BEFORE THE KING COUNTY ELECTIONS DIRECTOR

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| In Re Challenge to the Voter Registration of:  Nancy Gleason |  | )  ) ) ) )  )  ) | FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER GRANTING CHALLENGE |

I. INTRODUCTION

THIS MATTER came before the King County Elections Director pursuant to chapter 29A.08 RCW and upon the challenge filed by the King County Prosecuting Attorney, by and through Senior Deputy Prosecuting Attorney Lindsey Grieve, to the voter registration of Nancy Gleason.[[1]](#footnote-1) The challenge alleges that Ms. Gleason does not maintain a legal voting residence at the address shown on her voter registration record. Ms. Grieve appeared at the challenge hearing; Ms. Gleason did not appear.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. This voter registration challenge was initiated in writing and was filed by Ms. Grieve on August 21, 2024. A letter to Ms. Gleason was sent on approximately August 23, 2024, setting the hearing for September 9, 2024, at 11:00 a.m.

2. In an affidavit supporting the voter registration challenge, Ms. Grieve alleges that Ms. Gleason does not maintain a legal voting residence at the address shown on her voter registration record, 20400 SE Pipe Line Road, Renton. In the challenge packet filed by Ms. Grieve and at the challenge hearing, Ms. Grieve affirmed under oath that Ms. Gleason admitted in email correspondence with Washington State Deputy Solicitor General Karl Smith that she does not reside at the address listed on her voter registration. Upon Mr. Smith informing Ms. Gleason that state law requires that she vote using her residential address, Ms. Gleason responded, “I have always followed the law but not now.” Mr. Smith encouraged Ms. Gleason to provide King County with her correction residential address for her voter registration, which she has not done to date. The entire email correspondence between Ms. Gleason and Mr. Smith is included in the challenge hearing packet.

3. This challenge was brought pursuant to RCW 29A.08.810(c)(ii) which allows a challenge to a voter's residential address if the challenger takes several steps. In the challenge packet filed by Ms. Grieve and at the challenge hearing, Ms. Grieve affirmed under oath that at her direction, King County Elections staff or she took all required steps:

1. Sent a certified letter to Ms. Gleason’s mailing address;
2. Searched online directories Ms. Gleason;
3. Searched assessor records to determine if Ms. Gleason owns property in King County:
4. Verified that Ms. Gleason is not registered at another address in the statewide voter registration database; and
5. Searched the voter registration database of Oregon, another state.

As a result, the challenge is properly before me.

4. As provided in RCW 29A.08.840, the person challenging another voter’s registration has the burden to prove by clear and convincing evidence that the registration is improper.

5. In the present case, therefore, Ms. Grieve has the burden to prove by clear and convincing evidence that Ms. Gleason’s registration address is improper. RCW 29A.08.840. The Washington Supreme Court has described clear and convincing evidence as sufficient to convince the trier of fact "that the fact in issue is 'highly probable.'" *Colonial Imports v. Carlton N.W.,* 121 Wn2d 726, 735 (1993). Therefore, the ultimate question to be answered in this matter is whether Ms. Grieve has proven that based on the evidence, it is highly probable that Ms. Gleason does not reside at the Renton address for voter registration purposes.

7. Based on the evidence presented and the burden of proof set forth in RCW 29A.08.840, I find that Ms. Grieve has met the burden to prove that Ms. Gleason’s registration is improper.

III. ORDER

For the reasons set forth above, the challenge is GRANTED.

ENTERED this \_\_\_\_ day of September, 2024.

Julie Wise, Director of Elections

King County Elections Department

1. This challenge was filed more than forty-five days prior to the next election and pursuant to RCW 29A.08.820(3), is therefore decided by the King County Elections Director, rather than the King County Canvassing Board. [↑](#footnote-ref-1)