 Drop Box locations open including a new box at UW Bothell. Another new location is coming soon to Woodinville.

According to KCE, there were 1,400,321 registered voters in King County on election day. Turnout for the General Election was 43.98% with 615,907 ballots returned. For comparison, turnout in the 2019 General Election was 49% and in the 2017 General Election it was 43%. In-language ballot return rates were as follows: ballots in Korean – 39%; ballots in Spanish – 22%; ballots in Vietnamese – 31%; and ballots in Chinese – 36%. Turnout varies geographically across the county. Council District 4 had the highest voter turnout with 56.7% and District 7 had the lowest voter turnout with 30.37%. Roughly 57% of ballots were returned to a drop box and 42% were returned by mail. The top five ballot drop boxes for this election were: Ballard Branch Library (15,748 ballots), Elections Headquarters (15,643), Redmond City Hall (10,979), Seattle Central College (10,601) and Broadview Library (10,290). KCE later reported there were approximately 3,900 signature challenges that were not resolved, 41% of which were unsigned and 58% of which included signatures that did not match those on file. Additionally, approximately 4,500 ballots were postmarked after November 2.

## **General Election Recounts**

A mandatory machine recount for the following races began on November 30:

- City of Newcastle, Council Position No. 6
- Issaquah School District No. 411, Director District No. 4
- Public Hospital District No. 1, Commissioner District No. 2

The King County Canvassing Board met to certify the recount results on December 6. No changes resulted from the recounts.

## **Seattle Council District 3 Recall (December 7)**

A special election was held for voters to consider whether to recall City Councilmember Kshama Sawant of Seattle District 3. The campaign to recall submitted more than 16,000 signatures and needed 10,687 valid signatures to qualify for the ballot. Typically, KCE recommends petitioners obtain at least 20-25% more signatures than are required to account for duplicates and ineligible voters with a deadline of October 19. Once signatures are verified and the results certified, recall elections must be held within the next 45 to 90 days. The recall election was held on December 7.

Ballots for overseas, service and out-of-state ballots were sent out Friday, November 5 and regular ballots were sent to voters on November 17. Per KCE there are 76,500 registered voters in Seattle’s District 3, including 168 voters who received their materials in Chinese, 91 in Vietnamese, 25 in Spanish, and 17 in Korean. There were 16 ballot drop boxes and two vote centers available. KCE policy is to open all drop boxes within the district plus those within a 3-mile radius. While the Ballard Library location falls just outside the line it was operated as well as it's typically one of the busiest spots.

Below is the turnout by language for the Seattle D3 Recall Election:

| Language   | Ballots Received | Registered Voters | Turnout |
|------------|------------------|-------------------|---------|
| Chinese    | 106              | 168               | 63.10%  |
| English    | 41,307           | 76,199            | 54.21%  |
| Korean     | 4                | 17                | 23.53%  |
| Spanish    | 5                | 25                | 20.00%  |
| Vietnamese | 46               | 91                | 50.55%  |

KCE reported they received nearly 1,400 printed ballots in this election which is roughly 3% of returns. Historically roughly 0.5% of all ballots received in an election are printed. In the most recent Presidential Election, KCE received nearly 3,000 ballots accounting for 0.40% of returns.

KCE certified the results of the 2021 December recall election on Friday, December 17. Seattle City Council District 3 voters returned 41,517 ballots for a turnout of 53.5%. Turnout for returning in-language ballots were as follows: Chinese – 63.10%; Korean – 23.53%; Spanish – 20.00%; and Vietnamese – 50.55%. A majority of ballots returned were sent in by mail with 61.5%. Ballot drop boxes accounted for 38% of returns and email/fax returns 0.5%. The two most recent recall elections were in Black Diamond in February 2018 and the City of Pacific in June 2013 and turnout for those was 46% and 48% respectively.

