KING COUNTY AUDITOR'S OFFICE

King County Elections Could Further Reduce Risks and Barriers to Voting

PETER HEINECCIUS
MEGAN KO
BROOKE LEARY

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EXECUTIVE SUMMARY: During the 2017 general election, we observed a robust culture of accuracy and continuous improvement at King County Elections (KCE), and no evidence of ballot mishandling or fraud. KCE, however, does not have a comprehensive risk management strategy to identify and prioritize risks to elections security. We found gaps in processes designed to prevent ballots from being lost or modified and found evidence of barriers to voting among communities of color, limited English-speaking communities, and local voters returning ballots electronically. We make recommendations to improve risk identification and mitigation, strengthen ballot-handling procedures, and further reduce barriers to voting.

King County Elections Could Further Reduce Risks and Barriers to Voting

REPORT HIGHLIGHTS

What We Found

King County Elections (KCE) has a strong culture of accountability and uses many procedures to protect the integrity of the election process. While we found areas for improvement, county voters can be confident that KCE administers elections fairly and accurately.

KCE does not have a comprehensive risk management strategy that would allow it to better identify and prioritize risks to the election process. While we did not find any evidence of fraud or mishandling of ballots, we did find some gaps in the procedures meant to protect ballots from being lost or modified during processing. New technology has made processing ballots more efficient, but has also created new risks for ballot alteration when KCE staff review scanned votes on a computer.

To increase access for military and overseas voters, KCE allows voters to return ballots by email, but this option carries its own risks. There are no protections to prevent emailed ballots from being deleted, and emailed ballots are not as secret as regular ballots. Despite KCE's voter engagement efforts, we also found evidence of barriers to voting among communities of color and limited English-speaking communities.

What We Recommend

We recommend that KCE develop a comprehensive risk management strategy to address vulnerabilities to ballot loss and alteration. We also recommend uncounted ballot envelopes always be in the custody of more than one person, as well as that KCE strengthen controls that prevent staff from writing on ballots or changing votes by themselves. We further recommend that KCE create protections for the integrity and secrecy of emailed ballots. Finally, we recommend that KCE use voter engagement data to determine how to target voter engagement funds and take steps to reduce barriers for voters who access their ballot online.

Why This Audit Is Important

King County Elections oversees and administers every initiative, measure, and race for political office for the citizens of the county. To make sure that democracy functions fairly and transparently, King County Elections must accurately issue, process, and count ballots for all eligible citizens. This is a complex process that requires strict controls to make sure that all ballots are counted correctly and that citizens can trust King County Elections to administer elections fairly. For this audit, we conducted in-depth observations of the 2017 general election, analyzed voting and census data, and interviewed many staff at all levels of King County Elections to determine whether controls over ballot processing were sufficient.

Drop-box returns await counting

Source: King County Auditor's Office

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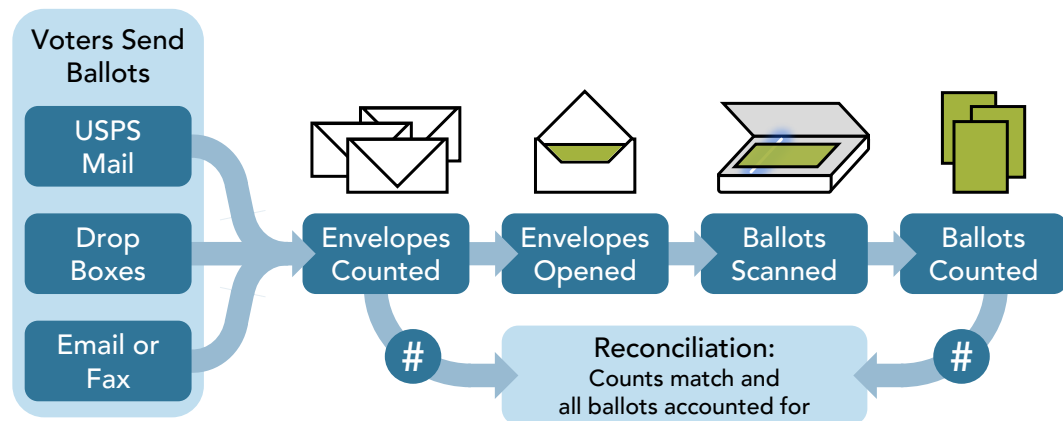# Elections Lacks Comprehensive Risk Management Strategy

SECTION SUMMARY

King County Elections (KCE) does not have a comprehensive risk management strategy to identify and prioritize risks that could results in lost or altered ballots. KCE has a robust culture of continuous improvement, and during our observations of the 2017 general election, we did not witness any ballot mishandling or fraud. However, recent process improvements have introduced new risks. Risk management involves risk assessment, risk mitigation, and ongoing evaluation of these processes. KCE conducts post-election process reviews to find areas for improvement, but it has never done a comprehensive risk assessment. KCE also lacks staff training related to detection and reporting of intentional ballot mishandling. We recommend that KCE develop a comprehensive risk management strategy to address its greatest vulnerabilities for ballot loss and alteration.

KCE has a strong culture of accuracy & accountability

KCE has a robust culture of continuous improvement that has created an efficient, transparent, and accountable process. The mission of KCE is to conduct fair, open, and accurate elections, which requires a high level of scrutiny on every step of a complex process involving vendors, full-time and temporary employees, and electronic systems. Through compliance with state election laws and its own internal post-election debriefs, KCE has developed many controls to manage the complex process of issuing, receiving, and processing ballots. KCE aims not only to make sure that election results are accurate, but that each ballot is counted as cast to avoid disenfranchising any single voter. KCE has accounted for every ballot it has processed for many years by reconciling the number of ballot envelopes with the number of ballots counted (see Exhibit A, below).

EXHIBIT A:

Reconciling the number of ballots to the initial number of envelopes is a good control to ensure ballots do not go missing during processing
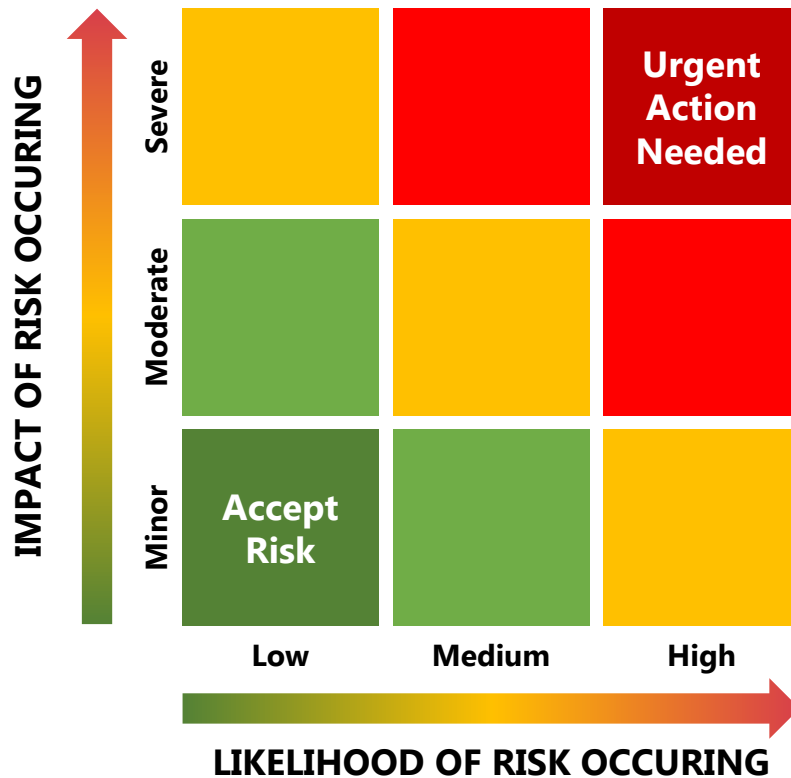

Source: King County Auditor's Office simplified diagram of the ballot processing and reconciliation process.

KCE lacks risk management strategy

KCE does not have a comprehensive risk management strategy, and is therefore less prepared to identify and mitigate risks to elections. Risk management involves risk assessment, risk mitigation, and ongoing evaluation of these processes. Conducting risk assessments is both a best practice and useful way to help identify and manage gaps in controls before problems occur. Risk assessments involve identifying risks, evaluating their likelihood and potential impact, and recommending ways to reduce risk (see Exhibit B, below). Risk mitigation uses these findings to prioritize and implement measures to reduce risk.

EXHIBIT B:

A typical risk assessment looks at the impact and likelihood of potential risks to help prioritize organizational response

Source: King County Auditor's Office example of a risk assessment matrix.

Risk management builds credibility

Risk management is gaining importance in elections management and can strengthen the credibility of elections. This is because established risk management practices help election officials respond quickly to address emerging risks before an election, which cannot be delayed or rescheduled to accommodate new risk mitigation procedures.[1] The National Institute of Standards and Technology (NIST), which the Help America Vote Act empowered to improve voting systems nationwide, conducted a risk assessment on voting systems for military and overseas voters. Because that first step of

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[1] State law establishes mandatory dates for holding elections.

the risk assessment is to characterize the scope of the elections system for review, this method could be adapted to other KCE processes. The next step is to identify risks or threats.

