

# Island County

## 2010 Primary 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 issues 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 Island County during the 2010 Primary Election cycle. Miriam Campbell, Elections Program Specialist, represented the Election Certification and Training Program during the review. Sheilah Crider, Island County Auditor, Loann Gulick, Elections Supervisor, and other members of the staff participated on behalf of the Island County Auditor's Office.

Both the reviewer and the Island 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 Island 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 Island 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

Island County is comprised of nine islands located in the Puget Sound. Three of the islands, Whidbey, Camano, and Ben Ure, are inhabited. All three of its incorporated cities, Oak Harbor, Coupeville, and Langley, are located on Whidbey Island. For many residents, the cadence of island life is determined by the schedule of the Washington State Ferries.

There are approximately 47,000 registered voters in Island County, contained within one legislative district and one congressional district. The County Courthouse in historic Coupeville contains offices for licensing and recording. The nearby elections department operates in a separate building dedicated to election administration. The building lacks air conditioning to properly protect equipment.

The elections department proudly serves 3,000 military service voters overseas, as well as several thousand more residing at Naval Air Station Whidbey Island. The department manages elections for a large mobile military population, which requires immense effort to meet the federal timelines for mailing military and overseas ballots.

Voters in Island County are served in many ways. They benefit from vote by mail services and in-person voting at voting centers. Twenty days before Election Day, the elections department provides accessible, in-person voting services in Coupeville and at the Camano Island Annex. Deputized election workers transport secured, voted ballots from the Camano Island Annex to the office in Coupeville. On Election Day, the department also provides assistance in Oak Harbor and Freeland. Island County's off-site voting centers are highly organized and provide in-person voting services.

The Island County Auditor's Office is to be commended for its dedication to accurate and transparent elections. The department provides strong observer training and helpful narrative at its Logic and Accuracy Test. The staff is highly knowledgeable in voter registration laws, signature verification, and digital scan ballot processing. Once ballot processing begins, the staff is committed to daily accounting of each and every ballot.

The elections department is acutely understaffed for a county of its registered voter population. Other counties of its size typically have two to three full-time employees dedicated to elections. Additionally, its budget does not provide for the ongoing training of staff. WAC 434-260-300 requires that certified administrators maintain certification through ongoing

education in elections administration. The office is administering elections under difficult circumstances without sufficient permanent staff, opportunities for training, and in a building without proper ventilation.

## 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.

### VOTER REGISTRATION UPDATES – NAME CHANGE REQUESTS

**Procedure:** The Island County Elections Department accepts and processes name change requests after the 29-day voter registration deadline prior to Election Day. The department accepts signed "name change" requests from voters; additionally, the voter is required to sign with both new and former signatures to process the request.

**Requirement:** RCW 29A.08.140(2) requires, "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..."

Further, RCW 29A.08.440 indicates, "A registered voter who changes his or her name shall notify the county auditor regarding the name change by submitting a notice clearly identifying the name under which he or she is registered to vote, the voter's new name, and the voter's residence, and providing a signature of the new name, or by submitting a voter registration application."

**Recommendation:** The Island County Auditor must ensure that name changes submitted after the 29-day voter registration deadline are processed following certification of the election. A voter does not need to provide his or her former signature in order to complete a name change update.

### SECURITY

**Procedure:** Island County's ballot processing area is divided into two rooms. Each room has doorways for authorized personnel to enter from and exit to a hallway. The department has locking mechanisms on the doors, and one of the doors has a sign-in log intended to record access by both staff and observers.

The department's ballot processing path is difficult to track because staff members enter and exit the rooms frequently and even more so during a demanding election. Ballots in process were transported by staff between the two rooms. Seasonal staff was not fully aware of the department's expectation that ballots must be either sealed or escorted by two people. The log on the door was not consistently signed by processing staff, and ballots were transported without numbered seals for detection of access. Several doors did not have a device for tracking access.

Unfortunately, the processing areas do not have necessary air conditioning to keep staff members and voting system equipment properly cooled. During the Primary, rising temperatures within the processing area resulted in the need to open multiple doors for proper ventilation, reducing security of the ballots.

