

# Walla Walla County

## 2009 General Election

### State of Washington



Conducted by:  
The Office of the Secretary of State  
Election Certification and Training Program

# INTRODUCTION

The Washington State Legislature enacted legislation in 1992 mandating that the Office of the Secretary of State review county election procedures and practices. The Election Certification and Training Program was established within the Elections Division of the Office of the Secretary of State to conduct reviews and to provide for the certification of election administrators. In 2009, the Legislature altered the Election Certification and Training Program to require that each County Auditor's Office be reviewed at least once every five years. The Legislature also added a requirement that the Program conduct follow-up contact to verify that the County Auditor's Office has taken steps to correct the problems noted in the report.

The election review process is governed by RCW 29A.04.510 through 29A.04.590 and Chapter 434-260 of the Washington Administrative Code.

Pursuant to RCW 29A.04.570(1)(b), the Election Certification and Training Program conducted an election review in Walla Walla County during the 2009 General Election cycle. Libby Nieland, Elections Program Specialist, represented the Election Certification and Training Program during the review. Karen Martin, Walla Walla County Auditor, and Debbie Benavides, Elections Deputy, participated on behalf of the Walla Walla County Auditor's Office.

Both the reviewer and the Walla Walla County Elections Department approached the review in a spirit of cooperation. The department allowed the reviewer to thoroughly review and examine all aspects of the election processes. The staff provided documentation and materials during the review which greatly contributed to a successful examination process.

The purpose of this review report is to provide the Walla Walla County Elections Department with a useful evaluation of its election procedures and policies and to encourage procedural consistency in the administration of elections throughout the state. This review report includes a series of recommendations and/or suggestions that are intended to assist the Walla Walla County Elections Department in improving and enhancing its election processes.

The reviewer is statutorily prohibited from making any evaluation, finding, or recommendation regarding the validity of any primary or election, or of any canvass of the election returns. Consequently, this review report should not be interpreted as affecting the validity of the outcome of any election or of any canvass of election returns.

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## OVERVIEW

Walla Walla County rests on the southern border of Washington, just to the west of the Blue Mountains and west of the Columbia River. The city of Walla Walla, the county seat, is almost equal in distance from Seattle, Portland, and Boise, Idaho. The population is predominately urban with two-thirds of Walla Walla County's 59,000 citizens residing in cities and towns.

Average annual precipitation is 10.7 with about 17.8" of snow during the winter months. Annual average temperatures range from a low of 27 degrees to a high of 91 degrees. Walla Walla Valley is the perfect place to experience all four seasons. Agriculture and manufacturing, influenced by a rapidly expanding wine industry, are growing at about the same rate.

The County's voter base fluctuates at times because of a mobile student population. Two colleges and a nationally recognized university will swell the voter ranks, especially in a Presidential year.

Over the past year, the Walla Walla County Auditor experienced challenges in several critical areas: creation of a separate Elections Center, replacement of key staffing positions, and changes in office equipment and legal requirements. Every one of these challenges required adjustments and adaptability by the County Auditor and staff.

The County's Election Center is now located in the former Walla Walla County Health building. There were no modifications to adapt the building to election processes.

The lack of an election supervisor for the past year, as well as the prolonged lack of sufficient staffing, impeded the progress of the election department. As a result, written procedures and some required activities applicable to Walla Walla County elections are out of date or incorrectly administered.

Some of the recommendations in this report require relatively minor changes in election procedures. However, because elections are complicated, even minor changes may influence the election process.

The following recommendations and suggestions will improve and enhance the Auditor's election procedures and policies.

## RECOMMENDATIONS

The following recommendations identify areas in which the county is out of compliance with the Revised Code of Washington (RCW), the Washington Administrative Code (WAC), the Washington State Constitution, or Federal election law. The reviewer obtained information based on actual observation of a procedure, verbal explanation or written procedures. The reviewer provides a description of the county's procedure, a citation of the applicable law, and a recommendation based on the citation.

### SECURITY

The staff locks all processing or storage rooms when not occupied. Every time a processing or storage room door is unlocked, two staff members document entry by logging their initials, and the time and date of entry. Keys are stored in the election supervisor's desk.

Trays of ballots and envelopes with ballots are stored in open racks waiting to be processed. They placed these racks in the open along the walls of the main processing room. The reviewer observed ballots often left unsecured when not being actively processed, such as when staff had to address another task.

