

# Washington Voter Suppression

## Chapter 1

### Courtesy of Democrats and Your County Auditors Association

#### Preface:

The purpose of this report is to provide you with an education on the history and real, often unspoken, ongoing goals of your County Auditor's Association in Washington State. They are working in lock step with the State Administration and Democrat Legislatures. Since 2000-06, with the adoption and implementation of mail ballots, these groups have been chipping away at your voting and constitutional rights. Our goal is to provide you with the critical skills necessary to connect the dots, what to look out for, and how to hold them accountable. And, where necessary, working to replace them with true Republican conservatives in their next election. The fact is:

- We have more Republican counties in this state than Democrat counties.
- We can change the balance of representation and leadership in the Association.
- We can win this fight to save our Republic.

#### A Bit of History:

Prior to the 2000 implementation of mail ballots in Washington State and the current RCW29A sections that establish the laws to govern mail ballot voting, the governing section was simply known as "Title 29." Whether by design, or lack of attention to the consequence, much of the problems we are encountering today can be explained by looking to see what was carried over in the new RCW voting laws, and what was conveniently left out.

A look back at session laws, **Title 29, 1965**, provides just such a "left out" example which reads - *"29.04.040 Creating new precincts. No precinct shall contain more than 300 voters. If at any election three hundred or more votes are cast at any voting place, the inspector shall report that fact to the city council, if it is a precinct lying within a first-class city, or to the board of county commissioners if it is any other precinct. Between the first Tuesday after the first Monday in November and December 31<sup>st</sup> of the same year, the city council of the first-class city or the board of county commissioners, as the case may be, shall divide such precincts into two or more precincts with two hundred and fifty voters or less in each precinct."*

Today the RCWs provide for precincts to be as large as 1500 people because mail ballots do not need to be returned to a polling place. There is no longer a concern of an overwhelming rush of voters getting off work to vote only on election day by 8pm. [So why do we still vote until 8 pm, on election day and pay all that overtime to county employees? Does 4 extra hours of voting time really justify the extra ongoing cost and fraud risks of unattended drop boxes?](#)

**Ruth Ryan, of Spokane County** has summed up best what happened as the County Auditors began to coordinate their efforts to accommodate mail ballots. She writes - *“Fast forward to 2000 in my county. The new County Auditor wanted to convert as many precincts to vote-by-mail as possible – especially the rural area precincts. Precinct size reduction, handicapped accessibility requirements, custodial parent protection orders, building security qualifications, separation of church and state, public safety codes, etc., etc., were all methods she used to discontinue our local poll site locations.*

*Voting by mail was put into place for our whole county in 2006. Then we had to figure out how to observe election processes because everything went behind closed security doors. The employees who were hired to process the ballots were just ‘non-partisan’ employees and not vetted for political party balance. Observing ballot processing has become more complicated, especially since covid regulations have been put in place. The people who observe do not need to be recruited by the political parties, but they are not allowed to work with the ballots. Much of the time observers cannot get close enough to see what is going on.*

*It appears that the precinct size reduction part of the plan made for more PCOs on the ballot. How would that be a problem? Smaller precincts did result in more precincts overall. But the ballots for each individual would still have just the normal election for a Democrat and a Republican. However, reporting the results of those precincts became too overwhelming for their computer platform in Olympia.*

*So, a plan was hatched by the Auditor’s Association in 2010. ‘Let’s just break the reporting system and blame it on the PCO elections.’*

*And at the reporting time Primary Election night the Auditors were on a conference call. I was observing the final reporting of the county results and was hearing the conversation on the speakerphone as the state SOS system went down and the PCO elections were blamed for the problem.*

*The next morning there was an article about the failure on the front page of our newspaper.*

*In the 2012 legislative session 3 legislators worked out a compromise deal to allow PCOs to be on the ballot again in each precinct only if 2 or more from each party filed to run for the position. That cut the ballot contest way down. Those of us who did not have a challenger were just ‘deemed’ to have been elected.*

*Meanwhile the maximum number of active registered voters in each precinct was growing up to 1500. The local County Commissioners could approve any size of precinct (with the recommendation of the Auditor) except a number so small that the voter privacy would be exposed. Unincorporated communities could stay together, or school districts, or fire districts if they wanted.*

*The problem with overlapping tax districts is that a special ballot needs to be constructed to meet the elective needs of each area and that can get complicated. BUT it has been that way for several decades since the Auditors and SoS began overseeing all these smaller district elections. Not a new problem.*

*Now we have a proposed SB5540 that has buried in it a change that again sets the maximum size of the precincts at 1500. There may be a way local government can be flexible in the size, but we still must wait to see how the WAC gets written. The Auditors consider a precinct to be only an administrative unit, not a community grassroots group of people with unique needs.*

*And when this plan is put in place, they can get back to the previous project of eliminating PCO's from the ballot – because precincts are just administrative units.*

*Precincts should be getting smaller and more manageable by community folks to work together,”*

## **Chapter 2**

### **Current RCWs as They Apply to Voting Rights, Precincts and Election Funding:**

#### **RCW 29A.04.311 – Primaries.**

Primaries For general elections to be held in November, and the election of precinct committee officers, must be held on the first Tuesday of the preceding August.