**Requirement:** WAC 434-250-110(2) requires, "In counties tabulating absentee ballots on an electronic vote tallying system, the canvassing board or its representatives may perform initial processing of absentee ballots upon their return. 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."

**Recommendation:** Island County must assess its "ballot path" and explore modifications to the processing center to provide proper ventilation for the staff and ballot processing equipment. The elections department must employ ballot security measures that will detect any inappropriate access to secured ballot materials. Further, processing staff must be trained in ballot security measures prior to each election. In discussions with the County Auditor and staff, a better ballot path was identified for the 2010 General Election to track access between different areas of the processing center.

## REPLACEMENT BALLOTS

**Procedure:** The Island County Elections Department provides precinct-specific replacement ballots for voters at the elections office in Coupeville and at the Camano Island Annex. Before issuing a replacement ballot, the Island County Elections Department requires the voter to show ID for in-person requests.

On Election Day, voters receive assistance at regional voting centers in Oak Harbor and Freeland where they may vote a precinct-specific ballot on the Accessible Voting Unit, or, be issued a replacement ballot.

**Requirement:** RCW 29A.40.061(2) requires, “A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. The voter may obtain the ballot by telephone request, by mail, electronically, or in person.”

**Recommendation:** All voters must be treated equally, whether they request a replacement ballot in person, by mail, email or phone. The elections department must not require ID for in-person requests because the voter’s signature and absentee envelope information is verified upon receipt in the office. Additionally, family members of voters must be allowed to request replacement ballots and are not required to have the voter’s ID on hand to obtain voting materials.

Finally, Island County Elections must continue to issue replacements ballots whenever possible, and train temporary election workers at its regional voting centers to offer the AVU for in-person voting before issuing provisional ballots.

#### COUNTY AUDITOR’S OFFICE AS A VOTING CENTER

**Procedure:** The Island County Elections Department located near the courthouse functions as an arm of the County Auditor’s Office, and therefore, as its principal voting center.

During the Primary, the department’s office was not marked with signage outside the building indicating the location as a place for voting. HAVA voter information posters with election-specific information were posted at the off-site voting centers but not at the elections office.

Inside the voting center, the Accessible Voting Unit (AVU) was situated near the office entrance. A foot traffic pattern led voters by the AVU to a reception counter, and, to a table upon which a ballot deposit box was placed. Voters deposited voted ballots into the secured box. Voters seated at the same table attempted to vote in privacy as other voters deposited ballots into the drop box. The voting center’s arrangement was situated in a manner that compromised voter secrecy.

**Requirement:** WAC 434-250-330 (1) mandates, “For elections conducted entirely by mail, the county auditor's office must operate as a voting center starting twenty days before an election until the day of the election.”

WAC 434-250-100 (2) states, “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;

- (d) Offer disability access voting in a location or manner that provides for voter privacy;
- (l) Display a HAVA voter information poster; and,
- (m) Display the date of that election.”

The Washington State Constitution, Article VI, Section 6 mandates, “All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.” Further, because the voting center essentially serves as a polling place in the vote by mail environment, RCW 29A.44.060 states, “The county auditor shall provide in each polling place a sufficient number of voting booths or voting devices along with any supplies necessary to enable the voter to mark or register his or her choices on the ballot and within which the voters may cast their votes in secrecy.”

**Recommendation:** The County Auditor must operate the elections office as a voting center beginning 20 days before each election and on Election Day. The elections department must use signage outside the building to help voters identify it as a place for voting. Additional voting center signage required by HAVA must contain election-specific information including the date of the election. Signage was promptly posted by staff on Election Day upon the reviewer’s suggestion.

Voting areas should be arranged to protect the secrecy of the voter. During the review process, the department assessed its placement of the AVU, the foot traffic pattern leading to the ballot deposit box, and general office arrangement. The department discussed adjustments for in-person voting to improve voter secrecy in the General Election.

