



## King County

### **CITIZENS' ELECTIONS OVERSIGHT COMMITTEE (CEOC)**

March 16, 2022 Meeting | 11:30 a.m. to 1:00 p.m. | Zoom Conference

### **MINUTES**

**Members Present:** Chair: Kyle Vixie, First Vice Chair: Eliseo Juárez, Vice Chair: Jayson Todd Morris, Hillary Coleman, Allison Feher, Linda Grez, Stuart Holmes and Quynh Pham

**Absent:** Julie Kang, Maya Manus, Nanette Sullivan and Stanley Tsao

**Special Guests:** King County Councilmember Joe McDermott State Auditor Pat McCarthy, Scott Frank, Director of Performance Audits, and Michael Huynh, Program Manager

**Elections Staff:** Elections Director Julie Wise and Deputy Elections Director Janice Case

**Council Staff:** Erin Arya, Mac Nicholson, Sherrie Hsu, and Tania Santiago Pastrana

#### **1. Call to Order**

CEOC Chair Kyle Vixie called the meeting to order at 11:31 a.m.

#### **2. Approve January 19, 2022 minutes**

Member Morris moved approval of the minutes of the January 19, 2022 meeting. Member Coleman seconded the motion. Motion carried unanimously.

#### **3. Washington State Auditor Presentation on Ballot Rejection Rate Audit**

State Auditor Pat McCarthy, Scott Frank, Director of Performance Audits, and Michael Huynh presented the results of a recent performance audit of ballot rejection rates.

Ten counties were included in a statistical analysis of the performance audit. Signatures were pulled for a sample of 7,000 ballots from the 2020 election. Auditors went through the same training as election staff and 98% of the time they agreed with decisions counties made on rejecting a ballot. King County was included in three samples of the work conducted.

There are three reasons a ballot would be rejected. This includes a ballot being late, missing a voter signature and ID is not verified due to the signature. In the 2020 election, less than 1% of ballots were rejected.

King County met most of the requirements the audit looked at. For example, King County increased the number of drop boxes from 10 to more than 70 but is still not meeting the law requirement. But everything else seems to be in order.

The audit found that there were geographic and demographic disparities. Using a statistical algorithm, the auditor found that younger voters and non-white voters were more likely to have their ballots be rejected. Ballot rejection rates for black voters was 4 times more than white voters. Quoting the report: "Although the voter's county was the most significant variable related to rejection, other demographic attributes were also highly correlated with ballot rejection. Ballots from younger voters, male voters, and voters belonging to certain racial and ethnic groups were more likely to be rejected. Researchers suggest possible explanations for higher ballot rejection rates, such as lack of familiarity with the voting process among younger voters, or language barriers for some racial and ethnic groups. After reviewing county practices and procedures, the audit found few discernable patterns that helped explain differences in rejection rates. We also found no evidence of bias when counties accepted or rejected ballots."

State Auditor McCarthy reported the findings to the Legislature in February 2022. The State Auditor proposed additional funding for voter outreach/education especially for communities disproportionately impacted. She also advocated for additional funding for a research institute to further study rejection ballots.

Member Morris stated that he appreciated the auditor's work and congratulated her team.

Chair Vixie asked which follow up mechanism worked best (letters, email or text). Mr. Huynh stated that they looked at innovative practices from other states but didn't know which was the most effective. The Chair will ask King County Elections to provide an update on the use of text messages to address signature challenges at a future CEOC meeting.

Member Juárez asked how the auditor could find or create better data to more accurately identify voters who identify as Latino. Mr. Frank stated they recommend more outreach to people who identify as Latino. State Auditor McCarthy responded that this is why hiring a research institute would be best so that they can do a deeper dive on ballot rejections by race and ethnicity. The Secretary of State has requested a couple hundred thousand dollars for this research to take place.

Member Feher asked a question regarding using signatures on the return envelope. Mr. Frank encouraged counties to use multiple signature verifiers.

#### **4. Director's Report**

Director Wise's report touched on the following topics: performance audit regarding ballot rejection rates, April special election, candidate filing and a legislative recap.

##### **Performance Audit**

Director Wise thanked the State Auditor and staff for their presentation. The Secretary of State's follow up study will be conducted by the University of Washington Evans School. The research will be conducted on how voters interact with the voting and

signature process and is funded at \$250,000. The Secretary of State will also invest \$5 million towards voter education and outreach.