NIST defines "threats" as ways "to violate one of the major security goals of the election system: confidentiality, integrity and availability."[2] Next, NIST looked at:

1. The individuals or entities that pose these threats
2. The effort necessary to carry them out
3. The ability of elections officials to detect them
4. The impact of not detecting them
5. The controls or methods elections officials could use to mitigate or eliminate them.

Since different voting systems demand different controls, NIST recommends that agencies use information about their own systems and procedures to make sure that their controls are sufficiently secure.

Risk management is an emergent area in elections administration

Without comprehensive risk management, KCE is less able to identify threats associated with innovative processes and to prioritize divergent goals. KCE relies on post-election debriefs to engage staff to identify potential process issues. [3] This is an important step, but is inherently reactive. Proactive systems are a best practice in risk management and can prevent or reduce the impact of risks. Without a proactive system, KCE is less likely to have controls in place to prevent or mitigate risks before they occur. For instance, KCE began using new ballot-counting technology in 2017 that improved efficiency but added risks that a risk management approach would have helped to detect and mitigate before the 2017 general election (we discuss these specific risks in the section on ballot alteration).

KCE was undergoing a cybersecurity audit by the Washington State Auditor's Office and a facilities security audit by the U.S. Department of Homeland Security and King County Facilities Management Division (FMD) at the time of our audit.[4] A comprehensive risk management strategy would be able to prioritize recommendations from our audit, along with the cybersecurity and physical security audits, to determine whether, when, and where to dedicate limited resources.

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[2] As defined under 44 U.S.C., SEC. 3542, confidentiality means preserving authorized restrictions on access and disclosure, integrity means guarding against improper information modification or destruction, and availability means ensuring timely and reliable access to and use of information.

[3] One exception is that in 2013 KCE performed a risk assessment for continuity of operations plans for emergencies.

[4] The security audits may not evaluate the risks of day-to-day operations. For instance, the physical security of KCE headquarters acts as a deterrent for external penetration, but it might not deter internal threats. FMD has many security cameras that monitor KCE headquarters 24 hours a day, but only a portion of those cameras are monitored and FMD staff are not specially trained to detect improper ballot handling. It is unlikely that FMD monitors would be able to distinguish between potential mishandling and regular operations.

Recommendation 1

King County Elections should develop, document, and implement a comprehensive risk management strategy, including regular risk assessment, risk mitigation, and monitoring and review of these processes.

Gaps in training hinders staff ability to detect ballot mishandling. KCE provides process-specific training to the many temporary staff members brought on for each election. KCE directs employees to ask a supervisor when they have a question or see something out of the ordinary, but it does not specifically train staff to watch for actions by others that might cause a ballot to be lost or altered. Under state law, there are serious penalties for intentional tampering with elections materials that can serve as a deterrent to employees.[5] However, KCE does not specifically mention these penalties during employee training. According to KCE management, this is in part because many of the short-term temporary staff are experienced, returning employees. However, ongoing training about how to detect and report fraud or ballot mishandling, as well as its legal repercussions, is a best practice.

Recommendation 2

King County Elections should develop, document, and implement recurring training for full-time and temporary employees on the criminal penalties for intentional elections tampering and how to detect and report these activities.

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[5] KCE staff who intentionally mishandle a ballot are guilty of a class C felony under RCW 29A.84.720 and can be imprisoned for up to five years and fined up to $10,000.

Gaps Could Lead to Undetected Ballot Loss

SECTION SUMMARY

While we did not observe any instances of ballots being lost, there are process gaps that create the potential for this to occur undetected. KCE reconciles the number of envelopes it receives against the number ballots it has, which ensures that ballots have not gone missing during processing. However, before envelopes are initially counted they are often left in the custody of a single employee, which increases the risk that ballots may go missing without being detected. Similarly, decisions about whether non-standard envelopes contain ballots, or materials necessary to accept a ballot, are often processed by a single employee without secondary review. We recommend that KCE not leave ballot materials in the custody of a single person and make sure that decisions on how to process non-standard envelopes receive secondary review.

## Even with good staff, controls are necessary

Our audit did not discover any instances of fraud or improper handling of ballots, but existing controls might not always prevent these things from occurring. Every KCE staff member we interviewed was committed to ensuring that ballots were processed efficiently and accurately, and management could not recall instances of staff intentionally mishandling ballots. However, even within organizations that have a strong culture of employees who prioritize accuracy, internal controls that rely entirely on the good-faith and flawless performance of individual employees are insufficient to make sure that the potential loss or alteration of ballots will be prevented, mitigated, or detected.

KCE machine-counts all of the standard ballot envelopes it receives, which is the first stage of the ballot accountability process. This initial count allows KCE to reconcile the number of standard envelopes it receives with the number of ballots at each stage of the process, which is a reliable internal control for discovering whether anything has gone missing. However, this control is only effective after these envelopes have been counted; before this count takes place, there is an increased risk that lost envelopes will not be detected (see Exhibit C, below).

EXHIBIT C: Risk of ballot loss occurs before envelopes are counted
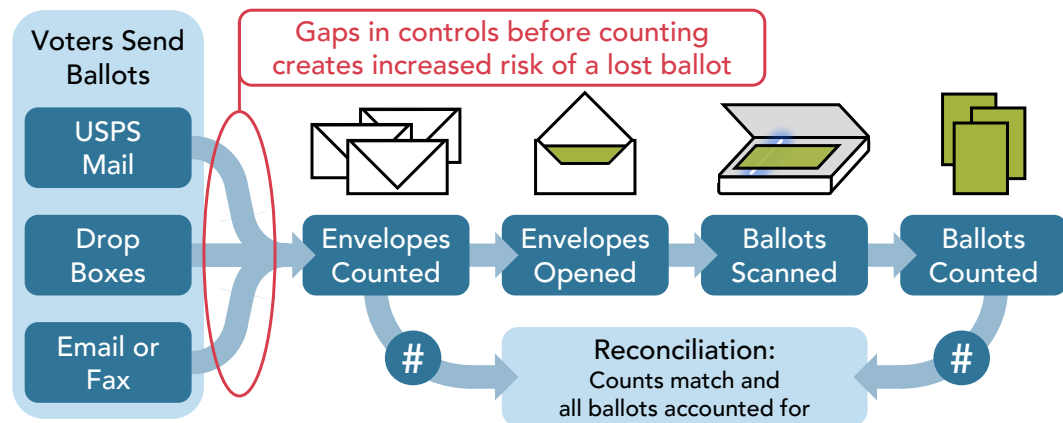
Source: King County Auditor's Office simplified diagram of the ballot processing and reconciliation process.

One person can have custody of uncounted ballot envelopes

We observed gaps in controls over envelopes before they are counted, increasing the risk that a ballot could be lost. Uncounted envelopes are sometimes left in the custody of a single employee. In general, KCE staff work in pairs during most processes, which is an internal control that mitigates the risk of an employee intentionally or unintentionally mishandling a ballot. For example, when ballots are picked up from drop boxes, KCE's policy is for these uncounted envelopes to remain in the custody of two employees at all times, which we observed during the 2017 general election. This provides a reasonable assurance that the ballots will not be accidentally or deliberately misplaced before they can be machine-counted.

However, we observed other instances where employees did not always work in pairs when handling uncounted envelopes. Often the amount of time an employee was left alone with uncounted envelopes was brief and any opportunity to mishandle a ballot was limited, but we also observed occasions where the existing internal controls would not have prevented or detected mishandling of a ballot. For example, we observed that at times a single employee works in the mailroom sorting returned ballot envelopes from other types of a mail in close proximity to a secured bin for shredding and out of sight of other employees. Please see Appendix 1 for more details about our observations.

Controls are weaker for non-standard items

KCE has fewer internal controls over items it receives that are not in standard ballot-return envelopes, increasing the risk that a ballot might be lost. In addition to standard ballot-return envelopes, KCE also receives a variety of other items in the mail or in drop boxes during an election.[6] Some of these non-standard items contain ballots or voter verification information that will be used by KCE staff to determine whether a ballot will count. A single employee is often responsible for determining whether these

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[6] These non-standard items can include returned challenge letters (which are necessary to resolve issues with a voter's signature), regular business mail for the agency, other people's mail that USPS delivered to the wrong address, ballots from voters with protected addresses, ballots returned without an envelope, and ballots from voters who lost their standard envelope and used a different type of envelope instead.

non-standard envelopes contain a ballot. Similarly, a single employee determines whether voter verification information is sufficient to count a ballot KCE already received. Generally, there is no secondary review of these determinations to make sure that no ballots are missed and that voter verification decisions are made correctly. Unlike standard envelopes, KCE does not count these non-standard items, which makes it impossible to make sure that all items have been accounted for.[7] In addition, these items are often left in the custody of a single employee for processing and can be left unattended before processing.[8] For example, letters regarding signature challenges are left in an inbox on an employee's desk. Since there is not an initial count of these letters to reconcile after processing, if one letter went missing it would not be detected and that voter's ballot would not be counted.

Recommendation 3

King County Elections should develop, document, and implement procedures to ensure that all items received by mail or drop box during an election are not left in the custody of a single person (or where a single person could access them unobserved) until they are counted.

Recommendation 4

King County Elections should develop, document, and implement procedures to ensure that there is a review process when a single person determines whether non-standard items received during an election contain a ballot or verify a voter's identity.

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[7] Non-standard items do not always fit through the sorting equipment that machine-counts standard ballots.
[8] KCE staff keep these items on the ballot processing floor, which is a secured area that requires a badge to enter. While these items are not in a public space, they are accessible by any KCE employee, vendor, or observer with a badge.