*WAC 434-250-110(2) requires "All absentee ballots must be kept in secure storage until final processing. Secure storage must employ the use of numbered seals and logs, or other security measures which will detect any inappropriate or unauthorized access to the secured ballot materials when they are not being prepared or processed by authorized personnel."*

*WAC 434-250-130 states, "Each county auditor shall maintain an audit trail with respect to the processing of absentee ballots, which shall include, but not be limited to, the following: (6) A documentation of the security procedures undertaken to protect the integrity of all ballots after receipt, including the seal numbers used to secure the ballots during all facets of the absentee ballot process."*

**Recommendation:** Security procedures must detect inappropriate access to ballots. These procedures should include the use of number seals and seal logs or any other measures that will consistently meet the requirements. Open racks in a room with access limited to staff does not adequately secure ballots. The staff must secure ballots so that access is restricted and documented. Segregating ballots at different stages of processing by using dedicated storage cabinets or cages will ease management and eliminate confusion while establishing a secure accounting of access to the ballots.

## OATHS BY STAFF

Seasonal staff assigned to verify signatures and those staffing voting centers are not required to attest to an oath prior to assuming their duties.

*WAC 434-250-100(1) (a) mandates, "Deposit site staff shall subscribe to an oath regarding the discharge of their duties."*

*WAC 434-250-120 mandates, "All personnel assigned to the duty of signature verification shall subscribe to an oath administered by the county auditor regarding the discharge of his or her duties."*

**Recommendation:** Personnel must take an oath prior to verifying signatures or attending ballots.

## REQUIRED NOTICES

The Walla Walla County Auditor published the Notice of Voter Registration Deadlines in a timely manner. The published deadline for voter registration and transfers was Monday, October 5, 2009. October 5 was actually the last day for registration and transfers, registration closed October 6. The term "transfers" refers only to address changes, but in 2009 the law was broadened to cover all changes to a voter's information.

The notice stated "state law does permit persons new to the state of Washington to register between 30 and 8 days before an election." This statement implies the voter must submit the application prior to the eighth day.

A Notice of Availability of Services was included with the notice of registration deadlines. The notice included Information regarding assistance for voting and the current election. It did not mention voter registration.

The department published the Notice of Election as required but it contained reference to polls being open. Walla Walla County conducts all elections by mail and has no polls open. The Auditor has since changed the language of the notice to be less confusing to the public.

The elections staff sends verification notices to all voter registration applicants if the application is missing any of the five required pieces of information. The notice does not include a postage pre-paid, preaddressed return form.

*RCW 29A.08.140(1) mandates, "In order to vote in any primary, special election, or general election, a person who is not registered to vote in Washington must: (a) Submit a registration application no later than twenty-nine days before the day of the primary, special election, or general election; or (b) Register in person at the county auditor's office in his or her county of*

*residence no later than eight days before the day of the primary, special election, or general election.*

*(2) A person who is already registered to vote in Washington may update his or her registration no later than twenty-nine days before the day of the primary, special election, or general election to be in effect for that primary, special election, or general election. A registered voter who fails to transfer his or her residential address by this deadline may vote according to his or her previous registration address."*

*RCW 29A.08.030(1) "The verification notice must be designed to include a postage prepaid, preaddressed return form by which the applicant may verify or send information."*

**Recommendation:** Notices must meet all requirements, including accuracy in content and deadlines. The County Auditor should review all notices for compliance with requirements, accuracy of information, and simplicity of language.

Immediately after having the omission of meeting all requirements for the verification notice, the Walla Walla County Auditor immediately initiated inclusion of a postage prepaid preaddressed return form with every verification notice.

## BALLOTS

The Walla Walla County Auditor does not have written procedures addressing the placement of local issues and offices on the ballot.

The ballot correctly contained the required explanation of party preference beginning with "READ: Each candidate for partisan office may state a political party that he or she prefers." The statement was correctly positioned on the official ballot, but was not bolded on any ballot.

*WAC 434-230-030 requires, "For other local ballot measures and offices, each county shall establish written procedures to determine the order in which local units of government are to be listed on the ballot."*

*WAC 434-230-015(4)(a) mandates, "If the ballot includes a partisan office, the ballot must include the following notice in bold print immediately above the first partisan congressional, state or county office: "READ: Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."*

**Recommendation:** The County Auditor must create written procedures to establish the correct order of local jurisdictions and measures.

