

Subject: Apparent irregularities with Federal write-in ballots

From: Stefan Sharkansky

Date: Tue, 23 Aug 2005 16:09:11 -0700

To: "Logan, Dean" <Dean.Logan@METROKC...>, "Egan, Bobbie" <Bobbie.Egan@METROKC...>

Dean and Bobbie,

I'm writing to ask for explanations to some apparent irregularities in the processing of Federal write-in ballots last November, with a goal of understanding the relevant improvements that you are making for future elections.

As you may recall, I requested copies of the ballot envelopes returned by the "non-registered overseas and service voters" whose ballots were tabulated last November along with documents showing the precincts in which they were tabulated. Your press release of January 7 indicated that 251 "federal write-in absentee ballots" were tabulated.

http://www.metrokc.gov/elections/news/2005_01_07b.htm

Your press release of January 5 equates the terms "federal write-in ballot" and "non-registered service personnel and overseas voters"

http://www.metrokc.gov/elections/news/2005_01_05b.htm

In response to my request, you produced a total of 113 documents (109 forms titled "voter's declaration/affirmation" and 4 affidavits) along with a note that these were the only documents responsive to my request.

I'm asking for the following clarifications --

1) I reiterate my as-yet unanswered e-mail inquiry of July 25 -- was the January 7 press release incorrect in stating that 251 federal write-in ballots from non-registered voters were tabulated? If so, what is the correct number? Did the tabulated federal write-in ballots from non-registered voters include ballots from individual other than "overseas and service voters"? Who were these additional voters and what was the legal basis for accepting their ballots?

2) Furthermore, I carefully examined the 109 voter declarations and have some questions about apparent irregularities that I hope you can explain (for convenience, I'm attaching a spreadsheet where I recorded the voters' names, addresses and some other information).

UOCAVA states that to submit a federal write-in, the voter must

Have applied for a regular ballot early enough so the request is received by the appropriate local election official not later than the State deadline or 30 days before the general election;

<http://www.fvap.gov/services/fwab.html>

The handwritten canvasser notes that appear on these declarations suggest that not all of the voters who submitted these ballots had in fact applied for a ballot. There are also other irregularities in as many as 44 of the 109 declarations, many of which were incompletely filled out, missing birth dates, social security, other identification numbers, overseas addresses, etc. Not all voters provided a valid King County address. At least three of the ballots gave local addresses in other Washington counties but were tabulated in King.

I posted several examples of questionable ballots on my blog here

<http://www.soundpolitics.com/archives/004976.html>

I'm also attaching for your convenience a few examples. Again these are all from individuals who do not appear in the King County voter rolls

Cooney -- "can't remember" her Seattle address, yet was assigned to a precinct in the 34th legislative district

Busroe -- didn't sign or date his declaration

Fisher -- gave only a Vancouver, BC address, yet was assigned to a precinct in the 36th L.D.

My specific questions to you

a) Did King County accept federal write-in ballots from unregistered voters who had not already requested an absentee ballot for the November 2004 election? If yes, please explain the legal basis for doing so. Otherwise, please provide documentation showing that all of the unregistered voters whose federal write-in ballots were tabulated had, in fact, requested an absentee ballot by the statutory deadline.

b) What were the county's standards for acceptance of a partially complete federal write-in ballot for the November 2004 election? e.g. what is the minimum set of information items that a federal write-in ballot MUST have contained in order to be accepted? Please provide any written documents containing such standards and procedures.

c) Does King County plan to accept federal write-in ballots for the September and November 2005 elections? If so, Please provide any documents with the standards and procedures for accepting and processing federal write-ins in this year's upcoming elections, if different from the documents mentioned in (b) above.

The requests for documents contained in this email should be considered public records requests under RCW 42.17.

thank you very much
Stefan Sharkansky

FWI-Cooney.pdf Content-Type: application/pdf
Content-Encoding: base64



FWI-Busroe.pdf Content-Type: application/pdf
Content-Encoding: base64



FWI-Fisher.pdf Content-Type: application/pdf
Content-Encoding: base64



FederalWriteIns.xls Content-Type: application/vnd.ms-excel
Content-Encoding: base64