# Gaps Could Lead to Undetected Ballot Alteration

SECTION SUMMARY

Strong internal controls still allow opportunities for KCE staff to improperly change ballots. This is because KCE staff have access to both writing materials when handling ballots and to software that can alter how votes are recorded. Furthermore, these employees do not always work in pairs. We did not discover any instances of fraud or improper ballot handling during our observations. However, opportunities exist for KCE to improve its systems to mitigate these risks. We recommend additional controls to prevent staff from writing on ballots or accessing software that can change votes by themselves. We also recommend that KCE expand existing quality control tools to detect potential errors.

Opportunities to alter votes exist

We observed gaps in otherwise strong ballot processing controls, creating opportunities for ballot alteration. KCE has a variety of controls in place to prevent people from altering votes on ballots, and we did not see any instance where a ballot was improperly modified. The teams that remove ballots from their envelopes work in pairs in an open area under camera surveillance, making any actions highly visible. In addition, employees are generally working quickly and only handle a small fraction of total ballots, making vote modification unlikely to occur or to change the outcome of a race. Supervisors also spot check work during quality control reviews. Despite these controls, there are still opportunities for employees to mark ballots without necessarily being detected.

EXHIBIT D:

The risk of ballot modification increases after a ballot is removed from its envelope.
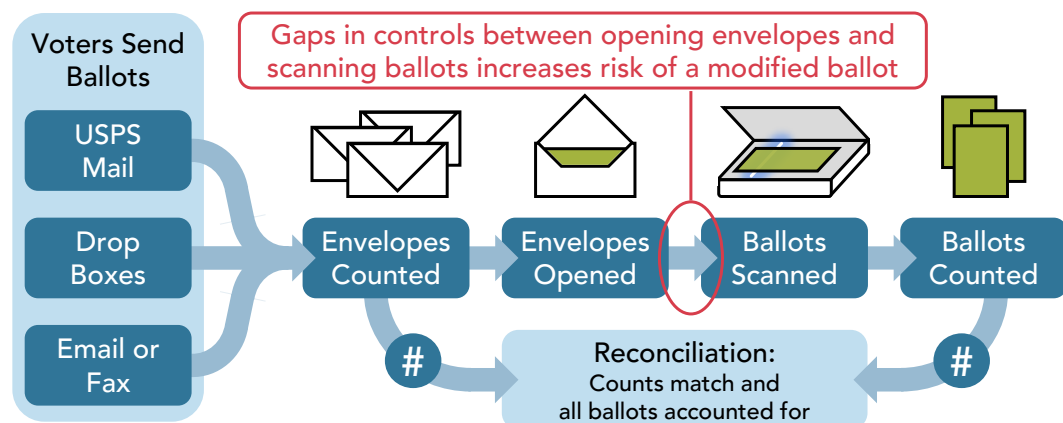
Source: King County Auditor's Office simplified diagram of the ballot processing and reconciliation process.

Staff can write on ballots during processing

KCE allows staff to use pens on the ballot processing floor that could be used to alter ballots. KCE processes require staff to write on certain ballots.[9] KCE restricts these staff to using red pens as a control to distinguish staff markings from voter markings on ballots.[10] Until a recent upgrade to KCE's scanning software, red ink would not appear on scanned ballots so any marks from a red pen would not impact how votes were counted. Beginning in 2017, however, technological upgrades makes ink of any color (except yellow highlighter) appear as a grey mark on the scanned image of a ballot. This means once a ballot has been scanned, it would be difficult to determine which marks came from the voter and which may have been written by an employee. KCE mitigates the risk that an employee would alter a ballot by having opening staff work in pairs. However, we observed that envelope-opening staff were sometimes at their work stations alone when their partner was on break, and scan staff, who handle ballots after they go through opening, do not work in pairs and write on logs next to ballots.[11]

Recommendation 5

King County Elections should develop, document, and implement procedures to ensure that staff do not have opportunities to write directly on a ballot in a way that could alter a vote without being detected.

Staff can change votes via computer

The KCE process for reviewing votes provides opportunities for ballot modification. After paper ballots have been scanned, software translates how voters marked their ballot into votes recorded on KCE computers. In some instances, often because of stray marks on ballots or other issues that may make voter intent unclear, KCE relies on staff to review how the equipment translated and recorded votes. Using computer terminals located inside KCE headquarters, these employees have the ability to overwrite how a vote is counted and potentially change the election results.[12] KCE mitigates the risk of improper vote alteration by having staff work at computer stations in pairs, spot-checking ballot adjustments, and having a supervisor on site to answer questions and send unresolvable issues to the Canvassing Board for a panel decision.[13] However, gaps in controls over computer software can increase the risk that votes could be improperly modified (see Exhibit E, below).

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[9] For example, when opening staff set aside ballots that the scanner may not be able to read for further review, opening staff initial them. Afterward, ballot review staff write on these ballots to indicate whether the scanner can read them.

[10] Although voters can use red pens, they are less commonly used to vote a ballot than black or blue pens.

[11] Opening staff go on breaks at the same time, but can come back at different times so long as it is within five minutes of the end of the break. This means that some employees are alone with the ballots at their table for several minutes.

[12] Staff work in pairs to review ambiguous marks that computer software might not interpret correctly, with guidance from the Secretary of State Voter Intent Manual.

[13] The King County Canvassing Board is a public entity that conducts a formal assessment of an election, including reviewing vote totals, determining the validity of challenged ballots, certifying the vote, and administering recounts. The Director of King County Elections serves as chair, and other members are designees of the King County Prosecuting Attorney and the Chair of the King County Council.

EXHIBIT E: Risk of ballot modification still exists after ballots are scanned.
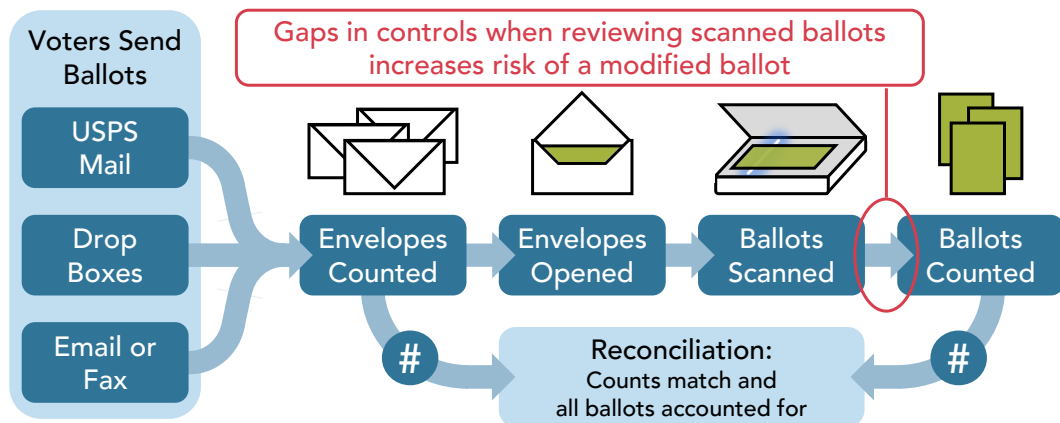
Source: King County Auditor's Office simplified diagram of the ballot processing and reconciliation process.

KCE pairs up staff to prevent fraud

Working in pairs might not always be a reliable control when reviewing votes. KCE's current practice is to have each member of the pair doing a different task: one person controls the computer mouse to change how the software reads the ballot, while the other verbally confirms the change. The latter person is trained to object if they feel the change was in error. However, there are potential reasons why a person might fail to object to an erroneous change. For example, the person might hesitate to contradict their partner's action because they are tired, distracted, or intimidated. We did not observe these issues, but there is some risk that working in pairs with this division of labor is not as strong a control as it might appear.

New tools require new controls

KCE's quality control process for reviewing votes has not kept pace with new risks of ballot modification created by improving technology. KCE has new scanning software that can now read damaged or mismarked ballots, which means staff can now fix most issues with a ballot after it has been scanned into the computer.[14] With these improvements to technology, KCE employees are now reviewing more ballots at the end of the process and have more opportunities to change votes at a computer terminal.[15] This is more efficient, but also increases the need for better quality control over the review process. KCE staff are able to use a new program to check whether the computer has correctly interpreted the voter's intent and efficiently find any ballots where the computer has made a mistake. While this new program is an excellent control for reviewing whether the computer is functioning correctly, it does not currently provide a quality control of the determinations made by KCE employees. This could be something for KCE to consider when developing a comprehensive risk management strategy, as we recommend in the first section of this report. For instance, based on our conversations with KCE supervisors, it seems possible for the software vendor to expand this new program to also detect instances where an employee has changed a vote in a way that does not reflect the intent of the voter.

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[14] The number of ballots that required special handling before being scanned dropped from 15 percent in the 2017 primary election to less than one percent in the 2017 general election.

[15] KCE does not keep records of how many ballots are manually changed each election, since it is not required to do so by state law. KCE estimates that staff modified more than 4,000 ballots in the 2017 general election.