The message to voters beginning "READ:" must be printed in bold. Staff utilizes a ballot format checklist that contains the requirement for the printed message. They should utilize this checklist while proofing the ballot, as well as designing the ballot.

## FAXED OR EMAILED VOTED BALLOTS

Several procedures and instructions for hospitalized voters and for emailed ballots state that a voted ballot may not be returned through email or fax.

*RCW 29A.40.150 “The information on the envelopes or instructions for overseas voters and service voters must explain that: (5) A voter may fax a voted ballot and the accompanying envelope if the voter agrees to waive secrecy. The ballot will be counted if the original documents are received before certification of the election.”*

*WAC 434-208-060 states, “The county auditor shall accept and file in his or her office electronic transmissions of the following documents: (4) Voted ballots, provided the voter agrees to waive the secrecy of his or her ballot.”*

*WAC 434-208-070(2) mandates “If the original document must be signed, acceptance of an electronic filing is conditional until receipt of the original document. If a voted ballot is submitted electronically, the ballot and the envelope bearing the original signature of the voter must be received on or before the date on which the election is certified pursuant to RCW 29A.60.190.”*

**Recommendation:** Submission and acceptance of an electronically submitted ballot is often done to meet a deadline. Office procedures should reflect the fact that faxed or email voted ballots are accepted conditionally, pending the receipt of the original documents.

Instructions to voters must state that a voted ballot is admissible electronically provide the voter waives secrecy and submits the original ballot with signed affidavit before certification of the election.

It would be informative to the voters to include the exact date of certification of the election.

## VOTING CENTERS AND BALLOT DEPOSIT SITES

A directory on the outside of the Elections Center lists the Elections Department and several other county offices. No other signage was visible outside the elections center or the County Auditor’s Office prior to Election Day. On Election Day, signs were in place outside the elections building and the Auditor’s Office.

The Walla Walla Election Center was open for voting from 7:00 a.m. until 8:00 p.m. on Election Day. The County Auditor’s Office was also open on Election Day, but only for the hours of 9:00 a.m. until 4 p.m.

A ballot box at the election center, on a table in the hallway just outside of the elections office, has a numbered seal, but no lock and is frequently out of the view of staff. There is no physical means of preventing unauthorized removal of the entire box with ballots from the building.



The Walla Walla County Auditor has established an exterior unmanned deposit site in the alley outside of the County Auditor's Office. The community appears to be supportive of outside deposit sites that are available 24 hours every day for the 18 days prior to an election. It was necessary for the elections deputy, accompanied by a second person, to empty this box twice over the weekend. Even so, three ballots fell out of the overly full box onto the ground just as staff arrived to empty the box on the morning of Election Day.

The reviewer visited the Waitsburg Voting Center arriving after dark at 6:00 p.m. The center, staffed by two persons, met accessibility standards, provided provisional ballots and an assisted voting unit, voter registration forms, and sample ballots as well as voters' pamphlets. The voting center lacked the following:

- A HAVA voter information poster
- The date of the election
- Instructions on how to properly mark the ballot

The ballot deposit box was unsecured until 6:00 p.m. The two people staffing the voting center immediately sealed the box when requested to do so, but a lock was never used.

Accessible voting units (AVU) were available at all voting centers. The AVU's observed were located well for accessibility, but votes cast by a voter on the machine would have been visible to any passerby.

*Washington State Constitution Article VI, Section 6 mandates, "The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot."*

*WAC 434-250-100(1)(a) states in part, "Staffed deposit sites open on election day must be open from 7:00 a.m. until 8:00 p.m. Staffed deposit sites must have a secure ballot box that is constructed in a manner to allow return envelopes, once deposited, to only be removed by the county auditor or by the deposit site staff.*

*(b) Unstaffed ballot deposit sites consist of secured ballot boxes that allow return envelopes, once deposited, to only be removed by authorized staff. From eighteen days prior to election day until 8:00 p.m. on election day, two people who are either employees of or appointed by the county auditor must empty each ballot box with sufficient frequency to prevent damage and unauthorized access to the ballots.*

*(2) If a location offers replacement ballots, provisional ballots, or voting on a direct recording electronic device, it is considered a voting center. The requirements for staffed ballot deposit sites apply to voting centers. Each voting center must: (c) Be marked with signage outside the building indicating the location as a place for voting;*

*(g) Request identification, consistent with RCW 29A.44.205 and WAC 434-253-024, from each voter voting on a direct recording electronic voting device or voting a provisional ballot;*

