

Citizens Election Oversight Committee
November 18, 2015

MINUTES

Members Present: Ellen Hansen, Paul Berry, Chuck Gerring, Bruce Huang, Sven Kalve, Marilyn Knight, Sheryl Moss, Frank Radford, Linh Thai, Monica Tracey, Emily Willoughby
Elections Staff: Sherril Huff, Kim van Ekstrom, Dale Hartman, Rene LeBeau, Nathan Valderas, Julie Wise, Chris Rudolph
CEOC Staff: Katherine Cortes

1. Chair Hansen called the meeting to order at 10:30 am.
2. The minutes of October 14, 2015 were approved.
3. General Election issues
 - Voter pamphlet procedures

Director Huff reported that on October 16, Elections staff became aware that information was missing from a voters' pamphlet sent to approximately 73,000 residential addresses in Lake Washington School District No. 414 and the City of Kirkland. Elections immediately contacted their print vendor to create an insert with the missing information and mailed it to every registered voter address in the affected districts.

This error resulted from a breakdown in the quality control process (specifically around the matrix for multiple editions of the local voters' pamphlet), which was recently re-organized.

Elections planned to focus on this issue in their post-certification election debrief, and to convene a leadership team brainstorming session on the overall local voters' pamphlet process. They will bring back next steps to the CEOC.

- Voting party

Director Huff reported that King County Elections staffed a voting party at the Comet Tavern that was sponsored by The Stranger newspaper. She indicated that a great deal of thought was involved in the planning for this event, which was well attended and separated the voting area from the discussion area, and that it was well handled by The Stranger staff.

Director Huff responded to CEOC member questions by asserting that voting parties take place across the state, and that no incentive was offered or implied that could be seen as compensation for voting. She indicated that security measures were taken: there was consistently an Elections staff person in attendance, and they used the same style of ballot box as at BDOL vans.

She stated that this was a trial event that Elections decided to test given recent low turnouts, that such a strategy was "sanctioned at a higher level," and that other requests for additional boxes came too late to be fulfilled by Elections for the November general election.

CEOC members stated that there was a need for transparent criteria to determine which requests could be serviced. They also expressed concern that the attendance of the Director of Elections at a partisan event could imply endorsement, and that the CEOC was not notified in advance of planned Elections staff participation at this event, even though it was planned prior to the last regular meeting of the CEOC. An additional concern was that the venue being the Comet Tavern excluded anyone under the age of 21 from this event.

- Technical difficulties

Dale Hartman reported on the issue that cause a delay in the scheduled announcement of election results at 4:30pm on the Thursday following Election Day (Thursday 11/5). This issue was caused by the ballot tabulation system freezing; this was a known issue that occurred previously in 2012 and 2013.

During the scanning and adjudication, if Elections staff identifies an issue (for example, with scanned image quality), the standard remedy is to delete the scans and results from a ballot batch and re-run the batch. On 11/5, a staff member attempted to delete a batch and the console froze, requiring the system to be re-booted. When the system was re-booted, staff determined that the workspace had become corrupted and they needed to restore to the previous night's settings and recover the day's count. At that point (about 4:15pm) Elections leadership realized that they would not be able to complete this process timely to release the results at 4:30pm. At approximately 4:35pm they posted an advisory to the Elections web site indicating that the results would be late, and followed this up with a press release to news outlets and elected officials. Elections committed to ensuring that CEOC members and Council staff are on that dissemination list in future.

Dale noted that the system that froze is the 2009, Windows XP-based system that is slated for replacement. The vendor was on site at the time of the incident; they went through system logs with Elections staff but found no indication of what caused the problem specifically. Elections is proceeding in December with a Request for Information (RFI) to see if any vendors are able to propose a solution meeting Elections requirements. Elections (in conjunction with other counties) has received demonstrations of five different products that are not able to meet the requirement of reconciling down to the ballot. In the absence of federal certification revisions, Elections must decide whether to replace the aging system with a new one that does not meet the reconciliation requirement. Regardless, Elections does not currently expect any new system to be ready in time for the 2016 Presidential general election.

Dale further noted that this system deficiency does not pose a security risk, since the system operates on a secure private network. He responded to a CEOC member question that duplicate hardware is currently available on standby, so in the event of system failure the backup data could be loaded onto a new machine.

Additionally, Elections staff agreed with the CEOC that it would be helpful to prepare a press kit / announcements of this type of issue in anticipation of another freeze or crash during the tabulation of the Presidential election ballots. One issue identified was the timing – on 11/5, Elections staff thought that they would be able to restore functionality in time to make the 4:30pm scheduled release of information.

- Observations

Chair Hansen reported that 4-5 CEOC members attended the training class offered by Elections on dropbox closing. Chris Rudolph provided a written report which included member observations at specific drop-off locations. She noted that issues of concern raised previously could only be partially addressed in the general election of 2015, but that Elections would expand its efforts going into 2016. One new strategy that Elections believed was helpful was including in the November ballot packets an insert listing all BDOLs.

One new question raised by CEOC members was about the protocol for keeping “helpful” citizens with no authority from being overly involved – this issue came up with a gentleman interacting with voters at the Ballard drop-off location. Elections staff indicated that they had limited authority to prevent his activities, since he was not campaigning, and CEOC members observed that law enforcement (while present) did not get involved. Elections staff state their intent to provide feedback to the various law enforcement agencies that have officers on location on Election Day.

- Recount

Julie Wise reported that Elections was anticipating one manual recount, in Seattle City Council District 1. Elections staff would begin pulling ballots on the Monday after the Thanksgiving holiday, based on a report showing which batches contained these ballots, and for it to take about three days. There would be 16 teams of counters to conduct the manual count, and each candidate would be allowed to have an observer for each team. There would be five teams of adjudicators, and the canvassing board would meet at 3pm Monday 12/7 to establish the final result. CEOC members were welcomed to attend.

4. 2015 CEOC Accomplishments/Annual Report

CEOC members reviewed a matrix of discussion topics that were covered in CEOC meetings throughout 2015. The following accomplishments were specifically noted:

- Participation in the Secretary of State’s office training
- Observer presence at BDOL closings and headquarters at various stages in the process, and feedback provided to Elections
- Participation in the BDOL closing training provided by Elections
- Community discussions facilitated by Linh Thai and reported on to the CEOC
- Number of discussions with Elections staff on process improvements and changes
- Secretary of State’s office information about legislative items and actions

Staff anticipated distributing a draft report in mid-December for CEOC member review and feedback by the January meeting, to meet the February 1 deadline for transmittal to Council.

5. Good of the Order: Council staff provided anticipated dates for the following items to be briefed at or transmitted to Council:

- new member representing WSACA – confirmation motion at GAO 12/8
- Code change ordinance – at Council 11/23
- Technology Strategic Plan – briefed at GAO 11/10, with direction to return with a new draft likely in early 2016

- LEP proviso – second of four reports required during the 2015-16 biennium due 12/31 and anticipated for briefing in early 2016

6. The next meeting was provisionally secheduled for January 13.

The meeting was adjourned at 12:00 pm.

Respectfully submitted,
Katherine Cortes

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