### **Voter Education Fund**

The Voter Education Fund (VEF) partnership is with the Seattle Foundation focused on increasing voting access and removing barriers. Last cycle (2019-2020) KCE was able to fund 39 organizations to do voter education and outreach. Per KCE, this includes switching from in-person candidate forums to virtual ones; doing voter registration—not at big events but at food pantries and critical community support pop-ups. This also means providing education on Zoom, Facebook live, and other digital platforms. The VEF started as a pilot back in 2016 and since then per KCE it has reached nearly a million voters with educational information, registered 17,550 people, and held over 5,400 community events.

Organizations can apply for up to \$40,000 to develop a two-year campaign or up to \$15,000 to provide a series of smaller activities. A total of \$950,000 is available. Per the Elections Director while KCE will “provide funding to organizations serving a variety of historically excluded communities, this year we will once again prioritize organizations serving BIPOC communities, as well as the unhoused community, returning citizens and our communities with a first language



other than English.” The full list of the 2021-2022 Voter Education Fund Partners can be found on the KCE website.

Committee members held a brief discussion related to an email regarding a PDC complaint sent independently by Member Sharkansky concerning the Voter Education Fund. Member Sharkansky expressed that he would like the committee to look into and think about the Voter Education Fund program to determine what the committee likes about the program and what revisions should be recommended. Member Hillary Coleman stated she was concerned efforts to limit the Voter Education Fund could amount to voter suppression and stated for the record that she does not support anything that takes away access to voting. Note that ultimately the PDC found no evidence of misuse of resources and closed the complaint with a reminder. The PDC concluded in its case closure letter:

*PDC staff has reminded King County Elections of its responsibility to monitor public resources, and suggests King County Elections consider reviewing its contract language to require renewing grantees to affirm there was no grant money or other public resources used in support or opposition to any ballot propositions during the prior grant period.*

KCE updated its grant award letter for the current cycle to state that "grant funds cannot be used to advocate for or against ballot measures of any kind." However, it did not implement the PDC's suggestion to contractually require renewing grantees to affirm that no grant money was used in support or opposition to any ballot propositions during the prior grant period.

Maggie Malone and Alison Eisinger of Seattle/King County Coalition on Homelessness (SKCCH) shared their experience as recipients of the Voter Education Fund grants. Eisinger shared that SKCCH is one of many community-based organizations committed to ensuring that every eligible voter knows they can vote and how to do so. Eisinger said every time they send trained staff or volunteers or drop-in day center or shelter, people tell us they are not eligible and can't vote so the education component of the work is critical and part of changing the landscape. Eisinger praised Elections as a great partner noting that the ability to register and vote on election day is hugely important.

Eisinger said volunteers helping with registration are trained and explicitly told not to give voters guidance about candidates. She said they are explicit about what it means to be a part of a nonpartisan voter registration effort and the same is true for their partner organizations. While she made clear that SKCCH staff and volunteers do not tell voters who to vote for, she indicated that they do provide information to people about initiatives and measures that are on the ballot. She did not offer that the information provided to voters on ballot measures is balanced or objective. KCE provides the information related to nonpartisan voter education to grantees as part of trainings this year during which Eisinger herself was not present but other staff from SKCCH and other funded organizations were present. Further conversations about VEF will continue in 2022.

## **Candidate Workshops**

KCE held virtual candidate workshops over Zoom to “help encourage people to run and demystify the technical process.” This included information on how to file, what to expect, and deadlines. There were two evening sessions on March 16 and April 1 and two morning sessions 17 (Sat), 29. The idea is to make things as easy as possible for first time candidates. This isn't just for prominent

positions like mayor, but also for school boards, parks commissions, and fire districts. There were over 60 attendees reported for these sessions and KCE worked with both political parties to do their own as well. KCE also partnered with the City of Seattle's Ethics and Elections Commission to include information about democracy vouchers for City of Seattle Candidates.