- (l) Display a HAVA voter information poster;*
- (m) Display the date of that election;*
- (n) Provide instructions on how to properly mark the ballot;*

*(3) Ballot boxes must be locked and sealed at all times, with seal logs that document each time the box is opened and by whom.”*

**Recommendations:** The Walla Walla County Auditor must implement the following for all voting centers:

- Whenever a voting center is open and available, place sufficient signage on the outside to notify the public that the location is a place of voting
- Any voting center or deposit site open on Election Day must be open from 7:00 a.m. until 8:00 p.m.
- Ballot boxes located in a staffed site must always be under supervision. If not, the box must meet the unstaffed site qualifications.
- The staff must lock ballot boxes in addition to being secured with a seal.
- The County Auditor must remove ballots from deposit boxes as often as necessary to assure the ballots are secure. This means more often than is currently in practice – possibly several times per day. Alternate solutions would be to increase the capacity of the box, or provide additional deposit sites.
- It is mandatory that staff or appointees assigned to ballot deposit sites receive sufficient training in all of the rules, including all required security measures. The elections staff should provide a checklist of staff site procedures to the voting center personnel.
- One of the traditional hallmarks of a democratic process is the use of a secret ballot. Place assistance voting unit or voting booths in a manner that will protect the privacy of the voter.

## PROVISIONAL BALLOTS

Whenever a voter does not appear to be eligible to cast a ballot, the voter may cast a provisional ballot. The affidavit on the provisional ballot envelope is incorrect.

The Walla Walla County Auditor has established a free access system for provisional voters. The voting center staff does not give the voter a written description of how the voter may learn the final determination of the provisional ballot.

*RCW 29A.44.207 requires, “The provisional ballot outer envelope must also contain a declaration as required for absentee ballot outer envelopes under RCW 29A.40.091.”*

*The oath of WAC 434-250-050(2) must read “I do solemnly swear or affirm under penalty of perjury that I am: I am a citizen of the United States; I am a legal resident of the state of Washington; I will be at least 18 years old on or before election day; I am not presently denied my voting rights as a result of being convicted of a felony; I have not been judicially declared*

*mentally incompetent; I have not already voted in this election; and I understand it is illegal to cast a ballot or sign a ballot envelope on behalf of another voter. Attempting to vote when not qualified, attempting to vote more than once, or falsely signing this oath is a felony punishable by a maximum imprisonment of five years, a maximum fine of \$10,000, or both.”*

*In addition, RCW 29A.44.207 mandates, “The official shall then give the voter written information advising the voter how to ascertain whether the vote was counted and, if applicable, the reason why the vote was not counted.”*

**Recommendations:** The oath on provisional ballot outer envelopes needs to comply with the WAC 434-250-050(2).

Election officials must, at the time of issuing a provisional ballot, give each provisional voter written information advising the voter how to learn, at no cost to the voter, whether the vote was counted, and if not counted, the reason why.

#### STREET AND PRECINCT DATA INTEGRITY

A week prior to the 2009 General Election the Walla Walla County Elections Department discovered voters in the Touchet Water District No. 2 were not issued the correct ballots. Additionally, seven voters, not qualified to vote in that district’s election, had received ballots with the District’s race.

The County Auditor immediately responded by:

- Mailing corrected ballots with explanatory letters to the voters left out of the district.
- Staff identified all voters who had received and voted incorrect or incomplete ballots.
- The Walla Walla County Canvassing Board held all incorrectly issued ballots returned with votes for review and final determination.

Further investigation by the Walla Walla County elections staff traced the error to incorrectly identified jurisdiction boundaries in the election management system.

*RCW 29A.08.125 requires “(1) Each county auditor shall maintain a computer file containing a copy of each record of all registered voters within the county contained on the official statewide voter registration list for that county. (3) The computer file must include . . . applicable taxing district and precinct codes.”*

**Recommendation:** The County Auditor and staff conducted a very thorough review of ballots issued to Touchet Water District No. 2 voters to remedy the error. However, they must not exclude voters belonging to a taxing district from voting because of incomplete or inaccurate district information or errors in the street address data. The Walla Walla County Auditor has already begun examining precinct boundaries, jurisdiction boundaries, and corresponding information in the election management system for anomalies and discrepancies.

## OBSERVERS

The election department notified the major political party chairs of election proceedings, well in advance of the activities. The notice failed to request the number of observers needed for each process.

