

Election Procedures Review  
Of  
**Chelan County**  
State of Washington  
2008 Primary 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 Chelan County during the 2008 Primary Election cycle. Tracy Buckles, Elections Specialist, represented the Election Certification and Training Program during the review. Nissa Burger, Elections Supervisor and Stephanie Wilders, Elections Technician participated on behalf of the Chelan County Auditor's Office.

Both the reviewer and the Chelan 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 Chelan 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 Chelan 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

Chelan County is located in scenic north central Washington and is known as the apple capital of the world. The county's population is approximately 70,000 and it has five incorporated cities. It has approximately 40,000 registered voters and the county votes entirely by mail.

The reviewer had the opportunity to observe many of the elections department procedures. Some procedures were reviewed through the written procedures manual and some were verbally explained. All aspects of administering elections were reviewed.

The Chelan County Elections Department has excellent procedures. This was a new type of primary election for Washington State and the department did a very good job, especially with all the changes it was required to implement. The staff is very knowledgeable, dedicated, and conscientious.

The elections department has an excellent security system for all phases of ballot processing. The system records who accesses sensitive areas and when they had access. It is then capable of printing a report that documents that access. Additionally, the staff utilizes numbered seals and logs within those secure areas for ballots waiting to be processed and prior to tabulation which adds an extra layer of security.

The department has especially good procedures for accounting for ballots. Additionally, the staff has organized the ballot processing space in such a manner that they have achieved increased efficiency and security while allowing for open, transparent processes.

The following recommendations and suggestions will help improve and enhance Chelan County's already excellent election policies and procedures.

# 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.

## Verification and Confirmation Notices (format and content)

The Chelan County Elections Department correctly sends Confirmation and Verification Notices when the appropriate situations arise. The Verification Notice is not postage prepaid. Additionally, the Confirmation Notice contains the following language: "...your name will be removed from the Federal General Elections, your name will be removed from the voter registration list."

*RCW 29A.080.030 (1) states, "The verification notice must be designed to include a postage prepaid, preaddressed return form by which the applicant may verify or send information."*

**Recommendation:** The elections department must redesign both notices. The Verification Notice must include the requirement for postage prepaid, preaddressed return forms. The elections department should also remove the extra language from the Confirmation Notice, "...your name will be removed from the Federal General Elections."

## Processing Name Changes

The Chelan County Elections Department staff only requires both the former and new signatures for name changes on a voter registration record if the voter appears in person. If a voter submits an application by mail to change his/her name, they compare signatures and the date of birth. In this situation, they do not require both signatures to process the voter's change of name.

*RCW 29A.08.440 requires, "...shall notify the auditor in one of the following ways: (1) By sending the auditor a notice clearly indentifying the name under which he or she is registered to vote, the voter's new name, and the voters registered residence. Such a notice must be signed by the voter using both the former name and the voter's new name..."*

**Recommendation:** The elections department must require both the former and new signatures to process a change of name in the voter registration record.

## Sample Ballots

The elections department had sample ballots available on the counter in the County Auditor's Office. They were printed on white 8 ½ by 14 inch paper. The official ballots were also printed on white paper. The print size was extremely small and difficult to read.

*WAC 434-230-010 requires, "Sample paper ballots shall be printed in substantially the same form as official ballots, but shall be a different color than the official ballot."*

**Recommendation:** The elections department should print and make available sample ballots in a color different than the official ballots. The staff should ensure that regardless what size paper they have to use, the print size should be easy to read.

### **Ballot Resolution**

The elections staff had two people resolving ballots. They were experienced people who did a very good, thorough job. They did not, however, print a log from the system of the ballots they resolved.

*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:** The elections department staff must print a log from the Hart system of the ballots they resolved and the log must be initialed by the two people resolving the ballots. The elections staff informed the reviewer that this is a procedure they normally follow, but somehow missed it for this election.

### **Checking Results for Anomalies**

Following the election, the elections staff reviewed the county's cumulative election results for anomalies, but not the precinct results, as required. They completed this task prior to the certification of the election.