## VOTER INTENT

**Procedure:** During the resolution process, trained staff members make voter intent determinations based on “Statewide Standards on What is a Vote.” The voter intent manual is present in the ballot processing center. In one instance, however, the reviewer observed staff making an inaccurate determination. The voter did not follow directions for write-in voting, which presents a challenge for staff to determine the voter’s intent. After consulting with the reviewer, staff immediately referred to the voter intent manual to make the correct determination.

**Requirement:** WAC 434-261-086(l) requires, “Write-in: Blank line and candidate. If a candidate's target area is marked, and the write-in target area is marked but no name is written on the line, it shall not be tallied as an overvote, but shall be counted as a valid vote for the printed candidate.”

**Recommendation:** Many procedures in elections are administered infrequently, such as determining voter intent for voters that do not follow directions for write-in voting. The subtleties of voter intent warrant a “refresher” training prior to each election to provide consistency within the county’s election and throughout the state. Whenever staff is in doubt, they must take time during ballot processing to refer to the voter intent manual.

## RESOLUTION LOG

**Procedure:** The Island County Elections Department tracks ballots that are duplicated, or scanned and resolved. The department properly requires two or more designated staff to conduct the resolution process in the digital scan system. However, the department does not print a log of resolutions to be signed by the same two operators conducting the scanning and resolving process.

**Requirement:** WAC 434-261-102 requires, “In counties tabulating ballots on a digital scan vote tallying system, two staff designated by the auditor's office must resolve ballots identified as requiring resolution. A log of the resolutions must be printed and signed by the two staff.”

**Recommendation:** In addition to its batch tracking procedures, the Island County Elections Department must print a daily log of resolutions to be signed by the two operators conducting the process. The signatures on the log must correspond to the two operators making the determinations listed on the report.

## 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.

### PERMANENT STAFFING

At the time of the Primary, Island County staffed one full-time and one part-time employee in elections. Typically, counties the size of Island County employ two to three full-time employees devoted solely to elections. Some counties of its size employ a staff member devoted solely to voter registration.

**Suggestion:** Island County relies on one part-time elections employee to be trained in all technical aspects of its voting systems technology. The county should hire additional staff and cross-train all staff in the critical functions of its ballot programming and digital scanning software.

The elections process is exceedingly complicated as laws and technology change continuously. Staff members of the Island County Elections Department must be provided with training opportunities to maintain their required state certifications.

Training current staff and hiring permanent staff will safeguard the elections process and promote cross-training of the voting systems technology.

### TRAINING OF TEMPORARY ELECTION STAFF

Like most counties, Island County must hire temporary election employees in the weeks prior to an election to manage the volume of ballots being processed. For this election, temporary employees were not adequately trained in ballot processing procedures.

**Suggestion:** To improve election security and ballot processing, the county should provide comprehensive training to its temporary employees. By designing effective training materials and consistently conducting training before each election, the county's overall process will improve. No two elections are precisely alike, and as laws change or technologies improve, temporary staff must be educated in the laws and the balloting processes before each election.

## BALLOT PROCESSING

Island County Elections correctly conducts manual inspection of each ballot according to state law. It inspects each side of the ballot and every response position. The department also conducts a manual “second review” of each batch of ballots.

**Suggestion:** As Island County Elections continues to conduct manual inspection during initial ballot processing, it should consider improvements to its ballot path. Rather than conducting a full second manual inspection of the ballots, the department should train its ballot processing staff to sort write-in votes, stray marks, and other resolution scenarios into “resolve batches.”

The department’s digital scan system provides opportunity for a second review of digitally scanned images to be either resolved or auto-resolved. Because the digital system provides an electronic means for a second review of the ballots, Island County does not need to conduct the process manually.

## 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.

### LOGIC AND ACCURACY TEST

The Island County Elections Department provides an excellent demonstration of its tabulation system and software at the official logic and accuracy test.

The staff's informational narrative educates the public about the technical complexities of voting systems. The department's transparent approach encourages observers to attend the test and learn more about elections in Washington State.