*WAC 434-261-020 instructs, "Prior to the primary or election, the county auditor shall determine the number of observers required in order to observe all aspects of the county center proceedings, and shall request, in writing, that each major political party appoint representatives to fill the requirements."*

**Recommendation:** The formal request for political party observers must include the number of observers needed to observe the proceedings.

## ACCESSIBILITY TO VOTING

In 2004, the Walla Walla County Auditor established a Disability Advisory Committee. Currently, the committee is inactive, and as such does not meet the membership standards set by law. Staff appears to have maintained an updated plan without an advisory committee.

The reviewer observed several challenges to voters with mobility issues during the election.

- The entrance to the Election Center has a ramp and platform, but does not have an automatic door opener. Opening the door challenged voters at times.
- The distance from the entrance door to the first public service window and the ballot box was excessively long. Voters needed to travel the length of the hallway to obtain services. The reviewer observed voters in the hall asking where the elections office was, or where to deposit the ballot.

*RCW 29A.46.260(2) "Each county shall establish and maintain an advisory committee that includes persons with diverse disabilities and persons with expertise in providing accommodations for persons with disabilities. The committee shall assist election officials in developing a plan to identify and implement changes to improve the accessibility of elections for voters with disabilities. The plan shall include recommendations for the following: Counties must update the plan at least annually."*

*RCW 29A.16.010 requires, "State and local election officials to designate and use disability access voting locations in all elections and permanent registration locations which are accessible to elderly and disabled persons."*

**Recommendation:** The Walla Walla County Auditor must institute a County Disability Advisory Committee that complies with all membership qualifications. The Committee shall annually review and update the accessibility plan to provide guidance to the Walla Walla County Auditor.

All voting locations must be accessible to elderly and the disabled community. The entrance used by the public to gain access to voter services at the Walla Walla County Elections Center must meet accessibility standards.

The remote location of the service counter, the ballot box, and the resistance of the front door seem to impede access by voters with mobility or visual issues. Relocation of the counter and ballot box would help reduce voter confusion and assist voters with mobility issues.

#### CANVASSING BOARD

The elections department only distributes notices of County Canvassing Board meetings to the media as a press release. The media is not obligated to publish the press release. They do not post the meeting information on the election website.

*WAC 434-262-025 requires, "The auditor shall publish notice of the meetings of the canvassing board."*

**Recommendation:** How the County Auditor publishes the notice is not specified in law; however, the elections department could meet this requirement by posting the information on the Walla Walla County website.

## SUGGESTIONS

The following are suggestions for increasing efficiency and improving operations within the County Auditor's Office. Although these suggestions do not address issues involving compliance with state laws or administrative rules, the reviewer identified the tasks as areas of election administration in which the County Auditor might improve the efficiency and operation of the office.

### ELECTION OFFICE WORK AREAS

The Walla Walla Elections Center provides sufficient room for conducting elections. Certain physical constraints of the office, however, create processing concerns.

- Stages of ballot processes overlap and intersect frequently. A non-linear process invites mistakes by staff and confuses observers. Although the County Auditor has implemented additional accountability steps to compensate for the non-linear flow of the ballots, these steps require additional staff time and still do not ensure a sufficient barrier for preventing confusion. A complicated pattern for processing ballots does not support the goal of a transparent election process.
- A single staff member was observed verifying signatures in an area not visible to other staff. Unfortunately, the lack of electrical and technological connections dictates the location of office equipment. Although the need was great, it is a risky practice to have a single employee alone (unsupervised) with voted ballots.
- The office has an inadequate climate control system. Although uncomfortable work conditions may not affect security, the comfort of staff does affect efficiency and work quality. Additionally, mechanical tabulators are affected by extreme climate conditions. Extreme heat (as may be encountered in the August primary election), cold, or even high humidity can make ballot tabulation difficult and prolong the process.
- Work area lighting is poor. This applies to desks, the tables used for duplication and manual pre-tabulation ballot inspection, and the tabulation area. Poor visibility could be an issue in proper ballot inspection and correctly replicating voter intent.

**Suggestion:** The County should consider upgrades to the building utilities and renovation of the floor plan. Redesign of the public reception, work areas, and storage units will address the following issues.

- Assist the County Auditor in creating a smooth lineal path for receiving, processing, and storing ballots and providing an additional restricted exterior entrance. This new access will also assist in receiving supplies and moving equipment.