*WAC 434-261-110 states, "Precinct results, showing overvotes and undervotes, shall be inspected by the county canvassing board, or their designees, for anomalies that may indicate problems with the hardware or programming used to tabulate votes. Anomalies may include, by are not limited to, an abnormal number of overvotes, undervotes, vote distribution, and voter turnout in any precinct, race, or jurisdiction. This inspection shall be completed within two days of the election."*

**Recommendation:** The election department staff must review precinct results to check for anomalies. By reviewing cumulative results, they will not be able to see anomalies specific to precincts. For example, very low turnout or an excessive amount of overvotes within a specific precinct. They must complete this task within two days following the election. This will allow for investigation and correction, if applicable, before the election is certified.

# 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.

## Joint County Candidate Filings/Resolutions

The Chelan County Elections Department shares information with counties in which they share jurisdictions via email. The staff sends the other jurisdiction a copy of the Declaration of Candidacy or a copy of the resolution calling for a special election.

**Suggestion:** The county elections staff should consider printing and filing all communications with other counties for the purpose of documenting their actions. They might also consider developing a procedure in which the other county staff acknowledges their receipt of the information.

While this has not been an issue in Chelan County, it has been an issue in other counties. Expanding its procedures will ensure that there is not a problem with the elections department in the future.

## County Canvassing Board Manual

The Chelan County Canvassing Board adopted a Canvassing Board Manual. It is thorough and comprehensive. It is, however, out of date in some areas.

**Suggestion:** The canvassing board should update its manual. Among other things, there are still references to procedures regarding polling places. There are many changes in election laws on a regular basis, along with changes in a county's procedures. It would be beneficial for the Board to review its manual on an annual basis, or as often as practical.

## Elections Department Procedures Manual

The Chelan County Elections Department has a very good procedures manual. The reviewer was especially impressed with the staff's use of flow charts to assist users with step-by-step procedures. They need to update the manual in some areas and a few procedures could be added to the manual.

**Suggestion:** The elections staff should continue to work on updating the procedures manual. Some areas they should consider adding are: procedures for joint county candidate filings and resolutions, joint county withdrawals, and processing filing fee petitions.

# County's Response to Draft Review Report

The Election Certification and Training Program issued a Draft Review Report to the Chelan County Canvassing Board in December 2008. In accordance with WAC 434-260-145, we provided Chelan County 10 days to respond, in writing, to recommendations listed in the draft report.

The 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.

03/13  
2008 Primary Election Results



CHELAN COUNTY  
~ ELECTIONS ~

January 20, 2009

Dear Ms. Buckles,

Thank you for your review of Chelan County during the 2008 Primary Election. We found your recommendations and suggestions to be useful and insightful. We have already implemented all the changes that were suggested in the review. Listed below is our response to each recommendation.

Verification and Confirmation Notices

Per the recommendation, we have added prepaid postage and preaddressed return address to the verification form. We removed the unnecessary language from the confirmation card.

Processing Name Changes

We now require both an old and new signature for name changes.

Sample Ballot

We have changed the design of our sample ballot so it is easier to read and is printed on color paper.

Ballot Resolution

It is now standard practice to print an audit report at the end of each day. The report is initialed by staff who conducted the resolution process.

Checking Results for Anomalies

We have changed our practice to include this task. We are working with our vendor to create a report that will make anomalies stand out.

We appreciate your time and recommendations.

Sincerely,



Evelyn L. Arnold  
Chelan County Auditor

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## Conclusion

The reviewer commends Chelan County for their election procedures. They thoroughly impressed me with their election procedures and policies. Their attention to detail, organization, and dedication to the election process was evident in every area.

The elections department should make changes to some of its voter registration procedures, including updating forms and ensuring the staff is in compliance with responses to confirmation notices and processing name changes.

Printing a log of the ballots that they resolve is a critical part of accountability and documenting actions they took with specific ballots.

The areas listed in this report will help keep procedures in compliance with statute and rule. Some require only minor changes in forms, notices, or procedures. 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 Chelan County Elections Department. These are meant to enhance and improve Chelan County's procedures.

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Review Report Prepared by:

Tracy Buckles  
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Office of the Secretary of State



Date: January 26, 2009

Signature