

Election Procedures Review
Of
Okanogan County
State of Washington
2008 General Election



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 2005, the Legislature expanded the Election Certification and Training Program to require that each County Auditor's Office be reviewed at least once every three years. The Legislature also added a requirement that the Program conduct a follow-up visit 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 Okanogan County during the 2008 General Election cycle. Sheryl Moss, Program Manager, represented the Election Certification and Training Program during the review. Laurie Thomas, Okanogan County Auditor, Mila Jury, Chief Deputy, and Joesph MacLean represented the Okanogan County Auditor's Office.

Both the reviewer and the Okanogan County Auditor's Office approached the review in a spirit of cooperation. The reviewer was allowed 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 Okanogan County Auditor's Office 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 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

Okanogan County stretches from the craggy peaks of the North Cascades to the rolling wheat fields of the northern Columbia Basin and from the lower Okanogan's apple country to the high desert of south central British Columbia and tree-covered peaks of Ferry County.

While Okanogan County is not large in population, physically it is the largest county in Washington State. The size of the county and the mountainous terrain make it challenging to provide election services to the voters.

Okanogan County was a pioneer in changing our state to voting by mail. Prior to the current law, the mail ballot precinct law was used to reduce the size of all the precincts to allow for all mail elections. The successful experience of Okanogan County and other pioneering counties has allowed our state to move forward with election innovations.

The Hart voting system and the Votec voter registration system were purchased with a Help America Vote Act (HAVA) grant in 2005. The County Auditor's staff has successfully integrated the systems into their procedures and the systems serve the voters well. With the tight budget times ahead, the county may have difficulty meeting the maintenance fees of systems purchased with HAVA money.

In the course of this review, the reviewer observed pre-election tasks, election procedures, post-election procedures, canvassing, and certification of the election. The reviewer also examined all written procedures and documents generated supporting the 2008 General Election. The County Auditor's Office staff verbally explained some tasks the reviewer was unable to observe.

The reviewer was pleased to find substantial documentation supporting almost every process conducted by the elections office. The records created and maintained by staff assisted in a thorough review.

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.

Precinct Boundaries

Okanogan was one of the first counties to change to all mail elections. Under the provision that allows precincts under 200 registered voters to be all mail precincts, election staff reduced the size of all the precincts to allow the county to conduct all mail elections. The law has changed, but precincts are still kept under 200 active registered voters. At least one precinct has both county and city area in a single precinct. Because of the small precincts and the distribution of the population, it has been difficult to follow physical features/census lines and make sure every precinct is contiguous and compact.

RCW 29A.16.050 states, "(1) Every voting precinct must be wholly within a single congressional district, a single legislative district, a single district of a county legislative authority, and, if applicable, a single city. "

Recommendation: Okanogan County needs to alter precinct boundaries in precincts where both city and county area included. The County should continue to make precincts contiguous and compact wherever possible.

Political Party Observers

The County Auditor's staff sends a letter to political parties prior to each election. The letter did not include the number of official observers needed.

WAC 434-261-020 states, "Prior to the primary or election, the county auditor shall determine the number of observers required in order to observe all aspects of the counting center proceedings, and shall request, in writing, that each major political party appoint representatives to fill the requirements. Where more than one observer is to be appointed, the political party shall designate one of their observers as supervisor. Counting center observers shall be provided training with respect to ballot processing procedures and the vote tallying system as required by RCW 29A.12.120."

Recommendation: Prior to each primary or election, the number of observers required to observe all parts of the election process must be determined and requested from each party. Because two rooms are used to process ballots, a minimum of one observer for each room should be requested. At the time of this report, this procedure has been changed.

Notice of Election

The notice of election states, “**On Election Day only**, the Auditor’s Office will be open from 7:00 AM to 8:00 PM so voters can obtain replacement ballots, drop off voted ballots and to obtain provisional ballots.” No other times or dates are listed for these activities at the County Auditor’s Office.

WAC 434-250-310 (3) states: “A county auditor conducting an election by mail, including a county auditor that conducts every election by mail, must state: (e) The dates, times and locations of designated deposit sites and voting centers;”

Recommendation: Because the Auditor’s Office is open for the above services 20 days before an election, the dates and office hours of the Auditor’s Office should be listed in the Notice of Election. At the time of this report, this procedure has been changed.

Disability Advisory Committee

Okanogan County is actively working with the disability community to form a Disability Advisory Committee. The county is located away from any major population areas where many of the services for disabled persons are available. The committee has had one meeting and to date has only been able to recruit one member from outside resources.