- Update utilities to meet the demands of the elections process. Today’s elections office is technologically dependent. It is essential that equipment have a dependable power source. Equipment should be located to provide security, efficiency, and dependability.
- Establish a service counter close to the front entrance. This will reduce confusion for voters while improving accessibility to the disabled community.
- Provide a climate control system to ensure accurate tabulation.

#### INITIAL PROCESSING OF BALLOTS

There were blue, black and red pens present on the table while staff removed ballots from envelopes.

**Suggestion:** Exclude any pen or pencil other than red ink in ballot processing areas. Red ink is unreadable by the tabulation system used by Walla Walla County. Staff should only use red ink except during the process of duplicating a voter’s response onto a readable ballot.

#### DEADLINES FOR RETURNING BALLOTS

Staff provided information regarding deadlines for returning voted ballots; however, the staff often told voters that ballots must be postmarked by 8:00 p.m. Tuesday, Election Day. Voters could infer from this statement that the post office receives and postmarks ballot envelopes as late as 8:00 p.m.

**Suggestion:** The department should inform voters that they should mail ballots early enough to be postmarked on Election Day. They need to know that if returning ballots later on that day it would be better drop ballots at the nearest ballot deposit site but no later than 8:00 p.m.

#### WRITTEN PROCEDURES

The Walla Walla County Elections’ Office has limited written office procedures and these procedures are obsolete in many areas.

**Suggestions:** Adopting a standard format for office procedures may help in organizing policies and tasks. Several counties utilize templates that document applicable statutes, the forms or documents needed to support the procedures, and any personnel assigned to perform tasks. These templates should also address timelines and deadlines applicable to the tasks.

Procedures should anticipate issues that may occur. For example, no procedures exist that address the return of a candidate filing fee payment for non-sufficient funds. Anticipation of such issues will allow the staff to react swiftly and within current County policy.

Review procedures at least once each year for correct citations, current practices, and applicable terminology. Any form, letter, or template supporting a procedure should be reviewed at the same time for accuracy and compliance.

## STAFFING

The 2004 Walla Walla County Election Procedures Review report noted the following:

*“In the opinion of this reviewer, the Elections Department is understaffed. There is only the Election Supervisor and one other staff person, with the help of the auditor, to ensure that voter registration and elections are run correctly from start to finish.*

*Preferably, one additional permanent staff member should be added. Additionally, the county needs to employ more temporary staff during busy times.*

*Adequate staffing is essential in the completion of all the steps needed to accomplish the important details that provide accurate, secure elections. The 2004 Governor’s race has shown that attention to detail and accurate counting methods must be priority goals in any election. The current staffing levels have difficulty in accomplishing all the required tasks in the short period of time allotted.”*

The staffing level during the 2009 General Election was exactly the same level as in 2004, although one staff member had only been in position one month. Staff responsibilities have increased in the past five years. Staff is now responsible for programming tabulators and accessible voting units, conducting daily intensive accountability of the election, and managing the Walla Walla elections website. If the staff of 2004 found it difficult to accomplish all required tasks, the staff of 2009 is finding it more difficult to keep current with office demands.

**Suggestions:** The staffing level should be increased by at least one full-time position as soon as possible, but no later than the next Presidential race in 2012.

The Walla Walla County Auditor could also take advantage of the following labor saving efficiencies:

- Utilize the free services of the Washington Election Information system (WEI). Staff responsibilities would be alleviated slightly because of the following:
  - Basic election and registration information will automatically reflect changes in rules and laws.
  - The system will post candidate filings on the Auditor’s web in real time as the staff enters the information into the database.
  - An electronic voter’s guide will be available to registered voters 24/7 on the web.
  - Technical assistance is available free of charge.
- The Auditor’s website could serve as a ‘bulletin board’ to inform the public of the election schedule. Although keeping the information current may appear time



consuming, staff can post information when needed; staff time spent providing information to individuals over the telephone will be reduced.

- Promote a thorough understanding of all features of the voter registration and tabulation systems. This also includes using all modules of the tabulation programming and reporting system. This system has a number of features and reports that, if used, will produce a readable report faster than the staff could manually compile the same information.

## COMMENDATIONS

The following commendations are to acknowledge the county election department's especially creative, effective procedures or solutions that go above and beyond what the law requires.