King County Elections prioritizes signature challenges including expanding education efforts, challenge ballots on social media, and in other communications to voters. In addition, King County Elections implemented an anti-bias training for the signature verification team in each election last year. Community partners are also trained on the importance of signatures. Signature update mailing will be happening soon, details will be provided at a later time.

The King County Disability Advisory Committee will have a bill drafted by June 2022 which will include recommendations on how King County can be a leader of inclusive elections. Signatures don't work for all voters and there are other ways to identify a person's identity, including mobile voting, electronic signature, and biometrics. More details coming soon.

Director Wise also stated that she liked Member Feher's idea of using signatures on the return envelope, but it would take a legislative change. There are typically 2-3 signatures on file that King County Election uses to compare signatures.

### **April Special Election**

The April 26<sup>th</sup> special election is very small. It will include three measures from the Issaquah School District.

### **Candidates filing**

Director Wise recently sent an email to committee members regarding candidate filing. This year, candidate filing is taking place between May 16<sup>th</sup>-20<sup>th</sup>. King County Elections has updated candidate and precinct committee officers (PCO) manuals and they are now available online. In addition, there is a one pager PCO handout.

Chair Vixie stated there were issues cited two years ago and asked if there are any issues that remain unresolved. Director Wise stated that she is not aware of any issues from 2 years ago that remain today.

### **Legislative recap**

The State Legislature had a short session this year. The Legislature passed a bill protecting voter signature on their ballot declaration, HB 1953. Director Wise also shared additional information regarding HB 1716 and HB 1630.

The Secretary of State's office received: \$5 million towards voter education; \$250,000 toward partnership with the University of Washington Evans School on how voters interact with the voting and signature process; and \$8 million towards election security.

## **5. Districting Implementation**

King County GIS team is working hard to get everything ready for candidate filing. King County Election submitted all their precinct alterations to the Council on February 24<sup>th</sup>.

This included the state and county redistricting plans. Alteration packet was approved by the King County Council on March 15<sup>th</sup>.

Regarding statewide redistricting maps, King County Elections is working on maps approved by the state legislature. However, there is still open litigation. There is a lawsuit hearing on March 25<sup>th</sup>. As a result, King County Elections will delay mailing out voter registration cards by one week to avoid voter confusion. Note that earlier this week another lawsuit was filed.

Commissioner Grez asked how many King County voters are now in the 12<sup>th</sup> legislative district. Director Wise said she would follow up via email.

### **6. King County Councilmember Joe McDermott**

Councilmember McDermott shared background information of his tenure at King County Council, as a state representative and community outreach work he's done regarding elections. He thanked the committee and Director Wise for advancing elections. He also discussed the importance of the committee's oversight role.

Chair Vixie asked if King County will change their code so that committee members could be reimbursed for travel expenses including bus, Uber and rail. Councilmember McDermott stated that King County is addressing the issue piece meal as new committees are formed but are looking for comprehensive policies that apply to all groups. Chair Vixie said the committee was willing to be part of that conversation. Member Morris echoed Chair Vixie's thoughts and thanked Councilmember McDermott and Director Wise for their work.

Councilmember McDermott encouraged committee members to contact his office at any time and thanked them for supporting elections in King County.

### **7. Bylaws Update**

This agenda item was deferred to the next committee meeting. There will be other bylaw adjustments that will be done all at once.

### **8. CEOC Annual Survey**

Staff thanked committee members for completing the annual survey. There was a total of eight member responses. Staff reviewed the responses and pulled out themes. Overall, the committee is happy with the direction of the committee and staffing. Members expressed interest for more time on the agenda for discussion and are interested in looking more deeply into meeting topics. Holding meetings via Zoom is positive as it makes serving on the committee easier. The top three training topics include voter education funding, ballot drop boxes, and recounts.

Chair Vixie stated interest in updating the work plan after new committee members join (note: for 2023).

### **9. KCC Staff Updates**

Staff reported that the new King County Chief of Staff, Stephanie Cirkovich, will start on April 4, 2022. King County Council has not decided on a return to office date.

New committee staffers were introduced.

Members were reminded to submit their financial disclosure form before April 15<sup>th</sup>.

### **10. New Business and/or for Good of the Order**

None.

### **11. Adjournment**

Member Morris moved to adjourn the meeting. Member Grez seconded the motion. The meeting was adjourned unanimously at about 12:33 pm.