### BALLOT RECONCILIATION

Island County Elections is to be commended for its commitment to daily tracking of each and every ballot received in its office.

The accounting methods employed by the department are thorough and accurate. Staff implements every possible means for verifying that an envelope has been processed and that a voter has been credited. Daily accounting of ballot processing is very well organized. The staff meets daily to balance the numbers and account for ballots without fail.



# Island County Auditor

Sheilah Crider  
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Coupeville, WA 98239

March 1, 2011

Miriam Campbell  
Office of Secretary of State  
Elections Division  
Certification and Training Program  
P O Box 40229  
Olympia WA 98504-0229

Dear Miriam,

Thank you for reviewing our election on August 17, 2010. We welcome the opportunity for improvement and insight that these reviews provide.

We have read the Preliminary Report of the Secretary of State, and have provided our responses as to how we will address the recommendations and suggestions.

We appreciate your kind remarks about the improvements that have been made in our elections process and our commitment to ensuring elections processes are open and transparent. Our elections staff and the dedicated team of temporary election workers bring a positive attitude and the ability to accomplish an incredible amount of work in an amicable environment. Island County is fortunate to have them.

Please let me know if you have any questions.

Sincerely,

Sheilah Crider  
Auditor

Angie Homola  
Chair, Board of Island County Commissioners

Greg Banks  
Prosecuting Attorney

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ISLAND COUNTY  
PROSECUTING ATTORNEY

**Response to Secretary of State Report of Review on August 17, 2010  
Elections in Island County**

**SECTION 1 – RECOMMENDATIONS**

**1. Voter Registration Updates – Name Change Requests**

**The Elections staff will ensure no name changes are processed within the 29 day voter registration deadline prior to Election Day. Any names or signatures called into question will be referred to the Canvass Board for their review and determination.**

**2. Security**

The Auditor and staff have already implemented measures to improve tracking between workrooms, and ensure greater compliance with dual monitoring. We will continue our emphasis on security for all aspects of elections procedures. Sign in/out logs are posted at entrance doors to each work area and the front office. Election workers sign in and out when entering work areas in the morning, at breaks, at lunch and at the close of the day. We will continue this practice and ensure additional logs are placed in access areas of the building. Compliance with security policies and procedures for elections processes will be strictly monitored with continued emphasis on security.

a) We will acquire security cages or sealed boxes for transport of ballots between rooms ensuring ballots are secured in all Elections office spaces particularly during transport;

b) We will train/retrain existing and new election workers in March and April 2011, placing special emphasis on the necessity for security and compliance with policies. Compliance with these policies will be monitored and enhanced with refresher training before each election or more frequently if deemed necessary; non-compliance with security policies will lead to disciplinary action up to and including elimination of those individuals from election worker roster.

c) We are currently evaluating cooling and air quality systems to acquire a ductless air conditioning and air filtering system before summer elections. We expect to issue a request for bids by late March for May/June 2011 installation. It is expected that a system will be installed prior to the August 2011 Primary. Approval by the building owner has been received and we are prepared to move forward.

**3. Replacement Ballots**

Elections staff provides **precinct specific ballots** to voters requesting a replacement ballot at the Elections Office in Coupeville and at the Annex on Camano Island whether in person, via phone, fax or email. Provisional ballots are provided to voters who appear in person at our offices and request to vote but are not a registered voter of Island County.

*On Election Day only* in Freeland and Oak Harbor Island, County Elections provides ballot drop off locations. If a voter requests a replacement ballot, they are instructed that they may acquire a replacement ballot at the Elections Office in Coupeville or they request a replacement ballot via phone, by email or they can use the AVU. In the past, we have offered a provisional ballot if a voter prefers not to use those methods. We will cease this practice immediately as recommended in our review.

This issue will become moot in late 2011 when the use of staffed ballot drop off locations on Election Day at both Freeland and in Oak Harbor will cease. Exterior, pole-mounted secure ballot drop boxes will be installed in the general area to provide enhanced voting opportunities for all during the 20 day early voting period and on Election Day. This will be beneficial to voters with disabilities or those who wish to drop of their ballot when it's convenient for them. In November 2011, the Coupeville Election Office and Camano Annex will be the only two locations where replacement ballots are available for pick up.