### **Democracy Voucher Program**

René LeBeau, Democracy Voucher Program Manager with the Seattle Ethics and Elections Commission provided an overview of the Democracy Voucher Program to the CEOC. It began in 2015 as a citizen-led initiative. Funding comes from a \$3 million per year property tax for a 10-year period. She shared that the goal of the program is to increase number of candidates and number of donors in Seattle elections. This optional program's participants must be a Seattle resident who is at least age 18 and a U.S. citizen, U.S. national, or lawful permanent resident. It is also optional for candidates to use. Voters may assign a voucher to a qualified candidate and it's not uncommon to see one person give them to multiple candidates, even in the same race.

As it related to contribution limits and rules and how independent expenditures affect the rules: LeBeau said mayoral limits are \$800,000 for the year and \$400,000 for the primary election. If spending by an opponent occurs beyond that level, by an independent expenditure, or a combination thereof a candidate may ask to be released from the limit and privately fundraise beyond that point.

### **Elections Access**

Vice Chair Morris shared the results of recent analysis by Rutgers University of the 2020 Disability and Voting Accessibility Survey showing that Disabled Americans had less trouble voting in the 2020 elections than in prior years. He also discussed recommendations for making elections more accessible in terms of technology, materials and practices like text to speech, best practices in font choice, the importance vote by mail to the disability community and signature alternatives. Elections staff noted that their Disability Advisory Committee is talking through these challenges.

Vice Chair Jayson Morris attended the September 13 meeting of the Disability Advisory Committee for King County Elections. He shared that topics of discussion included an accessibility plan, as well as signature alternatives including fingerprints, facial recognition and other forms of identity verification. They are in the process of finalizing a survey of inmates to better understand barriers to voting in jail and the impacts of/needs for communication around the community custody bill.

Director Wise noted that discussions are happening related to alternatives to signatures. It doesn't work for all voters to use signatures. Character based languages and voters with disabilities have higher challenge rates. Also, younger voters were not taught cursive. Elections wants to prepare to have another way to verify available in the future. Director Wise noted this is a discussion point CEOC can be involved in along with the Disability Advisory Committee. There could be a pilot or convene community groups to discuss ideas.

## **2020 Census and Redistricting**

Washington State Districting Commission and King County Districting Committee Member Paul Graves provided the committee with an overview of the redistricting processes occurring at the state and county levels. Topics included the selection of members, legal criteria they must follow for the purposes of redrawing the boundaries and completing their work, the delay in census data, planning for public outreach meetings, and software at the state level that will allow the public to draw their own maps.

Michael Padilla with the King County Executive's office provided an update to the CEOC on the 2020 Census as it relates to districting at the county and state levels. He noted the schedules for participating in community meetings and resources for getting involved. He also noted the delay in receiving 2020 Census Data. Padilla reported the data will be legacy data like what was used in previous years. A more user-friendly version was expected in late September which will be easier to navigate.

Per Council Initiatives Director Patrick Hamacher, the King County Districting Committee completed over 20 community listening sessions to learn about communities of interest. Hamacher presented a map showing which districts are projected to need to grow in size and which are projected to need to shrink based on OFM population data estimates. The estimates showed that Districts 2, 3, 4 and 8 would need to contract, and the rest would need to expand. The Census Data became available on August 12 and the Committee members began work on draft maps in September. The Committee held four town hall meetings to review draft maps in October and a final public hearing on the final draft map on November 30.

King County Demographer Rebecca Maskin presented the results of the 2020 Census data to the CEOC in [October 2021](#). Maskin shared that the first wave of Census data was released in August and that the goal of the Census is to count every individual in the U.S. Maskin observed that 100% of the growth in King County in the past 10 years is attributed to BIPOC communities. She shared visualizations of population concentrations by race and ethnicity after the 2000, 2010 and 2020 Census counts. She also noted that King County's youth population is more diverse than its adult (18+) population.