Staff could potentially change votes undetected

We observed instances where staff were on computers alone, increasing the risk that ballots could be modified without detection. Supervisors are able to regularly access computers with software that can alter how ballots are counted by themselves. Line staff are occasionally left alone with these computers (for example, when their partner goes to drink water, which is not allowed at computer terminals). While the software logs any changes made to ballots, KCE staff do not review these logs for suspicious patterns. Furthermore, there does not appear to be a control in place that would prevent a person working on a computer terminal by themselves from changing how votes are counted, other than the time it takes to make these changes. The ability of KCE to detect who made any suspicious changes is undermined by the fact that computer terminals for this work group have passwords that are computer-specific, rather than employee-specific. Moreover, on occasion, we observed that employees leave terminals unattended while still logged in making it possible for unauthorized individuals to access software that can alter how ballots are counted.

Recommendation 6

King County Elections should record and monitor the number of ballots staff manually change each election and analyze this data to set benchmarks and help detect potentially improper ballot changes.

Recommendation 7

King County Elections should require employees using computers that can access software to alter how ballots are counted to login to these computers using employee-specific passwords.

Recommendation 8

King County Elections should ensure that a single person, including full-time and temporary employees, cannot access software that can alter how a ballot is counted without being monitored by another person.

Electronic Ballots Create Unique Challenges

SECTION SUMMARY

KCE lacks several protections for ballots accessed or returned online. Voters can access their ballot online and also return their ballot by email or fax, and we did not see any instances of fraud or improper handling of these ballots. However, the way KCE processes emailed or faxed ballots does not prevent these ballots from being deleted and does not prevent KCE staff from seeing both a voter's name and how they voted. Additionally, KCE does not have a process in place to detect potential abuse of online-ballot access by people forging signatures in a certain way. We recommend that KCE make changes to its process to prevent the loss of electronic ballot materials, notify voters when secrecy cannot be guaranteed for emailed ballots, and keep track of ballots that use a witnessed mark instead of a signature.

Emailed ballots could potentially be deleted

KCE does not have a control in place that would prevent the potential for ballots sent via email or fax to be deleted.[16] In the 2017 general election, KCE received about 1,500 electronic ballots, with 71 percent of these ballots from military and overseas voters.[17] KCE staff generally work in pairs to access these ballots using a standard version of Microsoft Outlook, which has the ability to delete emails. The software does not record how many emailed ballots were received in an independent transaction log, and it does not create backup copies of these emails.[18] When a new ballot arrives via email, Outlook briefly displays a pop-up notification that includes an option to delete the email, increasing the risk that a stray click could delete a ballot. Deleted emails are kept in a separate folder, but if this folder were emptied then it might not be possible to recover the deleted emails. We did not observe any instance where an email was deleted, but the software controls in place would not prevent it from happening.

Recommendation 9

King County Elections should develop, document, and implement controls to ensure that ballots returned by email cannot be intentionally or unintentionally deleted.

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[16] KCE receives ballots sent via fax through the same email account used to accept ballots sent via email, so fax and email ballots are processed in the same way by KCE staff.

[17] Electronic ballots accounted for around 0.3 percent of the 546,200 total ballots counted in the 2017 general election.

[18] KCE noted that part of the difficulty in counting ballots is that not all emails contain ballots. However, not all physical ballot envelopes contain voted ballots either.

No process to detect certain abuse of online system

KCE does not have controls in place to detect potential abuse of online ballot access, which could allow a single person to vote on multiple ballots. The online ballot marking program allows voters to print out their ballot from a computer, which is a necessary service for voters in the military or overseas. We did not see any evidence that voters have used this program to vote multiple ballots. However, it is possible to print the ballot of another voter using their name and birthdate. The primary control that prevents using another person's ballot is signature verification, i.e., if the voter's signature does not match the signature on file, the ballot will not count. However, an exception in state law allows voters to sign with a mark (such as an "X" or a line) instead of a signature so long as they have two witnesses sign below the mark.[19] In line with state law, KCE is often required to accept these ballots, even if the signature of the registered voter differs from the witnessed mark. KCE does not keep track of how many of these exceptions it receives, which increases the risk that abuse of this exception, in combination with abuse of online-ballot access, could go undetected.[20] If KCE had data on how many of these exceptions it receives, it would be better equipped to discover spikes or patterns and investigate the situation.

Recommendation 10

King County Elections should record and monitor the number of ballots it receives that are signed with a mark and two witnesses and analyze this data to set benchmarks and help detect potential abuse.

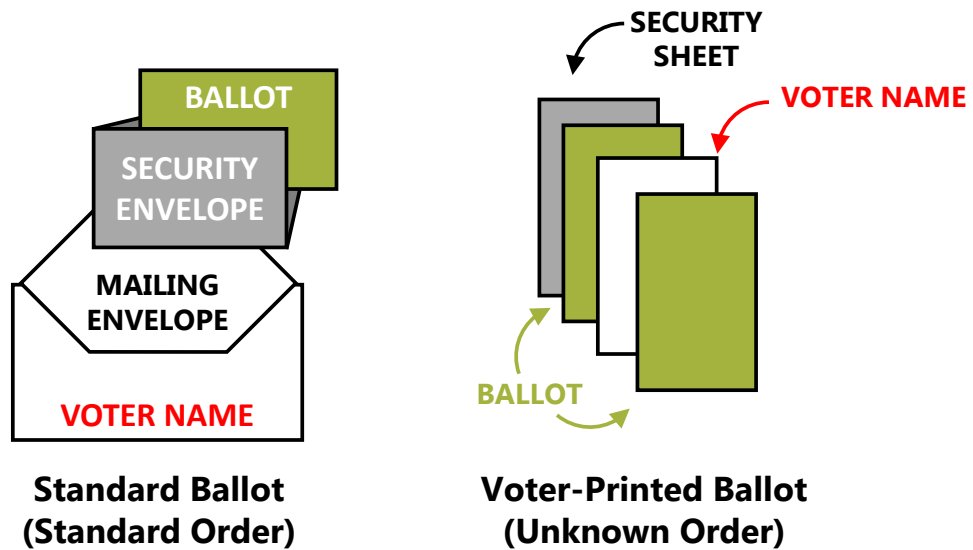**Voter-printed ballots are less secret than regular ballots**

Controls to protect voter secrecy are not as strong for ballots printed by the voter compared to standard ballots. In the standard process, a voter's name and signature are located on the outside of the envelope and the ballot is contained within an inner security envelope. KCE takes appropriate precautions to make sure that no employee can see both the voter's name and how they voted at the same time. However, when a voter prints their own ballot and sends it to KCE, their name and signature are included in the same packet of papers as their ballot and voters could potentially return these pages in any order (see Exhibit F, below). KCE staff look at each of these pages to separate the ballot from the signature page and put the ballot in a security sleeve, which means that staff have an opportunity to see both the voter's name and how they voted. KCE staff work in pairs during this process and work quickly enough that no employee has more than a few seconds to look at any particular ballot or name. However, this process is not explained to voters, and knowing about it might change how and whether some voters return their ballot.

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[19] This allowance is for voters who are unable to sign their ballot.

[20] Elections staff estimate that ballots returned with a mark instead of a signature account for approximately 0.1 percent of all ballots received. In the 2017 general election this would amount to around 500 ballots, which could be enough to change the outcome of races with narrow margins if concentrated in certain precincts.

EXHIBIT F: Voter-printed ballots can be less secret due to the lack of standard order.

**Standard Ballot
(Standard Order)**   **Voter-Printed Ballot
(Unknown Order)**

Source: King County Auditor's Office simplified representation of ballot types.

Recommendation 11

King County Elections should inform voters using the Online Ballot Marking Program that self-printed ballots may be less secret than those printed and issued by King County Elections.

Barriers to Voting Persist for Certain Groups

SECTION SUMMARY

KCE is actively working to remove barriers to voting but barriers to voting exist among communities of color and to some extent, among users of electronic ballots. In our analysis of KCE data from the 2017 general election and U.S. Census data from 2016, we found that neighborhoods with more people of color and people with limited English proficiency had lower rates of voter registration and turnout. Overall, Spanish speakers with limited English proficiency had the lowest voter engagement.[21] Additionally, we found that local voters were less likely to have their vote count if they submitted their ballot electronically. While KCE distributes funds to improve voter engagement based on geography, it does not look at disparities in turnout among limited English-speaking communities. We recommend that KCE use voter engagement data disaggregated by ballot language to support outreach decisions, make language preference forms more accessible online, and stop advertising electronic ballot return methods to local voters

KCE aims to remove barriers to voting

One of KCE's priorities is to actively identify and work to remove barriers to voting. On its website, KCE lists "voter access," defined as "actively identify[ing] and work[ing] to remove barriers to voting at both the individual and community level," as the first of its three priorities for 2016-2018.[22] According to KCE, communities face barriers to voting based on their race and ethnicity, English proficiency, disability status, income, veteran status, housing status, and criminal record. In 2016, KCE piloted a Voter Education Fund in partnership with Seattle Foundation to fund outreach among historically marginalized groups.

Communities of color still face barriers to voting

Communities of color and limited English-speaking communities faced the greatest barriers to voting that we observed in the 2017 general election. In our analysis of election and census data, we found that neighborhoods with more people of color, people with limited English proficiency, people with disabilities, and non-high school graduates all had lower rates of voter engagement than neighborhoods where these demographics were less prevalent.[23] This is likely evidence of deep and persistent inequities driven by historical and societal factors. In contrast, our analysis did not find lower voter engagement for communities with more veterans.[24]

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[21] Voter engagement metrics include the number of voters requesting translated materials, registering to vote, updating address information, and voting in an election.