### CUSTOMER SERVICE

The Walla Walla County Auditor designates the Franklin County Auditor and the Columbia County Auditor to act as agents for official in-person voter registration. This designation of neighboring County Auditors provides greater access for Walla Walla voter registration applicants during the restrictive registration period requiring in person registration.



## WALLA WALLA COUNTY AUDITOR

KAREN MARTIN, AUDITOR  
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April 16<sup>th</sup> 2010

Libby Nieland  
Elections Certification and Training Program  
Office of the Secretary of State  
520 Union Ave. SE  
Olympia, 98504-0229

Re; Election Procedures Review

Dear Libby:

This is in response to the Election Review Document received April 1<sup>st</sup> 2010, and revised April 15<sup>th</sup> 2010.

### RECOMMENDATIONS

#### SECURITY

##### Response:

While we did not use sealed and numbered containers, ballots left in the processing area were ballots that were being actively worked. During break and lunch periods the processing room was locked and log sheets documenting closure and entry was used, with at least 2 people initialing. During the election processing time (when we are receiving and processing ballots) the keys are kept by the Election Supervisor at all times.

Walla Walla County has been awarded a grant from the Help America Vote Act (HAVA) and we will be remodeling the Elections area which will address and resolve all of the security issues. We are planning on having key card access and video surveillance of the storage and work areas. In the interim time until the remodel is completed we have had discussion with the Office of Secretary of State and will be implementing procedures that will address their concerns. Workers will stagger their lunch and breaks so that the ballots are not left unattended. When in storage we will ask the Sheriff's office to provide a motion sensor that will send out a signal to the Sheriff's office if entry is gained to the stored ballots.

ACCOUNTING	AUTO LICENSING	ELECTIONS	RECORDING	FAX	TDD/TTY
(509) 524-2550	(509) 524-2545	(509) 524-2530	(509) 524-2549	(509) 524-2552	(800) 833-6388

## OATHS BY STAFF

### **Response:**

This was an oversight. This procedure slipped through the cracks due to the changes in personnel that we were dealing with over the last year. We can provide documentation that it has been done in past elections. We have taken steps to insure that we do not miss this in the future and will also be doing additional training at the voting centers to make sure they sign their oaths as well.

## REQUIRED NOTICES

### **Response:**

Walla Walla County has changed the Notice of Registration to meet the requirements as recommended by the Office of Secretary of State to comply with State Law.

## BALLOTS

### **Response:**

We did bold the word "READ" rather than the entire paragraph. We simply misread the Statute. The check list mentioned by the Office of the Secretary of State is used by our office for proofing and designing ballots. We are working on written procedures for establishing the correct order for Local Jurisdictions and measures.

## FAXED OR EMAILED VOTED BALLOTS

### **Response:**

We have and do accept emailed and faxed ballots. Our instructions have been changed to reflect this and to reflect the required verbiage regarding waived secrecy and submitting the original ballot and signed affidavit. We will also include the date of the certification in the instructions as suggested.

## VOTING CENTERS AND BALLOT DEPOSIT SITES

### **Response:**

Permanent signage will be addressed with the remodeling, in the interim we have signs that are placed outside of the building on a daily basis. The ballot box in the lobby area has been resolved. In addition to our insert listing the drop locations, a local Political Party also advertised the drop locations. We were not prepared for the response in usage. We are working with a local company to have ballot boxes made. We were not aware of the issues at the Waitsburg site. We have used this site for many years and also when we had poll sites.

Past visits to this location did not reveal the same issues that were observed by the reviewer. We have discussed with the School officials where the drop site is located about the issues and they do not want to lose this as a drop site and will work with us to make sure it meets all the requirements needed. We will also be doing training with the elections workers to make sure this does not happen again. Accessible voting units: We will work to find a location that is suitable for the units, however currently any other location that we are able to utilize would cause more obstruction for the voters to negotiate and there currently are not other suitable electrical outlets available for the units. The accessible units offer the voter the choice to darken the screen so that others cannot see the choices they have made and we also advise them to darken the screen verbally.

#### PROVISIONAL BALLOTS

**Response:**

The information that is to be given to voters to learn the status of their ballots is an item that fell between the cracks due to the staffing changes this last year. This has been corrected and added to our check list of items for the provisional voters. The provisional envelopes are being reordered and the oath reworded to conform to the WAC 434-250-050(2).