Maskin noted some outstanding questions about Census data accuracy due to the schedule and rate of questions skipped. She shared that race and ethnicity questions in general are often skipped. In addition, she noted that Census practices changed because of covid, some people moved because of covid and the process lacked regular in-person follow up because of covid. Maskin said the Bureau instituted differential privacy which blocks some data thus preventing reverse engineering to identify households. She noted that overall, she is confident in the data.

## **Legislative Session**

There were a few major bills of note that passed in 2021, SB 5015 concerning fraudulent portrayal of ballot drop boxes and SB 5148 concerning the harassment of election officials. HB 1078 also passed which restores voting rights to those on community custody. This takes effect at beginning of 2022 and KCE will be updating communications and handouts to ensure people understand their rights. HB 1068 also passed which exempts election security information from public records

disclosure. HB 1156 (ranked choice voting) and SB 5182 (eliminating advisory votes) did not pass out of committee prior to the cut off.

## **Public Rule Changes**

Public Rules are updated periodically with a 45-day comment period. Public Rule ELE-9-1-4-PR sets administrative rules for the creation of the King County Local Voters' Pamphlet. The goal of KCE was to update these administrative rules to be in line with changes to state law around voters' pamphlets in special elections and better codify current practices for standards for statements included in the voters' pamphlet.

Additionally, KCC 1.10.010 (C) and KCC 1.10.050 were slated for removed as per the Director they are "not applicable anymore now that state law requires counties to produce a local voters' pamphlet in all elections." KCE therefore reached out to Council to remove Code.

## **Data Visualization**

At the October CEOC meeting, Elections Director Julie Wise shared with the CEOC the soft rollout of a new ballot return statistics dashboard and asked members to share any feedback. Overall CEOC members were impressed with the dashboard. Individual members suggested adding rejected ballot statistics information and adding in-language ballot return statistics. This tool has information available by jurisdiction, date returned, method of return (drop box, mail, email/fax), precinct, challenge status (and type of challenge, missing signature, signature that didn't match), by age, and by drop box used. This information will be updated at least twice daily by 12 p.m. and 6 p.m. While particularly designed for candidates, campaigns, and the media, Director Wise stated, "I also hope this [will] excite and engage regular election enthusiasts as well."

## **Risk Limiting Audits**

The KCE team is doing testing and experimenting with Risk Limiting Audits. This type of audit is especially of interest to Secretary of State Kim Wyman and has been deployed broadly in states like Colorado. The Secretary of State's office (SOS) has a subject matter expert who is building out trainings for counties. Secretary Wyman told the CEOC she is hopeful that in 2022 they can perform a statewide risk limiting audit. She said it is one more way that counties can be transparent, share that checks and balances exist, and that elections results are accurate. The audit covers the tabulation process. Assertions have been made that hackers could overcome a random audit because it will only cover select random precincts. The Secretary stated that using a statistically significant sample a hacker cannot overcome this threshold. She also said her office hears the question "how do you know the code wasn't changed?" She said they know because they match up a random sample of ballots that would tell them if the code was changed.

## **Address Confidentiality Program**

The Secretary of State's office provided a briefing to the CEOC on the Address Confidentiality Program. The program began in 1991 and is the first of its kind in the nation. More than half of enrollees are children. The program works best when enrollees relocate from a currently public address. Eligibility is set by the Washington State Legislature. The program is available to

Washington residents who are targets of stalking, domestic violence, trafficking or sexual assault. In 2011, the ACP expanded to include criminal justice employees who have been threatened or harassed because of their work. Currently, the ACP serves more than 4,500 Washingtonians. Enrollees must renew every four years in order to remain in the program.

## **Diacritical Marks**

First Vice Chair Eliseo Juárez inquired if the Secretary of State's office is hearing concerns from community that VoteWA cannot accept accent marks and diacritical marks online. He noted they can be added, but the candidates must call. Secretary Wyman expressed appreciation for bring the issue to her attention noting she will look into it and get back to him. Ex Officio Member Stuart Holmes quickly followed up that diacritical marks are fully supported in the system.