[22] KCE's vision is "To be the leader in providing inclusive elections."

[23] These neighborhoods (based on census tracts) all had lower rates of voter registration and turnout and higher rates of undeliverable ballots, which are ballots returned to sender (KCE) due to incorrect address information.

[24] Census data did not show lower rates of registration or turnout or higher rates of undeliverable ballots for tracts with higher concentrations of veterans.

Spanish-speaking community most affected

Spanish speakers with limited English proficiency had the lowest turnout compared to other voters with limited English proficiency, suggesting disparities in voter engagement among these communities. Twenty four percent of voters who chose to receive a Spanish-language ballot returned a ballot in the 2017 general election, compared to 44 percent of voters who requested Korean-language ballots and 43 percent of English-language voters (see Exhibit G, below). Although there are more Spanish than Korean speaking voters with limited English proficiency in the county, fewer voters have requested ballots in Spanish than in Korean, which also shows a disparity in voter engagement.[25]

EXHIBIT G:

Voters requesting Spanish as their ballot language had lowest turnout in the 2017 general election.

Lowest turnout

Korean	English	Vietnamese	Chinese	Spanish
44%	43%	35%	30%	24%
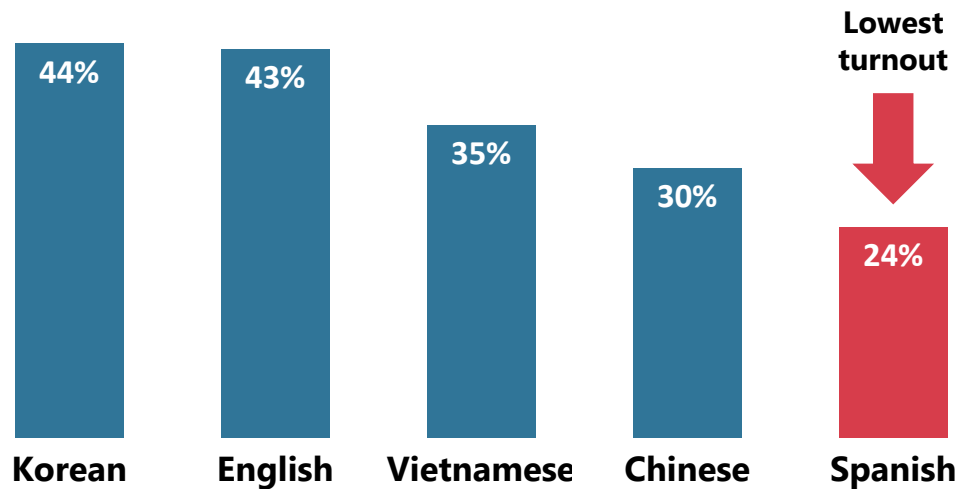
Note: Turnout equals the number of ballots returned over the number of ballots requested in that language.

Source: King County Auditor's Office based on King County Elections data from 2017 general election.

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[25] In the 2017 general election, KCE mailed out 497 Spanish ballots and 700 Korean ballots.

Turnout by ballot language not considered in outreach funding

KCE does not consider differences in turnout by ballot language in deciding how to distribute outreach funds among limited English-speaking voters, which may allow disparities to persist. KCE has reduced language barriers by expanding ballot languages and funding voter engagement initiatives in underserved communities.[26] KCE uses data on target population and neighborhoods served to determine which community-based organizations to fund. KCE gives preference to neighborhoods with low voter engagement. However, KCE does not use data disaggregated by ballot language to select funding recipients serving limited English-speaking communities. King County has a large Spanish-speaking community with relatively low voter engagement among individuals with limited English proficiency. Of the 30 community-based organizations who received voter engagement funding in 2017 two conducted events for Spanish-speaking voters.[27] Six of the 30 community-based organizations who received voter engagement funding in 2017 focused on limited English-speaking Asian populations, including one focusing specifically on Korean voters. As shown above, ballot return rates were higher for Asian languages as compared to Spanish. KCE managers said that voter engagement is harder in Spanish-speaking communities because community-based organizations serving Spanish speakers exclusively are fewer in number and have lower capacity.

Recommendation 12

King County Elections should use data on the number of ballots requested and ballots returned by ballot language to inform decisions to allocate Voter Education Fund grants to address and reduce disparities in voter engagement among limited English-speaking communities.

Language preference requests may be burdensome

Voters attempting to change their preferred ballot language on KCE's website need to navigate English-language pages, making it more difficult for those with limited English to do so.[28] Voter pamphlets direct voters to change their preferred language via phone or email. However, KCE also offers basic voter information online in all five of its ballot languages and allows voters to change their preferred ballot language by using an online form in the language of their choice. However, the language selection form must be reached through the English version of the website, making it more difficult for people with limited English proficiency to request a ballot in their language of choice.

Recommendation 13

King County Elections should put linguistically appropriate links to the language preference form in prominent places on all language versions of its website.

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[26] KCE and Seattle Foundation contributed a combined $435,000 to the Voter Education Fund in 2017, with about half of funding provided by each entity.

[27] In the 2016 pilot of the voter education fund, two funding recipients focused exclusively on Latinos.

[28] The five ballot languages available in 2017 were English, Chinese, Vietnamese, Korean, and Spanish.

State law
makes
rejection of
emailed
ballots
common for
local voters

Local voters who return their ballot by email or fax are 30 times more likely to have their ballots rejected than all voters combined. When local voters (i.e., voters who are not in the military or overseas) access their ballot online, the instructions include email and fax as ways to return the ballot to KCE. However, the Secretary of State requires local voters who email or fax in their ballots to also mail in printed paper ballots and their hand-written signature. If a local voter fails to mail in these paper materials before the election is certified then their vote will not count.[29] Although KCE states this requirement in the voter instructions, 43 percent of local voters submitting email and fax ballots in the 2017 general election did not return their paper ballot and signature and therefore had their ballots rejected.[30] Local voters can avoid having their ballots rejected if they access their ballot online and return it by postal mail or drop box instead of by email or fax. Given the high rate of local voters not returning their original paper materials, it does not make sense for KCE to advertise email or fax as a return method for local voters under current law.

Recommendation 14

King County Elections should not instruct voters who are neither in the military nor overseas to return ballots via email or fax while there is a requirement for these voters to return their original ballot, unless there are no other means to return their ballot on time.

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[29] Certification occurs 10 to 21 days after an election depending on whether it is a special, primary, or general election.
[30] In the 2017 general election this accounted for 186 ballots rejected out of 429 returned by email or fax from local voters. KCE supports legislation that would remove the requirement to return paper ballots for local voters. At the time of this report, this bill had not passed the Washington State Legislature.

Appendix 1

Observations of Gaps in Controls – Ballot Loss

EXAMPLES OF AREAS WHERE WE OBSERVED GAPS IN CONTROLS THAT COULD LEAD TO UNDETECTED BALLOT LOSS:

WAREHOUSE

The United States Postal Service (USPS) delivers ballots in bulk to King County Election's (KCE) warehouse. These ballots come in large carts full of trays of ballots. These trays are uncovered and accessible by KCE employees. There are secure shredding bins in the warehouse. While in general there are multiple employees working to unload these carts and move them into the freight elevator, we observed that on occasion a single employee would have had unmonitored access to ballots and the nearby shredding bin.

FIGURE 1:   **A single employee waits for more ballots to be unloaded into the warehouse**

Source: King County Auditor's Office photograph of King County Elections' warehouse

MAILROOM

USPS also delivers ballots to KCE through regular mail. This mail is kept and sorted in the mailroom. There are secure shredding bins in the mailroom. While sometimes multiple employees work on sorting the mail, the general practice was to have a single employee sort through the mail. We observed that a single employee would have had unmonitored access to ballots and the nearby shredding bins, potentially for extended periods of time.

FIGURE 2:   Secure shredding bins are housed in the mail room where ballots can be delivered

Source: King County Auditor's Office photograph of King County Elections' mailroom

FREIGHT ELEVATOR

Employees transport carts full of ballots on a freight elevator from the warehouse to the processing floor. Ballots are kept in trays without covers, and sometimes ballots are stacked on top of the trays. There is sometimes netting or plastic sheeting that would prevent a ballot from falling off the cart, but often there are just widely spaced metal bars. In addition, some of the mail carts are in poor condition, with broken sides. It would be possible for a ballot to fall off the cart during transport on the elevator and potentially slip into the elevator shaft.

FIGURE 3:   Ballots are loaded onto the freight elevator to arrive at the processing floor
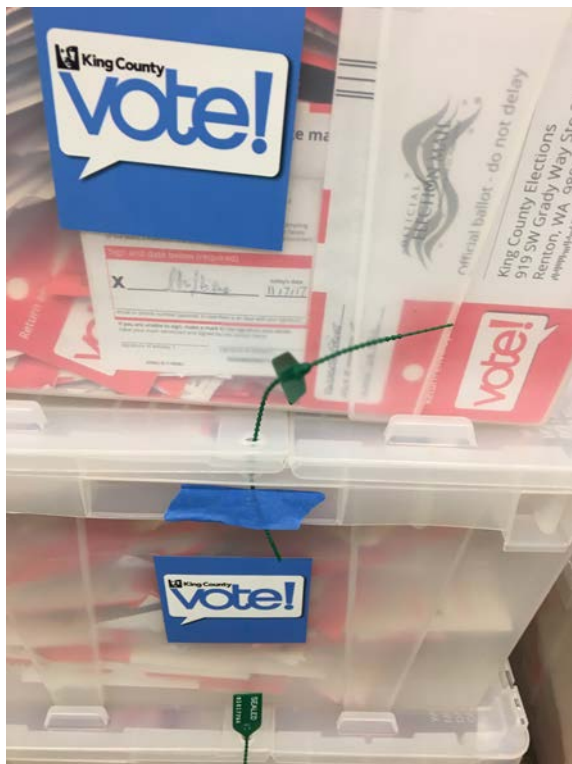

Source: King County Auditor's Office photograph of King County Elections' freight elevator.