RCW 29A.46.260 (2) states, “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.”

Recommendation: Okanogan County should continue recruitment of additional members of the Disability Advisory Committee. Once a full committee is formed, a disability plan must be adopted. The plan should include the number of voting centers required; the locations of voting centers and drop off facilities; outreach to voters with disabilities; implementation of the Help America Vote Act; and other election related functions necessary to maximize accessibility to persons with disabilities. The plan must be reviewed at least annually.

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.

Candidate Lot Draw

The procedures manual describes a lot draw method of a separate drawing for each office to appear on the ballot.

Suggestion: The Secretary of State's Office uses a lot draw method that requires only one drawing that applies to every office. The office with the largest number of candidates is determined and that number of balls is used in the drawing. The order drawn is applied to all offices. The Secretary of State's method would save the time needed to do separate drawings for each office. At the time of this report, this procedure has been changed.

Election Calendar

Calendar items are handwritten onto a desk calendar. The desk calendar is the only calendar/checklist used.

Suggestion: While the handwritten calendar has detailed items to be accomplished, it is difficult to recreate and share. A standard calendar/election checklist should be developed that can be used to document each step required for each election. The checklist can be distributed to all staff involved with the administration of the election. At the time of this report, this procedure has been changed.

Ballot Processing

Staff that processed incoming ballots used blue or black pens to fill out various forms during the process.

Additionally, the ballot signature check procedure did not allow for a full check of the signature. Once the voter ID was entered into the computer, the checker set the ballot into the accepted pile, a distance from the computer screen, before the signature appeared on the screen. The signature was compared with the ballot remaining on the accepted stack.

Suggestion: The use of blue or black pens may raise questions as to whether additional marks are being placed on voted ballots. Eliminating the use of blue or black ink would eliminate these questions. Most counties use red or green ink pens to differentiate between voter marks and ballot processing notations.

The signature checker should not set the ballot aside until after the signature has appeared on the screen. The two signatures should be carefully compared before setting the ballot into the accepted pile. Keeping the ballot close to the computer screen will allow for a more thorough comparison. At the time of this report, this procedure has been changed.

Procedures Manual

Okanogan County has an extensive procedures manual, comprised largely of narratives and illustrations. The manual has some incomplete procedures and is missing others, such as voter registration and candidate filing procedures beyond entering into the Votec system.

Suggestion: Okanogan County should review the manual for accuracy and completeness. The reviewer suggests that procedures be written in a step-by-step manner that would easily direct an inexperienced person.

Canvassing Board Manual

The canvassing board manual includes most required elements. While the Statewide Standard on What is a Vote manual is provided to the Canvassing Board members, the Canvassing Board Manual does not follow the statewide standards. Additionally, there are a few other areas that are out of date, such as recount procedures.

Suggestion: Okanogan County should review the Canvassing Board Manual for accuracy and completeness. The manual should include the new recount requirements and voter intent rules. At the time of this report, the Canvassing Board Manual has been updated.

Work Space

Two rooms are used for processing ballots: the vault and the main office area. Election staff cannot adequately monitor the activities occurring simultaneously in both areas. The vault area has limited space and is not readily accessible to observers. Additionally, there is not room to store records from previous elections.

Suggestion: Election staff has done everything possible to provide oversight and security in the two areas. Two individuals must work together at all times, especially when processing ballots. If possible, ballot processing and other activities should occur in the same area. A single work area, with plenty of storage space, would be much easier to manage and provide better public access to all ballot processing.

County's Response to Draft Review Report

The Election Certification and Training Program issued a Draft Review Report to the Okanogan County Canvassing Board in April 2009. In accordance with WAC 434-260-145, we provided Okanogan County 10 days to respond, in writing, to recommendations listed in the draft report.

The Okanogan County Auditor provided the following response to the Draft Review Report. The signed original of their response is on file in the Office of the Secretary of State.



Okanogan County Auditor

Laurie Thomas, Auditor

Mila Jury, Chief Deputy Auditor

PO Box 1010
Okanogan WA 98840
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April 16, 2009

Sheryl Moss
Certification & Training Manager
Office of the Secretary of State
PO Box 40229
Olympia, WA 98504-0229

Dear Ms. Moss,

On behalf of the election staff in the Auditor's office, and of our canvassing board, I would like to thank you and the Office of Secretary of State for the professional, thorough review of the election procedures in our County. Your recommendations and suggestions are welcomed and will help us to continue to successfully administer elections in Okanogan County.

Our responses are listed below in the order the items appeared on your report.