#### STREET AND PRECINCT DATA INTEGRITY

**Response:**

In preparation for a change in Voter Registration Data bases between the Primary and General Elections, we became aware of a discrepancy within the street file. In correcting the street file, one of the lists that we were using to make corrections was out dated, which caused us to remove voters from the district. We identified and corrected this as quickly as possible. We did not exclude voters from voting in the district. We inadvertently removed people from one district and placed them in another. This error was caught by our office and we took necessary steps to send those that needed ballots for this district and intercepted ballots of those that should not have gotten them. We also immediately contacted the Office of Secretary of State to advise them of the issue and what steps we would be doing to correct the problem. We also contacted the media to advise them of what happened.

#### OBSERVERS

**Response:**

In our Rules for Observers, we do include the number of observers. The Observer rules state "a minimum number of one per Political Party will be allowed and any amount over that will be permitted as long as room is available". We were using that as our guidance for observers. We always allow and invite anyone that is interested to come and observe. We will change our notice to specifically state the number of observers needed from the Political Parties.

## ACCESSIBILITY TO VOTING

**Response:**

We have already met in an attempt to reactivate the Disability advisory Committee and have scheduled the next meeting. The issues observed by the reviewer will be addressed with the remodel. We have applied for a HAVA accessibility grant in March for automatic door openers. The ballot box has already been relocated to a permanent and secure location closer to the door.

## CANVASSING BOARD

**Response:**

The press release is sent to local media, political parties, and the districts and candidates involved in the election. In addition to the Press release, we will add the notice to our Website and post in various locations in the Elections area and at the County Courthouse.

# SUGGESTIONS

## ELECTION OFFICE WORK AREAS

**Response:**

All of the above suggestions should be remedied with the remodel of the Elections Center.

## INITIAL PROCESSING OF BALLOTS

**Response:**

All pens except the red pens have been removed from the processing area.

## DEADLINES FOR RETURNING BALLOTS

**Response:**

We will work on our wording of when the ballots are due back to the office to ensure there is no confusion over what timeframe the ballots should be returned.

## WRITTEN PROCEDURE

**Response:**

Again, due to staffing changes, new Voter Registration systems and Election Equipment changes our procedures have been outdated. We will work on getting our procedures up to date. We realize this will be our biggest help in future if these types of changes ever happen again.

## STAFFING

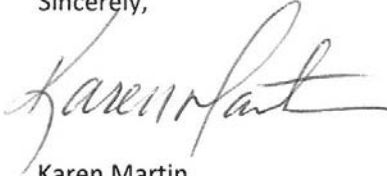
**Response:**

We recognize the need for additional personnel, however in these economic times and current budget constraints that doesn't look to be a possibility in the immediate future. We will work with the Board of County Commissioners in an attempt to add additional staffing, prior to the redistricting and prior to the 2012 Presidential Election.

The Walla Walla County Auditor's office is currently in process of going live with the WEI system, and in fact by the time this report is published we should up and running.

The Walla Walla County Auditor's Office wishes to thank Libby Nieland and the Office of the Secretary of State's office for their patience in the review process and for the recommendations and suggestions to help us improve and enhance our election processes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karen Martin".

Karen Martin  
Walla Walla County Auditor

## CONCLUSION

The Walla Walla County Elections staff is extremely committed to performing their jobs with excellence. The administration of elections is more complicated and time consuming than in past years. New requirements, plus higher levels of openness and accountability, places greater demand on staff and staff time than ever before. The Walla Walla County Auditor is encouraged to reduce individual staff workload.

The department must improve ballot security at deposit sites and at the elections center. The County Auditor must implement procedures that account for access to ballots. Documentation must be generated that can provide sufficient audit of the security procedures.

The Walla Walla County Disability Advisory Committee, created to assist the County Auditor in providing voting and voter registration services to elderly and members of the disabled community, needs to be re-established. It is essential that the committee meet all membership requirements.

Many procedures conducted by staff are undocumented. The County Auditor and the Walla Walla County Canvassing Board should address this issue and establish a process for yearly review of office procedures and manuals.

The reviewer recognizes the high level of customer service exemplified by the cooperation of the Walla Walla County Auditor with the neighboring County Auditors. This cooperation is of great value to new registrants.

Over the past year loss of key staff members, limited staffing, and relocation of the election services have created challenges for Walla Walla County Election Department. Although this review focuses on what must be changed, the amazing part is the number of procedures and processes being conducted correctly.

Report prepared by Libby Nieland, Elections Program Specialist,  
Election Certification and Training Program



April 21, 2010