

# **EXHIBIT 1**

**Lori Sotelo, KCGOP Chairman**

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**From:** Arnold, Evelyn [Evelyn.Arnold@kingcounty.gov]  
**Sent:** Thursday, September 16, 2010 3:54 PM  
**To:** info@kcgop.org; kcdcc1@gmail.com  
**Subject:** Write-ins for PCOs

Good Afternoon Suzie and Lori ,

I would like to take a moment to explain the process we used to tabulate the PCO races. As a cost savings measure, we exercised our option under the newly revised WAC # 434-262-075 to not count votes cast for write-ins for PCO races if they were the only candidate that filed in that precinct. If the only candidate to file for a precinct was a declared write in, the candidate only needed one vote to be declared the winner because it would be impossible, by law, for anyone else to win.

If a declared write-in filed for a contested race, we used the formula of aggregating the total number of write-in votes, plus the total number of over votes, plus the total number of under votes to determine if it was possible for the declared write-in to win. If a win was not possible, we did not tabulate votes cast for any additional write in candidates as per RCW 29A.0.021(3) as it was not mathematically possible, again, for anyone else to win.

I appreciate your interest in learning the final results for every PCO candidate, including those that did not declare. Our decision to only tabulate results as required by law, however, is due to the added expense and time that producing these reports would require while having no impact on final results. We are working hard to keep the cost of administering elections contained while focusing our efforts on delivering accurate results and preparing for the next election.

I hope this explanation is helpful and please let me know if I can be of further assistance.

Regards,  
Evelyn

**RCW 29A.60.021**

**Write-in voting — Declaration of candidacy — Counting of vote.**

(1) For any office at any election or primary, any voter may write in on the ballot the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by RCW 29A.24.311 and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter. No write-in vote made for any person who has not filed a declaration of candidacy pursuant to RCW 29A.24.311 is valid if that person filed for the same office, either as a regular candidate or a write-in candidate, at the preceding primary. Any abbreviation used to designate office or position will be accepted if the canvassing board can determine, to its satisfaction, the voter's intent.

(2) The number of write-in votes cast for each office must be recorded and reported with the canvass for the election.

(3) A write-in vote for an individual candidate for an office whose name appears on the ballot for that same office is a valid vote for that candidate as long as the candidate's name is clearly discernible, even if other requirements of RCW 29A.24.311 are not satisfied and even if the voter also marked a vote for that candidate such as to register an overvote. These votes need not be tabulated unless: (a) The difference between the number of votes cast for the candidate apparently qualified to appear on the general election ballot or elected and the candidate receiving the next highest number of votes is less than the sum of the total number of write-in votes cast for the office plus the overvotes and undervotes recorded by the vote tabulating system; or (b) a manual recount is conducted for that office.

(4) Write-in votes cast for an individual candidate for an office whose name does not appear on the ballot need not be tallied unless the total number of write-in votes and undervotes recorded by the vote tabulation system for the office is greater than the number of votes cast for the candidate apparently qualified to appear on the general election ballot or elected.

(5) In the case of write-in votes for a statewide office or any office whose jurisdiction encompasses more than one county, write-in votes for an individual candidate must be tallied when the county auditor is notified by either the secretary of state or another county auditor in the multicounty jurisdiction that it appears that the write-in votes must be tabulated under the terms of this section. In all other cases, the county auditor determines when write-in votes must be tabulated. Any abstract of votes must be modified to reflect the tabulation and certified by the canvassing board. Tabulation of write-in votes may be performed simultaneously with a recount.

[2005 c 243 § 12; 2004 c 271 § 147.]

**WAC 434-262-075**

**Election of political party precinct committee officers.**

(1) Candidates for precinct committee officer file and appear on the ballot as members of a major political party. The election of political party precinct committee officers is not conducted according to a top two primary established by chapter 2, Laws of 2005 (Initiative 872). Candidates must make a public declaration of party affiliation in the form of a precinct committee officer declaration of candidacy. Write-in votes cast for an individual who has not filed a write-in declaration of candidacy shall not be counted. The candidate of each political party who receives the most votes in the August primary election is declared elected.

(2) RCW 29A.80.051 includes a requirement that, to be declared elected, a candidate for precinct committee officer must receive at least ten percent of the number of votes cast for a candidate of the same party who received the most votes in the precinct. This requirement for election is not in effect because candidates for public office do not represent a political party.

[Statutory Authority: RCW 29A.04.611, 29A.08.420, 29A.24.131, 29A.40.110, 29A.46.020, and 29A.80.041. 10-14-091, § 434-262-075, filed 7/6/10, effective 8/6/10. Statutory Authority: RCW 29A.04.611. 08-15-052, § 434-262-075, filed 7/11/08, effective 8/11/08.]