#### **4. Island Auditor's Office as a Voting Center**

On Primary Election Day, during the rush to get everything ready, we forgot to put the VOTE HERE sign out by the curb before the office opened as we had been doing. A check off list has been created to preclude this occurrence in the future.

External signage for our elections office is limited by the Town of Coupeville Sign Code. We will comply with Code while ensuring proper signage is displayed during the 20 days prior to and on Election Day. We will ensure proper signage is displayed during the required period at the Camano Annex as well.

Changes have already been made to ensure greater privacy for voters within the Elections Office. Further refinement in locating voting stations, the interior ballot drop box and the AVU were made to provide maximum privacy for each voter. We will make adjustments in the location of the interior ballot drop box and HAVA Voter Information/Election Day signage. The changes implemented made were favorably received and additional improvements will be made before our next primary election.

#### **5. Voter Intent**

We will ensure elections workers receive a refresher course in the "Statewide Standards of What is A Vote" Manual before processing and resolving ballots at each election. While no error occurred, there are numerous variables some not covered in the voter intent manual. Training will address areas where needed to prepare staff and election workers to make accurate determinations. We emphasize that no error was made.

#### **6. Resolution Log**

We have changed our reports to comply with this recommendation.

### **SECTION 2 – SUGGESTIONS**

#### **1. Permanent Staffing**

Three years of budget cuts (over 30% reduction) have taken a huge toll on the Auditor's Elections staff and other Auditor's Office personnel who were cross-trained to augment elections staff during time of peak elections work. This has necessitated our reliance on temporary elections workers. This puts the Elections Office at risk during peak elections work time and precludes staff from taking vacation except on non-election periods. The Elections Office staffing level for a county with the number of voters we have should be three FTEs and one .5FTE. To safeguard the process and ensure future elections are conducted timely, we must increase staffing

in elections and have the ability to cross-train other Auditor staff to assist as needed.

**2. Training of Temporary Election Staff**

Comprehensive training will be conducted on a regular basis - offered in the spring and fall to ensure temporary elections workers are fully trained in current elections process and understand changes in elections law and procedures.

**3. Ballot Processing**

Island County Elections has followed the suggestion of the reviewer and eliminated the second manual review. Placing major emphasis on accuracy in the first review, a greater efficiency will be realized and as staff becomes more proficient in the single review process, a cost savings will be realized.

**SECTION 3 – COMMENDATIONS**

We thank the reviewer for her kind remarks regarding **Logic & Accuracy Testing and Ballot Reconciliation**. We have focused our efforts on a *ZERO* margin of error in our L&A process and ballot accountability. All who work elections realize our commitment and understand this central focus - their efforts have enable us to meet our goals.

## CONCLUSION

The Island County Elections Department is to be commended for its full participation in the review process and its overall election procedures. The staff's commitment to the process is evident in its attention to detail, transparency and accuracy of the election process. The department is also committed to keeping abreast of Washington State's ever-changing election laws and codes.

The Island County Elections Department demonstrates a willingness to follow through on improvements. Many of the recommendations indicated in this report have already been evaluated by the department and some were implemented in time for the 2010 General Election.

Because of the County Auditor's leadership, the elections department is becoming increasingly progressive and making adjustments in many areas. The auditor has obtained grants and collaborated with community leaders to deploy accessible ballot deposit boxes on Whidbey Island.

To continue on its path of innovation, Island County must provide the department with training opportunities, facility improvements, and additional staffing.

The areas listed in this report will help keep procedures in compliance with statute and rule. Many require only minor changes; however, because elections are so complicated, even minor changes can have a major impact on the election process.

The reviewer made a series of recommendations and suggestions for consideration by the Island County Elections Department. These are meant to enhance and improve Island County's procedures.

Report Prepared by Miriam Campbell, Elections Program Specialist, Certification and Training Program

Signature:



Date: February 7, 2011