DROP BOX TUBS

Ballots collected from drop boxes are kept in clear plastic tubs with plastic seals on both ends. However, these seals are prone to break if pulled too tight, and ballots within a tub with a broken seal could be accessible. For example, we observed multiple tubs with broken seals on election night. Tubs with broken seals are not reported or tracked, so there may be a false sense that these "sealed" tubs are not required to be in the custody of two people at all times. Non-standard envelopes found in drop box tubs are placed in a communal bin for the alternate format team. The number of envelopes placed in this bin are not recorded by the teams emptying the drop box tubs, so there is no initial count to reconcile against after processing.

FIGURE 4:   **Security seals on drop box tubs sometimes break before they reach KCE headquarters**

Source: King County Auditor's Office photograph of King County Elections' drop box tubs with a broken green seal

AWAITING COUNTING

Ballots are loaded into the Pitney Bowes machine for counting, often by a single employee. Ballots awaiting loading onto the machine are kept in clear plastic trays that are in variable condition. Some of these trays are old and have broken sides, making it easier for a ballot to spill out onto the floor. There is often nobody observing this process, since the supervisor is often working at their desk across the room, and there are not many observers early in the morning. This creates a risk that a misplaced ballot might not be detected.

FIGURE 5:   Ballots may be left on the processing floor unattended while awaiting counting

Source: King County Auditor's Office photograph of King County Elections' sorting equipment on the ballot processing floor

CAGE

Uncounted envelopes are often kept in the secure cage, which requires the fingerprint and security badge of select employees to access. However, these employees are allowed to be in the cage alone with the uncounted envelopes. When then cage is full of ballots, it can be difficult to see what employees are doing inside the cage.

FIGURE 6:   Employees who have access to the secure cage can enter it alone

Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

NON-STANDARD MAIL

Non-standard envelopes that cannot be run through the sorting machines are pulled out of the regular process by a single sort employee and handed off to either the alternate format team or to the signature verification supervisor. The number of envelopes pulled out of the process in this way is not recorded by the sort team, so there is no way to reconcile whether anything went missing when these items were processed.

FIGURE 7: **Employees put non-standard mail in a tray on top of the sort machine**

Source: King County Auditor's Office photograph of King County Elections' regular mail delivery

IRREGULAR ITEMS

Irregular items can include ballots returned without an outer envelope and envelopes from prior elections. Sometimes these items can contain a valid ballot, but the sort team does not count how many of these items it receives. These items are separated from other mail and given to the signature verification supervisor, who tracks how many there are and their disposition without secondary review.

FIGURE 8: **A single employee is in charge of tracking irregular items such as envelopes from prior elections**

Source: King County Auditor's Office photograph of King County Elections' ballots needing address confidentiality

CHALLENGE LETTERS

Envelopes that contain returned challenge letters are opened by a single unobserved employee in the mailroom. The mailroom has secure shredding bins available. Once opened, these challenge letters sit in a tray on another employee's desk in the middle of the ballot processing floor awaiting processing. Up to this point in the process, these challenge letters have not been counted, so it would not be possible to discover whether one or more went missing. If a returned challenge letter goes missing, it could prevent a valid ballot from being counted.

FIGURE 9: **An employee works alone in the mail room scanning challenge letters**

Source: King County Auditor's Office photograph of King County Elections' mail room scanner

Appendix 2

Observations of Gaps in Controls – Ballot Modification

EXAMPLES OF AREAS WHERE WE OBSERVED GAPS IN CONTROLS THAT COULD LEAD TO UNDETECTED BALLOT MODIFICATION:

MILLED ENVELOPES

Envelopes that have been sliced open and are awaiting the opening work group are stored in yellow bins on racks. It would be difficult to subtly or accidentally mark up a ballot in one of these yellow bins, since it would need to be pulled out of both the outer and inner security envelopes and then replaced. However, the potential awkwardness of accessing the ballot might lend an unearned aura of security around the racks of milled envelopes. These racks are generally kept in the secured-access cage, but we also observed that they were kept at the back of the opening area and in the sort area. While the opening area is heavily trafficked and visible, both the cage and the sort area are more secluded. We observed an employee interacting with the milled envelopes for several minutes in the back of the sort area who would have otherwise been unmonitored. This employee did not tamper with the envelopes, but there would have been an opportunity to do so without detection.

FIGURE 1:   Employees working alone near open envelopes have an opportunity to alter ballots

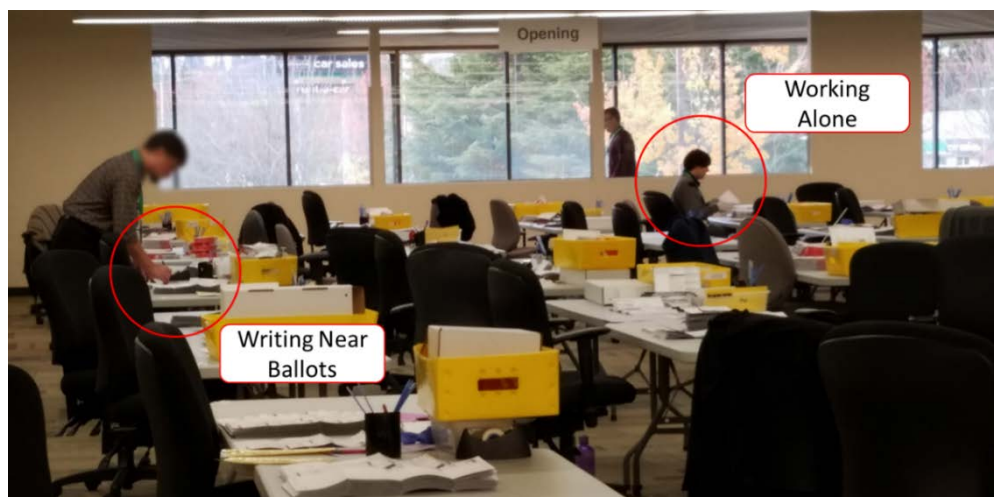Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

OPENING AREA

Opening staff generally work in pairs, which greatly reduces the risk of a single employee writing on a ballot. However, while the risk is small it is not entirely absent; part of these employees' job is to write with a pen near the ballots, and pairs work on their own stacks of ballots without always monitoring

each other's activities. A more significant risk occurs when an employee is left alone at a table with the ballots. For instance, employees leave ballots out at their workstation when they take breaks. While all employees leave for break at the same time, we observed that individuals can come back by themselves and have a few minutes alone at their table with their ballots. Again, we did not see any employee tampering with any ballots, but there would have been an opportunity to do so.

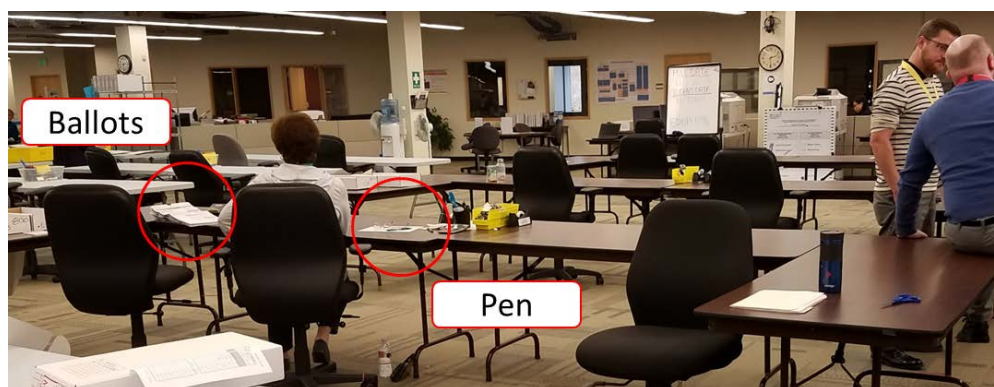FIGURE 2:   Employees working alone at opening tables have an opportunity to alter ballots

Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

BALLOT REVIEW AREA

Like the opening work group, ballot review staff generally work in pairs. However, we observed that on occasion one team member will leave the other alone for a period of time with ballots on the table. Similar to opening staff, ballot review staff have pens at their workstation and part of their job is to make markings on the ballots to document review decisions. Again, we did not see any employee tampering with any ballots, but there may have been an opportunity to do so.