Review reply 2009
Recommendations

Precinct Boundaries

Okanogan was one of the first counties to change to all mail elections. Under the provision that allows precincts under 200 registered voters to be all mail precincts, election staff reduced the size of all the precincts to allow the county to conduct all mail elections. The law has changed, but precincts are still kept under 200 active registered voters. At least one precinct has both county and city area in a single precinct. Because of the small precincts and the distribution of the population, it has been difficult to follow physical features/census lines and make sure every precinct is contiguous and compact.

RCW 29A.16.050 states, "(1) Every voting precinct must be wholly within a single congressional district, a single legislative district, a single district of a county legislative authority, and, if applicable, a single city.

Recommendation: Okanogan County needs to alter precinct boundaries in precincts where both city and county area included. The County should continue to make precincts contiguous and compact wherever possible.

Reply: Okanogan County will look at the precincts when we have to redistrict after the 2010 census. We will split the "city" voters from the "rural" voters and create new precincts.

We will also look at precincts that are not "compact" and try to make them as compact as possible.

Political Party Observers

The County Auditor's staff sends a letter to political parties prior to each election. The letter did not include the number of official observers needed.

WAC 434-261-020 states, "Prior to the primary or election, the county auditor shall determine the number of observers required in order to observe all aspects of the counting center proceedings, and shall request, in writing, that each major political party appoint representatives to fill the requirements. Where more than one observer is to be appointed, the political party shall designate one of their observers as supervisor. Counting center observers shall be provided training with respect to ballot processing procedures and the vote tallying system as required by RCW [29A.12.120](#)."

Recommendation: Prior to each primary or election, the number of observers required to observe all parts of the election process must be determined and requested from each party. Because two rooms are used to process ballots, a minimum of one observer for each room should be requested.

Reply: The letter to the parties has been changed to add the following:

"We will need 2 official observers from your party. When you appoint the observers, please do so in writing, send the list of appointed observers to this office, and include their telephone number in case we need to contact them."

Notice of Election

The notice of election states, "**On Election Day only**, the Auditor's Office will be open from 7:00 AM to 8:00 PM so voters can obtain replacement ballots, drop off voted ballots and to obtain provisional ballots." No other times or dates are listed for these activities at the County Auditor's Office.

WAC 434-250-310 (3) states: "A county auditor conducting an election by mail, including a county auditor that conducts every election by mail, must state: (e) The dates, times and locations of designated deposit sites and voting centers;"

Recommendation: Because the Auditor's Office is open for the above services 20 days before an election, the dates and office hours of the Auditor's Office should be listed in the Notice of Election.

Reply: The Notice of Election has been changed to read as follows.

"The Okanogan County Auditor's Office, 149 N 3rd, Room 104, Okanogan County Courthouse will be open so voters can obtain replacement ballots, drop off voted ballots, obtain provisional ballots, and have access to Accessible Voting Units, at the following times.

Monday – Friday 8:00 AM – 5:00 PM

On Election Day only, March 10, 2009, 7:00 AM - 8:00 PM."

Disability Advisory Committee

Okanogan County has attempted to form a Disability Advisory Committee. The county is located away from any major population areas where many of the services for disabled persons are available. The committee has had one meeting and, to date, has only been able to recruit one member from outside resources.

RCW 29A.46.260 (2) states, "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."

Recommendation: Okanogan County should continue recruitment of additional members of the Disability Advisory Committee. Once the committee is formed, a disability plan must be adopted. The plan should include the number of voting centers required; the locations of voting centers and drop off facilities; outreach to voters with disabilities; implementation of the Help America Vote Act; and other election related functions necessary to maximize accessibility to persons with disabilities. The plan must be reviewed at least annually.

Reply: Okanogan County will continue in our efforts to recruit members for a Disability Advisory Committee.

Suggestions

Candidate Lot Draw

The procedures manual describes a lot draw method of a separate drawing for each office to appear on the ballot.

Suggestion: The Secretary of State's Office uses a lot draw method that requires only one drawing that applies to every office. The office with the largest number of candidates is determined and that number of balls is used in the drawing. The order drawn is applied to all offices. The Secretary of State's method would save the time needed to do separate drawings for each office. At the time of this report, this procedure has been changed.

Reply: Okanogan County has changed the Lot Draw procedure to only require one drawing like the Secretary of State's Office.

Election Calendar

Calendar items are handwritten onto a desk calendar. The desk calendar is the only calendar/checklist used.