## **Challenges**

- 1. COVID-19.** As the result of COVID-19, numerous adjustments were made by KCE in 2020 that carried through 2021, rethinking the design of their workflow and facilities, and canceling public tours (though media and observers remained welcome for transparency). COVID also allowed for remote registration for those who may have been self-quarantined.
- 2. Follow-up from 2020.** As a follow up from 2020, there was a lot of news during the 2020 elections related to the United States Postal Service (USPS) and potential impacts to service times and quality. As was then, KCE continues to report normal transit times for mail delivery. As unusual, voters are encouraged to track their ballot online via the intelligent mail barcode that was recently added to return envelopes. This allows for voters to track ballots in the USPS system, plus when the signature is verified (plus if there is an issues), and ballot counted. Mail delivery data from USPS by zip code allows KCE to target any problems and work through them with USPS. The Secretary of State's office led daily calls with county every morning and USPS. Drop boxes also continue to remain popular.

More than 96% of King County voters live three miles or less from a Drop Box and in the City of Seattle, 75% of voters live within a mile of a Drop Box. Also of note, while during 2020 there were 8 ballots potentially fraudulent ballots for deceased voters as verified by signature review (and as such turned over to the Prosecutor's Office, the CEOC is not aware of any potentially fraudulent ballots submitted in 2021).

- 3. Ranked Choice Voting.** Secretary Wyman shared some of her thoughts on Ranked Choice Voting (RCV) with the CEOC at its September meeting. She noted that a number of groups and citizens would like to see it implemented, though expressed some concern because of the challenge explaining to the public how it works and how votes will be counted. She shared there is already concern about people thinking elections aren't valid when they don't understand how the election works so she looks at Ranked Choice Voting in that context. KCE organized an event for election administrators across the state on RCV, which was designed to help everyone better understand the administrative considerations that would need to be prepared. They also heard from other administrators in other parts of the country that have implemented RCV, and from technical experts like the Center for Civic Design about ballot design and usability.

4. **Ballot Printing Pop-ups.** There was concern during the Seattle District 3 Recall Election about Ballot Printing Pop-up stations. Per Director Wise, “From our perspective, being able to print a replacement ballot online is a really important election access issue – for overseas and service voters who may not have reliable mail service, for voters with a disability, and for regular voters who misplaced their ballot at the last minute and can’t get to a Vote Center for mobility, work schedule or other reasons.” The Director also stated “As always, we’ll only ever count one ballot per voter and printed ballots go through exactly the same process as mail ballots. Our alternative format team confirms that the voter is appropriately registered and hasn’t already returned a ballot. The signature is verified – printed ballots require the exact same declaration as the one on the back of the return envelope, and then it’s processed just like every other ballot. There is no opportunity for fraud here.”

The Seattle Times wrote an editorial encouraging the state to change the laws as it relates to this situation, and as such the CEOC will discuss this in 2022 as the recall election was held and certified after the Committee’s final meeting for the year. It’s worth noting that per the Director “while we have periodically seen campaigns provide these kinds of stations in the past, it’s more frequently been printing stations at college campuses, community organizations, even libraries offering voters help printing ballots.” State laws around electioneering are already in-place for Vote Centers and Ballot Drop-off locations. Per the Director, “If these stations or efforts were attempting to look like official Vote Centers we would obviously have concerns and there are laws against impersonating election officials.”

5. **Candidate Filing Deadlines.** In 2020 hundreds of PCO candidates had to refile. KCE also received reports that some PCO candidates couldn’t identify to the correct party on VoteWA (state website), even when they attempted to refile and charged multiple filing fees. KCE connected later with King County Democrats and King County Republicans representatives to submit feedback on this matter to the Secretary of State’s Office, and in 2021 KCE was happy to report there were no issues of note. Per the Director “the system handled the traffic very smoothly and our team did a fantastic job helping would-be candidates online, on the phone, and in-person.” Secretary Wyman also reported that VoteWA performed well, and they had a successful filing week in 2021. There were 3,700 filings and 1,322 credit card transactions, which saved counties \$9,000 in credit card fees because the state paid for them. Secretary Wyman noted the development and testing they did and working with the counties made it a successful process.
6. **Washington Election Integrity Coalition United Lawsuit.** King County and many other Washington counties are a party to a lawsuit by a group named the Washington Election Integrity Coalition United. KCE has worked on a response in collaboration with the Prosecuting Attorney’s Office.