FIGURE 3:   Employees working alone reviewing ballots have an opportunity to alter ballots
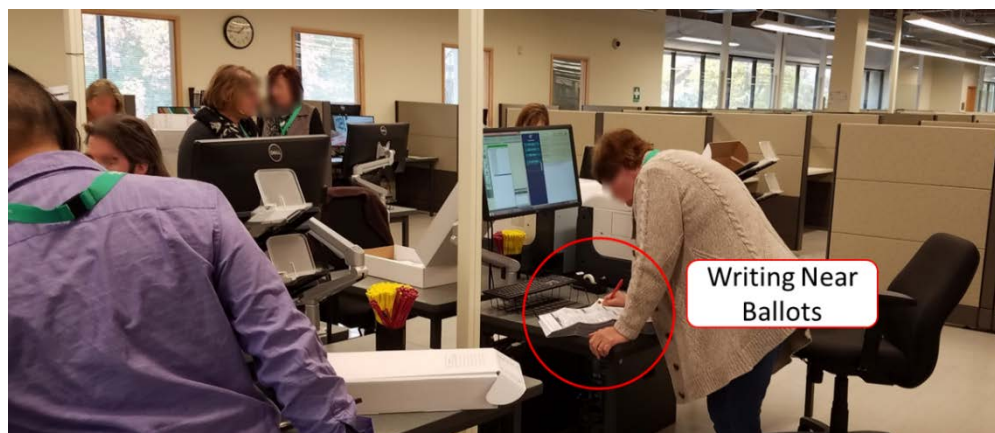

Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

SCANNING AREA

Unlike the opening or ballot review work groups, scanning staff do not work in pairs, but they do work near each other. Scanning staff also have pens at their workstation to log how efficient the machines are processing the ballots. This means that they write near the ballots by themselves, with occasional opportunities to do so unmonitored. Unlike opening and ballot review, any marks made on a ballot shortly before scanning would likely not be seen or reviewed by any other person. Again, we did not see any employee tampering with any ballots, but there may have been an opportunity to do so.

FIGURE 4: **Employees with pens in the scanning area have an opportunity to alter ballots**

Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

ADJUDICATION

The computer terminals that allow staff to change how votes are counted are not always accessed in pairs. Adjudication staff are occasionally left alone at the computer terminal when their partner leaves (for example, to get water, since beverages are not allowed at the terminals). In addition, supervisors are regularly on the computer terminals by themselves. While changes made to ballots are logged by the computer, these transaction logs are not reviewed for suspicious patterns. There does not appear to be a control in place that would prevent a person working on a computer terminal by themselves to change how votes are counted, other than the time it takes to make these changes.

FIGURE 5: **Employees working alone during adjudication have an opportunity to alter votes**
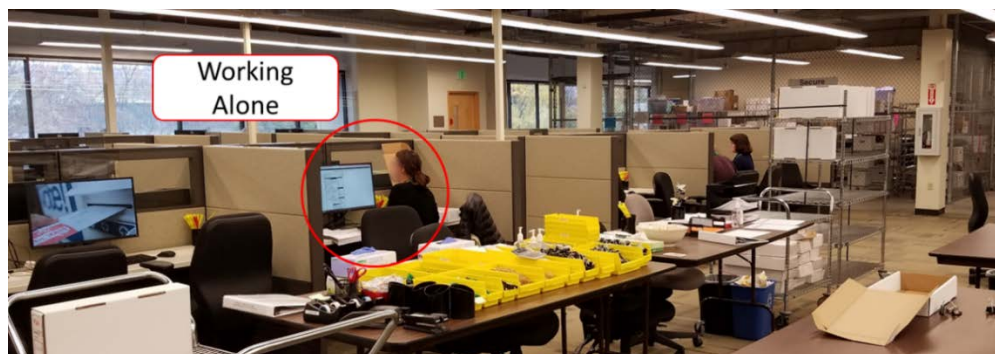
Source: King County Auditor's Office photograph of King County Elections' ballot processing floor

Agency Response

King County
Department of Elections
Julie Wise, Director

May 7, 2018

Kymber Waltmunson
King County Auditor
Room 1033
C O U R T H O U S E

KING COUNTY AUDITOR
MAY 8, 2018
RECEIVED

Dear Ms. Waltmunson:

Thank you for the opportunity to review and comment on the proposed final 2018 Performance Audit of Elections in King County. Thank you also for the professionalism and collaboration of your staff with my department throughout the audit process.

The recommendations in the report are timely in light of the work my office has recently undertaken to review internal procedures and work with State and Federal agencies to review our physical and cyber-security systems. Reducing risks and removing barriers are major components of our mission here at King County Elections. The recommendations set forth in the final report are wide ranging and touch on topics that are critical to effective election administration.

Reducing Risks

Protecting the integrity of elections is the number one priority in my Department. Through established policies, procedures and internal controls we believe our ballot reconciliation and quality assurance record is unmatched in the nation. We strive to proactively and continuously improve our processes, find and utilize efficient solutions and mitigate risks. However, as the elections environment evolves we recognize the need to do more to continue to protect our elections here in King County.

Removing Barriers

My vision for the Department is to be the leader in providing inclusive elections. We accomplish that by identifying and removing barriers to voting. Since 2016, we have increased the number of ballot drop boxes from 10 to 56, provided comprehensive assistance in two new languages and established the Voter Education Fund. Using a data-driven approach, our focus has been to remove barriers with an equity lens - through community collaboration and providing services where the needs are greatest.

Report Recommendations

I believe the recommendations presented in the final report will assist my office in continuing its record of providing fair, open and accurate elections to the voters of King County. The enclosed table indicates our level of concurrence to each of the report's fourteen recommendations and our initial approach and timeline to implementing them. Again, I would like to extend my appreciation to the audit team for their collaborative approach. If you have any questions about this response, please contact me at 477-4140.

Sincerely,

Julie Wise

Julie Wise
Director of Elections

RNT-EL-0100 | 919 SW Grady Way, Renton, WA 98057-2906 | 206-477-4140 | TTY Relay: 711 | kingcounty.gov/elections
kcelections.com | twitter.com/kcelections | facebook.com/kcelections | instagram.com/kcelections

Recommendation 1

King County Elections should develop, document, and implement a comprehensive risk management strategy, including regular risk assessment, risk mitigation, and monitoring and review of these processes.

Agency Response	
Concurrence	**Concur**
Implementation date	December 2018/December 2019
Responsible agency	KCE
Comment	King County Elections will: first develop and finalize a comprehensive risk management plan (2018) and then implement a recurring set of strategies to assess, mitigate, monitor and review our processes (2019).

Recommendation 2

King County Elections should develop, document, and implement recurring training for full-time and temporary employees on the criminal penalties for intentional elections tampering and how to detect and report these activities.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	This is currently in process.

Recommendation 3

King County Elections should develop, document, and implement procedures to ensure that all items received by mail or drop box during an election are not left in the custody of a single person (or where a single person could access them unobserved) until they are counted.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	This is currently in process

Recommendation 4

King County Elections should develop, document, and implement procedures to ensure that there is a review process when a single person determines whether non-standard items received during an election contain a ballot or verify a voter's identity.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	KCE will develop and implement processes that contain review steps when a single person determines whether non-standard items received during an election contain a ballot or verify a voter's identity.

Recommendation 5

King County Elections should develop, document, and implement procedures to ensure that staff do not have opportunities to write directly on a ballot in a way that could alter a vote without being detected.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	KCE will evaluate options and develop/implement procedures to minimize or eliminate opportunities to write directly on a ballot in a way that could alter a vote without being detected.

Recommendation 6

King County Elections should record and monitor the number of ballots staff manually change each election and analyze this data to set benchmarks and help detect potentially improper ballot changes.

Agency Response	
Concurrence	**Concur**
Implementation date	Jan 2020
Responsible agency	**KCE**
Comment	KCE will 1) work to identify internal process changes and, 2) work with our ballot tabulation system vendor to identify system enhancements to monitor the number of ballots staff manually change each election. This may require software upgrades and consequently may be dependent on our vendor's upgrade schedule.

Recommendation 7

King County Elections should require employees using computers that can access software to alter how ballots are counted to login to these computers using employee-specific passwords.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	This is currently in process

Recommendation 8

King County Elections should ensure that a single person, including full-time and temporary employees, cannot access software that can alter how a ballot is counted without being monitored by another person.

Agency Response	
Concurrence	**Concur**
Implementation date	Jan 2020
Responsible agency	**KCE**
Comment	KCE will work with its ballot tabulation system vendor to evaluate options for implementing new system access and monitoring functions.(Also see comment for Recommendation #3)

Recommendation 9

King County Elections should develop, document, and implement controls to ensure that ballots returned by email cannot be intentionally or unintentionally deleted.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	This is currently in process.

Recommendation 10

King County Elections should record and monitor the number of ballots it receives that are signed with a mark and two witnesses and analyze this data to set benchmarks and help detect potential abuse.

Agency Response	
Concurrence	**Concur**
Implementation date	October 2018
Responsible agency	**KCE**
Comment	This is currently in process.

Recommendation 11

King County Elections should inform voters using the Online Ballot Marking Program that self-printed ballots may be less secret than those printed and issued by King County Elections.

Agency Response	
Concurrence	**Concur**
Implementation date	June 2018
Responsible agency	**KCE**
Comment	This is currently in process.

Recommendation 12

King County Elections should use data on the number of ballots requested and ballots returned by ballot language to inform decisions to allocate Voter Education Fund grants to address and reduce disparities in voter engagement among limited English speaking communities.

Agency Response	
Concurrence	**Concur**
Implementation date	May 2018
Responsible agency	KCE
Comment	KCE is already expanding our use of elections data to inform Voter Education Fund grant allocation decisions.

Recommendation 13

King County Elections should put linguistically appropriate links to the language preference form in prominent places on all language versions of its website.

