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SUPREME COURT OF THE STATE OF WASHINGTON

DAVID T. MCDONALD, RONALD TARO
SUYEMATSU ET AL.,

Petitioners,

v.

SECRETARY OF STATE SAM REED, ET
AL,

Respondents.

NO. 76321-6

DECLARATION OF CARRIE
VALDERAS IN SUPPORT OF
PETITION FOR WRIT OF
MANDAMUS

Carrie Valderas declares as follows:

1. I am over the age of 18, am competent to be a witness herein, and make this
declaration based on my own personal knowledge.

2. I registered to vote when I was 18, and have regularly voted since I was
eligible. For the past several years I have voted without incident by absentee ballot.

However, for the November 2, 2004 election I decided to switch from absentee to poll

DECLARATION OF CARRIE VALDERAS
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 1

[Valderas]

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Phone: (206) 359-8000

1 voting. Additionally, I have moved since I last voted by absentee ballot. Thus, in order to
2 switch my status from absentee to poll voter, and to make sure I was registered at the correct
3 address, I wrote a letter to the King County Elections office. The letter stated I had changed
4 my address, and that I wished to vote at my designated polling location, rather than by
5 absentee ballot.
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10 3. I did not receive an absentee ballot from King County, and assumed I was
11 now considered a poll voter. However, when I checked the King County elections website
12 to ascertain where my designated polling place was located, the website indicated I was still
13 listed as an absentee voter. After reading the message, I called the King County Elections
14 office to determine where I should vote. The elections worker I spoke with informed me
15 that in order to vote I should go to the polling place nearest to the address where I had been
16 a registered absentee voter and ask to cast a provisional ballot.
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24 4. On November 2, 2004, I went to the polling precinct nearest my prior
25 address. After being instructed by the poll workers on the proper process for voting
26 provisionally, I cast my ballot, signed and sealed the envelope, and personally placed my
27 provisional ballot in the ballot box. I was given a provisional ballot stub with a reference
28 number I could use to check whether my provisional ballot was counted.
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34 5. On November 8, 2004, I checked the King County website to determine
35 whether my provisional ballot had been counted. I recall that it was November 8, 2004, as
36 this was the first date voters could check the website to ascertain the status of their ballot.
37 When I entered my provisional ballot number into the website the message stated, "[y]our
38 provisional ballot was received but not counted. Your provisional ballot was received but
39 not counted because the signature you provided did not match the signature on your original
40 registration form." Attached hereto as exhibit A, is a correct copy of the message that
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DECLARATION OF CARRIE VALDERAS
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 2

[Valderas]

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1 appears on the King County Elections website after entering in the provisional ballot
2 reference number.
3

4 6. Immediately after seeing this message, I called the King County Elections
5 office to ascertain how to remedy the signature issue. I explained that I had voted
6 provisionally, and that the website had indicated there was a problem with the signature on
7 my provisional ballot. The elections worker I spoke with informed me that I would receive
8 a letter from King County indicating how to remedy the signature issue with my ballot. The
9 worker said not to worry; signing and mailing the letter I received back to King County
10 would remedy the signature issue.
11

12 7. However, approximately four days after my initial phone call with King
13 County I had still not received a letter. Thus, I again called the King County Elections
14 office to inform them I had not yet received a letter to correct my signature. I again
15 indicated to the elections worker that there was a problem with my provisional ballot. The
16 elections worker that I spoke with informed me I would receive a letter soon, as other voters
17 had begun to receive letters allowing them to correct their signatures. Because I wanted to
18 make sure my vote was counted in this year's election, I asked the elections worker if there
19 was anything else I could do to ensure my vote was counted. I informed the elections
20 worker that I did not work on Mondays, so if needed, I could come to the Election's office
21 in person to remedy the situation. This worker also told me not to worry and that I should
22 receive a letter soon to remedy the signature issue.
23

24 8. By November 16, I still had not received a letter and was becoming
25 increasing concerned about the status of my ballot. Thus, I called the King County Elections
26 office for a third time. This time, when I explained my situation to the elections worker, he
27 informed me that I had been given incorrect information during the prior two phone calls.
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DECLARATION OF CARRIE VALDERAS
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 3

[Valderas]

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1 He informed me because I had voted by provisional ballot, rather than absentee, King
2 County had never sent a letter to correct my signature. He then stated that in order for King
3 County to count my ballot in the November 2, 2004 election I would need to come in person
4 to the Elections office by 4:30 p.m. that day (November 16, 2004). I then inquired as to why
5 I needed to come to the office by the afternoon of November 16, when the election results
6 were not being certified until a later date. He stated this was because King County turned
7 their votes in early. I was instructed that if I did not come in by that afternoon, my vote
8 would not count. However, because I found out so late that I needed to appear in person, I
9 was unable to take off work and go to the Elections office by the deadline.

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18 9. I do not know why there were any signature mismatch issues with my
19 provisional ballot. While my signature may have changed since I first registered to vote, I
20 have voted by absentee ballot in several recent elections and have never had my absentee
21 ballot rejected because the signature did not match. I feel that I did everything possible to
22 remedy the signature issue with my ballot. Had I been informed on either the first or second
23 phone call I made to King County that I needed to come in person to the elections office I
24 would have done so. Indeed, in my second phone call I specifically asked the election
25 worker if I needed to personally go to the Elections office. I want my vote to count in this
26 year's election, and feel that I should not be disenfranchised because of misinformation I
27 received from King County.

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38 10. I am the person who signed the poll book register and the oath on the
39 provisional ballot envelope.
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DECLARATION OF CARRIE VALDERAS
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 4

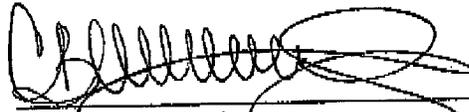
[Valderas]

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I declare subject to penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED and DATED at Des Moines, Washington, this 10th day of December, 2004 by CARRIE VALDERAS.


Carrie Valderas

DECLARATION OF CARRIE VALDERAS
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 5

[Valderas]

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Exhibit A



King County

Home

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Comments

Search

Elections

Records, Elections and Licensing Services Division
Department of Executive Services

Provisional Ballot Search General & Special Election - November 2, 2004

中文版本 / Chinese

Results for reference number: **64867**

Your provisional ballot was received but *not* counted.

Your provisional ballot was received but not counted because the signature you provided did not match the signature on your original registration form.

If you have additional information which you believe could assist in validating your provisional ballot and you wish to request that the King County Canvassing Board re-consider your ballot prior to certification of the election, please contact King County Elections at 206-296-vote by **4:30 p.m. Tuesday, November 16, 2004.**

If you cannot provide the Reference Number from your ballot envelope, contact the King County Elections Office at 206-296-VOTE.

Access to information regarding an individual provisional ballot is restricted to the individual who cast the ballot. Any personal information collected through the system is secure and confidential.

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