KCE received an Eagles Award in 2021 for the outstanding use of technology at the Elections Center National Conference. The award was for the Esri app suite built for the ballot drop box program, which allows leads and supervisors to see routes and ballot collection data in real-time, standardize processes, and automate data entry. The KCE Director states that “using the Esri platform has increased the output of ballot collection (driver) teams, reduced costs, improved

record keeping, increased the ability of KCE to nimbly coordinate a large team of drivers while out in the field, and allowed for more informed decision-making when allocating resources.”

The CEOC does not have any additional recommendations to submit to the Council at this time beyond the recent letter sent to the Council by the CEOC regarding committee reimbursements. As was recommended in 2020, however, the CEOC would encourage the Government Accountability and Oversight Committee (GAO) invite the CEOC Chair to brief after the Primary Election and before the General Election, vs waiting for the Annual Report presentation.

## **Conclusion**

Worth repeating in 2021, on June 3, 2020, the CEOC Chair sent the committee the following note: “These challenging times provide a reminder of the opportunity before CEOC as we collaborate as a partner with KCE. While an oversight committee, we’re all on the same team when it comes to ensuring voting is accessible and everyone counts through their vote. This is a moment to review the Voting Rights Act as mentioned in our Charter and Bylaws, as well as Ordinance 18086 which was passed unanimously by the King County Council in 2015. Also, please note the recent Tweets from KCE: “...we can promise you that when you vote, we will count your choice and hear your voice through your vote – no matter the color of your skin, no matter what language you speak, no matter where you stand, no matter what party you prefer.”

The CEOC will continue to play a positive and critical role in making a difference moving forward and serving as good ambassadors for the ideal that every vote counts. The CEOC also has appreciated the Elections Director’s support for its oversight role and for the Director’s regular communications and accessibility. The CEOC will stay engaged to ensure that King County’s brand of vote by mail continues to serve as a national model for accountability, performance, and access. Regardless of one’s politics, the sustainability of fair, accessible, and accountable elections is in the best interest of all voters. The CEOC looks forward to receiving feedback from the Council, especially having Councilmembers join our meetings. We expect 2022 to continue to be a strong year for the CEOC.

Respectfully Submitted,

Kyle Vixie  
Chair, CEOC

Approved by CEOC on January 19, 2022



## King County

### **CITIZENS' ELECTIONS OVERSIGHT COMMITTEE (CEOC)** **Work Plan (2021 Revision)**

**Outside of the requirements that are codified in ordinance (Mission and Responsibilities on page 3)\*, 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

###### *2021 Priorities*

- Elections access for people with disabilities
- Tracking legislative priorities (per the 2020 CEOC Committee Survey)

###### *Within the broader, long-term scope of the workgroup:*

- 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 the Secretary of State Office Representative and Director 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\*

###### *2021 Priorities*

- Dropbox monitoring system
- Observation at KCE on election days at CEOC presence at canvassing board meetings.

###### *Within the broader, long-term scope of the workgroup:*

- 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

###### *2021 Priorities*

- Updating the Voter's Guide
- Improvements to Vote Center and Drop Box signage

### **Attachment A**



## Attachment A

2

*Within the broader, long-term scope of the workgroup:*

- 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 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, 2021.

### **TRAINING**

#### **Training for 2021**

- IT systems
- King County Council Legislative Training
- King County Elections 101 (KCE & Secretary of State's Office)

#### **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 (new members only)
- Drop box closer training (new members only)
- Tour of the K&P Printing (facility new members only)
- Elections 101 or voter registration focused training (to be conducted by KCE in 2021).
- 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: 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 (utilization of committee endorsed protocols preferred).