Agency Response	
Concurrence	**Concur**
Implementation date	May 2018
Responsible agency	KCE
Comment	This is currently in process.

Recommendation 14

King County Elections should not instruct voters who are neither in the military nor overseas to return ballots via email or fax while there is a requirement for these voters to return their original ballot, unless there are no other means to return their ballot on time.

Agency Response	
Concurrence	**Partially concur**
Implementation date	May 2018
Responsible agency	KCE
Comment	It is important that KCE provide voters with all available options for returning their ballots on time. We have adjusted the language on our website to better explain that email/fax returns are an emergency return option to meet the Election Day deadline and that voters must still mail their printed paper packet for their ballot to be counted.

Statement of Compliance, Scope, Objective & Methodology

Statement of Compliance with Government Auditing Standards

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Scope of Work on Internal Controls

We assessed the processes and controls in place to ensure that King County Elections (KCE) counted all ballots as cast during the 2017 general election. We focused on processes and controls not likely to be reviewed by concurrent audits of information systems and physical security conducted by the Washington State Auditor's Office, the U.S. Department of Homeland Security, and the King County Facilities Management Department.

Scope

This audit reviewed KCE processes in place during the 2017 general election.

Objectives

The aims of this audit were to determine:

1. The extent to which KCE had processes in place to make sure that elections were accurate, fair, and efficient
2. The extent to which KCE identified and minimized barriers to voting among eligible voters.

Methodology

To answer the first objective, we interviewed KCE leadership, KCE ballot processing staff, and members of King County's Citizens' Elections Oversight Committee. We also toured KCE's ballot printing vendor, attended trainings (listed in Exhibit H, below), and observed all major aspects of ballot processing on six days throughout the 2017 general election.[31] We also observed official logic and accuracy testing of ballot tabulation equipment, the operation of ballot drop boxes, and a Canvassing Board meeting. To supplement our interviews and observations, we reviewed KCE policies and procedures, as well as literature on voting systems, election management, and risk management.

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[31] We observed ballot processing on October 24-25 & 30, 2017, and November 7-9, 2017. At least two audit team members were present for these observations and considered a number of control elements based on a standardized observation tool.

EXHIBIT H: **We attended several trainings before observing KCE ballot processing**

Work Group Training	Date
Sort	October 19, 2017
Signature verification	October 19, 2017
Envelope review	October 19, 2017
Election observer	October 19, 2017
Alternate formats	October 24, 2017
Opening	October 25, 2017
Voter intent	October 26, 2017
Ballot review	October 26, 2017
Scan	October 26, 2017
Adjudication	October 30, 2017

Source: King County Auditor's Office

To answer the second objective, we considered barriers to voting among voters in various demographic groups, namely voters with disabilities, voters who are limited English-speaking, and voters who used the Online Ballot Marking Program (largely people in the military or living overseas). We interviewed members of KCE's Disability Advisory Committee and toured accessible voting centers. We reviewed KCE reports on outreach to limited English-speaking communities and scoring criteria for Voter Education Fund grantees. We also interviewed KCE staff and requested documents about the Online Ballot Marking Program.

We also analyzed de-identified ballot return data KCE provided for the 2017 general election in conjunction with U.S. Census data of various population groups. KCE data included voter counts by census tract, military or overseas status, ballot and registration language, ballot return status, and return method (by mail, drop box, or electronic means). For each census tract, we used this data to calculate:

1. Registration rates (the number of registered voters in KCE rolls divided by the number of estimated eligible voters)[32]
2. Voter turnout rates (ballots returned divided by voters registered)
3. Challenge rates (voters informed by KCE of an issue with their ballot divided by ballots returned)
4. Cure rates (challenged ballots accepted divided by total ballots challenged).

We grouped data at the census tract level as a proxy for demographic information KCE does not collect. We created scatter plots to look for correlations between demographic categories and voter engagement rates and conducted linear regression to determine whether the correlations were statistically significant. The demographic categories we selected for analysis were: age, race, English language ability, disability, income, education, and veteran status.

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[32] We used the number of U.S. citizens over age 18 as a proxy for eligible voters.

Recommendations & Implementation Schedule

Recommendation 1

King County Elections should develop, document, and implement a comprehensive risk management strategy, including regular risk assessment, risk mitigation, and monitoring and review of these processes.

IMPLEMENTATION DATE: December 2019

ESTIMATE OF IMPACT: Having a comprehensive risk management strategy will help to proactively evaluate potential risks and to prioritize and implement measures to mitigate them.

Recommendation 2

King County Elections should develop, document, and implement recurring training for full-time and temporary employees on the criminal penalties for intentional elections tampering and how to detect and report these activities.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Augmenting training on elections tampering will facilitate staff detection and reporting of potential misconduct.

Recommendation 3

King County Elections should develop, document, and implement procedures to ensure that all items received by mail or drop box during an election are not left in the custody of a single person (or where a single person could access them unobserved) until they are counted.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Mandating dual custody of uncounted ballots will reduce the chance that ballots will be lost before they are electronically accounted for.

Recommendation 4

King County Elections should develop, document, and implement procedures to ensure that there is a review process when a single person determines whether non-standard items received during an election contain a ballot or verify a voter's identity.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Reviewing these decisions will reduce the chance that ballots will be lost before they are electronically accounted for.

Recommendation 5

King County Elections should develop, document, and implement procedures to ensure that staff do not have opportunities to write directly on a ballot in a way that could alter a vote without being detected.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Precluding opportunities for undetected ballot markup will reduce the chance that staff improperly alter ballots in ways that affect vote tallies.

Recommendation 6

King County Elections should record and monitor the number of ballots staff manually change each election and analyze this data to set benchmarks and help detect potentially improper ballot changes.

IMPLEMENTATION DATE: January 2020

ESTIMATE OF IMPACT: Monitoring this data against an established benchmark will help detect potentially improper ballot changes before election results are certified.

Recommendation 7

King County Elections should require employees using computers that can access software to alter how ballots are counted to login to these computers using employee-specific passwords.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Requiring the use of employee-specific passwords will increase accountability to help ensure that all ballot alterations are in line with voter intent.

Recommendation 8

King County Elections should ensure that a single person, including full-time and temporary employees, cannot access software that can alter how a ballot is counted without being monitored by another person.

IMPLEMENTATION DATE: January 2020

ESTIMATE OF IMPACT: Prohibiting single-user access to this software will increase accountability to help ensure that all ballot alterations are in line with voter intent.

Recommendation 9

King County Elections should develop, document, and implement controls to ensure that ballots returned by email cannot be intentionally or unintentionally deleted.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Precluding opportunities for ballot deletion will reduce the chance that valid ballots are omitted from election results.

Recommendation 10

King County Elections should record and monitor the number of ballots it receives that are signed with a mark and two witnesses and analyze this data to set benchmarks and help detect potential abuse.

IMPLEMENTATION DATE: October 2018

ESTIMATE OF IMPACT: Monitoring this data against an established benchmark will help detect potentially fraudulent signatures before election results are certified.

Recommendation 11

King County Elections should inform voters using the Online Ballot Marking Program that self-printed ballots may be less secret than those printed and issued by King County Elections.

IMPLEMENTATION DATE: June 2018

ESTIMATE OF IMPACT: Providing additional information about this ballot-return method will increase transparency and enable voters to make an informed choice when deciding how to vote.

Recommendation 12

King County Elections should use data on the number of ballots requested and ballots returned by ballot language to inform decisions to allocate Voter Education Fund grants to address and reduce disparities in voter engagement among limited English-speaking communities.

IMPLEMENTATION DATE: May 2018

ESTIMATE OF IMPACT: Using available data will allow funding allocations to be more equitable by demonstrating where needs are greatest.

Recommendation 13

King County Elections should put linguistically appropriate links to the language preference form in prominent places on all language versions of its website.

IMPLEMENTATION DATE: May 2018

ESTIMATE OF IMPACT: Frontloading these links will increase accessibility for limited English-speaking voters.

Recommendation 14

King County Elections should not instruct voters who are neither in the military nor overseas to return ballots via email or fax while there is a requirement for these voters to return their original ballot, unless there are no other means to return their ballot on time.

IMPLEMENTATION DATE: May 2018

ESTIMATE OF IMPACT: Instructing local voters to use electronic ballots as a last resort will reduce the number and portion of submitted and processed ballots that are invalid thereby increasing efficiency without reducing voter turnout.
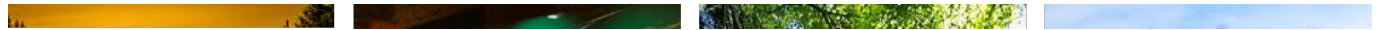
KING COUNTY AUDITOR'S OFFICE

Advancing Performance & Accountability

KYMBER WALTMUNSON, KING COUNTY AUDITOR

MISSION

Promote improved performance, accountability, and transparency in King County government through objective and independent audits and studies.

VALUES

INDEPENDENCE - CREDIBILITY - IMPACT

ABOUT US

The King County Auditor's Office was created by charter in 1969 as an independent agency within the legislative branch of county government. The office conducts oversight of county government through independent audits, capital projects oversight, and other studies. The results of this work are presented to the Metropolitan King County Council and are communicated to the King County Executive and the public. The King County Auditor's Office performs its work in accordance with Government Auditing Standards.

AUDIT

This audit product conforms to the GAGAS standards for independence, objectivity, and quality.