Suggestion: While the handwritten calendar has detailed items to be accomplished, it is difficult to recreate and share. A standard calendar/election checklist should be developed that can be used to document each step required for each election. The checklist can be distributed to all staff involved with the administration of the election. At the time of this report, this procedure has been changed.

Reply: Okanogan County has inquired of other counties and received samples of calendar/election checklists. We are in the process of adapting them to work for Okanogan County.

Ballot Processing

Staff that processed incoming ballots used blue or black pens to fill out various forms during the process.

Additionally, the ballot signature check procedure did not allow for a full check of the signature. Once the voter ID was entered into the computer, the checker set the ballot into the accepted pile, a distance from the computer screen, before the signature appeared on the screen. The signature was compared with the ballot remaining on the accepted stack.

Suggestion: The use of blue or black pens may raise questions as to whether additional marks are being placed on voted ballots. Eliminating the use of blue or black ink would eliminate these questions. Most counties use red or green ink pens to differentiate between voter marks and ballot processing notations.

The signature checker should not set the ballot aside until after the signature has appeared on the screen. The two signatures should be carefully compared before setting the ballot into the accepted pile. Keeping the ballot close to the computer screen will allow for a more thorough comparison. At the time of this report, this procedure has been changed.

Reply: Okanogan County has changed to use green pens during the inspection and processing of ballots.

The work area for the signature checker has been changed so the ballot after scanned passes in front of the computer screen and is checked. The signature checker has been made aware of the procedures and the reason for the changes in the work area.

Procedures Manual

Okanogan County has an extensive procedures manual, comprised largely of narratives and illustrations. The manual has some incomplete procedures and is missing others, such as voter registration and candidate filing procedures beyond entering into the Votec system.

Suggestion: Okanogan County should review the manual for accuracy and completeness. The reviewer suggests that procedures be written in a step-by-step manner that would easily direct an inexperienced person.

Reply: Updating the manuals is an ongoing process and Okanogan County will make every effort to keep the manuals current.

Canvassing Board Manual

The canvassing board manual includes most required elements. While the Statewide Standard on What is a Vote manual is provided to the Canvassing Board members, the Canvassing Board Manual does not follow the statewide standards. Additionally, there are a few other areas that are out of date, such as recount procedures.

Suggestion: Okanogan County should review the Canvassing Board Manual for accuracy and completeness. The manual should include the new recount requirements and voter intent rules. At the time of this report, the Canvassing Board Manual has been updated.

Reply: Okanogan County will update the Canvass Board Manual.

Work Space

Two rooms are used for processing ballots: the vault and the main office area. Election staff cannot adequately monitor the activities occurring simultaneously in both areas. The vault area has limited space and is not readily accessible to observers. Additionally, there is not room to store records from previous elections.

Suggestion: Election staff has done everything possible to provide oversight and security in the two areas. Two individuals must work together at all times, especially when processing ballots. If possible, ballot processing and other activities should occur in the same area. A single work area, with plenty of storage space, would be much easier to manage and provide better public access to all ballot processing.

Reply: We appreciate the suggestion. Our hope is, in the future, to have the space needed to administer our election processes in one area.

Again, I would like to thank you for your time and consideration in conducting this review. Our election staff, Mila, Joe and myself, especially value the supportive relationship shared by the Office of Secretary of State and the Okanogan County Auditor's office.

Sincerely,



Laurie Thomas
Okanogan County Auditor

Conclusion

Okanogan County has pioneered vote-by-mail elections in Washington State. The procedures currently in place have been developed over many years and are working well for the staff.

The County Auditor's Office staff should continue to work on updating the procedures manual. The manual is well illustrated and includes many procedures. Minor changes to the manual will significantly improve the manual. An annual review of the manual should be incorporated in the yearly work schedule to ensure the manual remains current.

The elections department employs excellent security procedures. Ballots are either in the presence of at least two staff members or in secured storage at all times. Ballots are accounted for at every step of the process and are reconciled at the end.

If possible, the ballot processing should occur in a location where all processing occurs in the same room. The room should be large enough to accommodate all parts of an election and have enough room for election observers. Such a facility would greatly enhance the accessibility and transparency of elections in Okanogan County.

Staff of Okanogan County Elections is knowledgeable, conscious, and skillful in conducting elections. Staff should be commended for their commitment to the integrity and transparency. They have utilized all the resources available to them to provide exceptional service.

The reviewer appreciates the openness of the Okanogan County Auditor and staff participating in this review. Their friendliness and professionalism made the review a pleasant experience.

Review Report Prepared by:

Sheryl Moss
Certification & Training Manager
Office of the Secretary of State



Date: April 30, 2009

Signature