#### **Serve as a liaison between the:**

- Elections Department and the public

- Communities and organizations CEOC members represent

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

## **OPPORTUNITIES TO TRACK FOR 2022+**

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.

### **Disaster planning**

This is a longer-term discussion item 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.

## **\* PER KING COUNTY ORDINANCE**

### **Mission (Purpose/Scope)**

To help King County maintain public confidence in elections.

The committee shall 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.

KCC 2.53.031 (Ord. 18795 § 2, 2018: Ord. 18167 § 23, 2015: Ord. 15971 § 39, 2007: Ord. 15453 § 4, 2006).

### **Responsibilities of CEOC Committee**

Before undertaking its other responsibilities identified in this chapter, the committee shall:

- A. Elect officers and adopt administrative procedures consistent with this chapter.
- B. To accomplish its responsibilities as outlined in this chapter, the committee shall complete the following tasks:
  - Review recent reports on elections and recent legislation that affects elections standards, procedures, equipment and technologies.
  - Conduct oversight of the implementation of new standards or procedures for elections as mandated by federal, state or county legislation.
  - Monitor the primary and general elections and canvassing board meetings to observe if proper procedures are followed, to report on any problems that are observed or come to light, to recommend corrective actions on problems that may arise and to ensure that any problems that arise are discussed in an open and public manner. The committee shall report to the council in a timely way on any significant problems that might occur or on any serious concerns the committee may have.
  - Meet at least quarterly; and
  - Submit a report to the council on committee observations, findings and recommendations regarding the primary and general elections by February 1 of each year by filing eleven copies of the report with the clerk of the council for distribution to all councilmembers.

KCC 2.53.041 (Ord. 18795 § 3, 2018: Ord. 15453 § 5, 2006).

**Approved by CEOC on October**

## Attachment B

**From:** kvixie.ceoc@kingcounty.gov

**Subject:** CEOC Request

**Date:** May 20, 2021 at 5:07 PM

**To:** rod.dembowski@kingcounty.gov, girmay.zahilay@kingcounty.gov, kathy.lambert@kingcounty.gov, jeanne.kohl-welles@kingcounty.gov, dave.upthegrove@kingcounty.gov, claudia.balducci@kingcounty.gov, pete.vonreichbauer@kingcounty.gov, joe.mcdermott@kingcounty.gov, reagan.dunn@kingcounty.gov

**Cc:** erin.arya@kingcounty.gov, miranda.leskinen@kingcounty.gov, patrick.hamacher@kingcounty.gov, nsullivan.ceoc@kingcounty.gov

Dear Councilmembers:

As Chair of the CEOC, I wanted to follow up on the request in the 2020 CEOC Annual Report that the Council consider paying a stipend to CEOC members for observation duties, especially for drop box observation. The Annual Report was approved by the CEOC on January 27, 2021 and submitted to Council on February 1, 2021.

A vital role the CEOC plays in support of our commitment to the community comes through the drop box, ballot counting, and ballot validation process. This work falls into short, but high intensity weeks of the year when the ballot drop boxes are open. Our committee members may have to travel great distances, which presents a challenge on their own time. Obviously, this burden may fall on current and potential future members of the CEOC in different ways. Some could need to arrange for childcare, others may have to rely on public transit schedules or take time away from their families to observe the process.

CEOC members are representative of our communities and election oversight observation is a service. Therefore, it is in the interest of King County to reduce any barriers to in-person observation. Compensating this work at a reasonable hourly or daily rate would be one clear step in that direction. Please note that as Chair of the CEOC, I am requesting that you consider legislation that would offer a stipend to CEOC members for work observing the elections process. We are specifically NOT seeking compensation for our normal work attending CEOC meetings.

Additionally, we would appreciate that changes are made to code to allow for reimbursement of costs for utilizing alternative transportation methods for observation. It is our understanding that currently only mileage is reimbursable, not Uber, Zipcar, etc.

Thank you for your consideration. If you have further questions regarding this request, please feel free to call or email me directly.

Sincerely,

Kyle Vixie  
Chair, King County CEOC (206) 448-6338

## Attachment C

**From:** kvixie.ceoc@kingcounty.gov

**Subject:** CEOC Requested Changes to Code (Citizens' Elections Oversight Committee)

**Date:** December 3, 2021 at 3:18 PM

**To:** claudia.balducci@kingcounty.gov, rod.dembowski@kingcounty.gov, reagan.dunn@kingcounty.gov, jeanne.kohl-welles@kingcounty.gov, kathy.lambert@kingcounty.gov, joe.mcdermott@kingcounty.gov, dave.upthegrove@kingcounty.gov, pete.vonreichbauer@kingcounty.gov, girmay.zahilay@kingcounty.gov

**Cc:** patrick.hamacher@kingcounty.gov, erin.arya@kingcounty.gov, sherrie.hsu@kingcounty.gov

Dear Councilmembers:

The CEOC contacted the Council on May 2, 2021 to follow-up on the request in the 2020 CEOC Annual Report that the Council consider paying a stipend to CEOC members for observation duties, especially for drop box observation. Following this meeting, the Committee was advised, via the Council Chair's Chief of Staff, that a process is in place for Council to potentially consider offering stipends for Board and Commission service. As such, the CEOC is willing to provide input on this proposal upon request.

Since this discussion, however, it has come to the attention of the CEOC that the guidance from staff received in 2019 related to having CEOC transportation costs reimbursed for observation duties was incorrect. It now appears that reimbursement for observation at drop boxes and vote centers (including KCE HQ) is not possible going forward under the current interpretation of King County Code. Additionally, the code narrowly defines transportation modes for reimbursement as personal car only, which is out of step with the modern era. This may become an issue once in-person meetings resume post COVID-19 as well.

If the Council believes drop box and vote center observation is a valuable service, as the CEOC believes it is, asking the CEOC's volunteer members to personally bear transportation costs is not appropriate. The CEOC members are representative of our communities so it is in the interest of King County to reduce barriers to in-person observation.

Therefore, the CEOC requests that the Council consider legislation to revise Ordinance 15453 to allow for mileage reimbursement for official observation of any King County drop box and vote centers during election times. We also request that changes are made to code to allow for reimbursement of observation transportation costs beyond personal motor vehicles. This would allow for Uber, Zipcar, Sound Transit, and even the King County Metro system to be reimbursable.

To be clear, we believe this is a matter of a dated law that was added more than 15 years ago (May 9, 2006) and not rooted in what may be the intentions of the majority of Council. We thank you for your consideration in making these revisions without inordinate delay. If you have further questions regarding this request, please feel free to call or email me directly.

Sincerely,

Kyle Vixie  
Chair  
On behalf the King County CEOC (206) 448-6338

(206) 448-6338

### **CEOC Members**

Kyle Vixie, Chair - Registered Voter

Eliseo Juárez, Vice Chair of Voter Participation - Spanish-speaking community representative

Nanette Sullivan, Vice Chair of Elections Monitoring - Municipal League of King County

Jayson Todd Morris, Vice Chair of Best Practices - Disability community representative

Hillary Coleman - Registered Voter

Allison Feher - League of Women Voters

Linda Grez - Jurisdictional representative

Stuart Holmes - Washington State Office of Secretary of State

Julie Kang - Korean-speaking community

Jeffrey Manson - King County Democratic Party

Maya Manus - Urban League of Metropolitan Seattle

Quynh Pham - Vietnamese-speaking community representative

Stefan Sharkansky - King County Republican Party

Stanley Tsao - Chinese-speaking community representative

### **Attachment C**

2

20