#### **RCW 29A.04.430 – Reimbursement payment – Availability of funds.**

1. For any reimbursement of election cost under RCW 29A.04.420, the secretary of state shall pay within thirty days after the receipt of a properly executed and documented voucher for such expense the entry of an allotment from specifically appropriated funds for this purpose until those funds are exhausted.....
2. Funding provided in this section to counties for election cost in even-numbered years is retrospective and prospective reimbursement under RCW 43.135.060 for any new or increased responsibilities under this title.

#### **RCW 29A.08.350 – Expense of registration.**

The expense of registration in all rural precincts must be paid by the county. The expense of registration in all precincts lying wholly within a city or town must be paid by the city or town. Registration expenses for this section include both active and inactive voters.

#### **RCW29A.12.150 – Recording requirements.**

The Secretary of State shall not certify under this title any voting device or machine for use in conducting a primary or general election in this state unless the device or machine correctly records on a separate ballot the votes cast by each elector for any person and for or against any measure and such separate ballots are available for audit purposes after such a primary or election.

**RCW 29A.16.040 – Precincts – Boundaries May Be Altered.**

The county legislative authority (Either, the County Commissioners or County Council) of each county in the state shall divide the county into election precincts and establish the boundaries of the precincts.

1. Precinct boundaries may be altered at any time as long as sufficient time exist prior to a given election for the necessary procedural steps to be honored. Except as permitted under subsection (3) of this section, no precinct changes may be made during the period starting fourteen days prior to the first day for candidates to file for primary election and ending with the day of the general election.
2. The county legislative authority may establish by ordinance a limitation on the maximum number of active registered voters in each precinct within its jurisdiction. The number may be less than the number established by law, but in no case may it exceed one thousand five hundred active registered voters.
3. The County Auditor shall temporarily adjust precinct boundaries when a city or town annexes unincorporated territory to the city or town, or whenever unincorporated is incorporated as a city or town. The adjustment must be made as soon as possible after the approval of the annexation or incorporation. The temporary adjustment must be limited to the minimum changes necessary to accommodate the addition of the territory to the city or town, or to establish the eligible voters within the boundaries of the new city or town and remains in effect only until precinct boundary modifications reflecting the annexation or incorporation are adopted by the county legislative authority.

**RCW 29A.16.050 – Precincts – Restrictions on precinct boundaries – Designated by number.**

1. Every voting precinct must be wholly within a single congressional district, a single legislative district, a single district of a county legislative authority, and if applicable, a single city.
2. Every voting precinct shall be composed, as nearly as possible, of contiguous and compact areas.
3. Except as provided in this subsection, changes to the boundaries of any precinct shall follow such visible, physical features as delineated on the most current maps provided by the United States census bureau.....

**RCW 29A.40.110 – Processing incoming ballots.**

1. The opening and subsequent processing of return envelopes for any primary or election may begin upon receipt. The tabulation of absentee ballots must not commence until after 8:00 pm on the day of the primary or election.
2. All received return envelopes must be placed in secure storage locations from the time of delivery to the county auditor until their subsequent opening. After opening the return envelopes, the county canvassing board shall place all of the ballots in secure storage until processing. Ballots may be taken from the inner envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

3. The canvassing board, or its designated representatives, shall examine the postmark on the return envelope and signature on the declaration before processing the ballot. The ballot must either be received no later than 8:00 pm on the day of the primary or election or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. Personnel shall verify that the voter's signature on the ballot declaration is the same as the signature of that voter in the registration files of the county.

**RCW 29A.40.130 -Record of voters Issued a ballot and voters who returned a ballot – Public access.** Each county auditor shall maintain in his or her office, open for public inspection, a record of all voters who returned a ballot. For each primary, special election, or general election, any political party, committee, or person may request a list of all registered voters who have or have not voted. Such request shall be handled as public records request pursuant to chapter 42.56.RCW.

**RCW 29A.40.170 – Ballot Drop boxes.**

1. The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and times ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 pm on the day of the primary, special election, or general election.
2. The county auditor must establish a minimum of one ballot drop box per fifteen thousand registered voters in the county and a minimum of one ballot drop box in each city, town, and census-designated place in the county with a post office.
3. At the request of a federally recognized Indian tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the Indian reservation on a site selected by the tribe that is accessible to the county auditor by a public road.
4. A federally recognized Indian tribe may designate at least one building as a ballot pickup and collection location at no cost to the tribe. The designated building must be accessible to the county auditor by a public road. The auditor of the county in which the building is located must collect ballots from that location in compliance with procedures in subsection (1) of this section.

**RCW 29A.76.010 – Counties, municipal corporations, and special purpose districts. (Effective until January 1, 2023.)**

1. It is the responsibility of each county, municipal corporation, and special purpose districts with a governing body comprised of internal director, council or commissioner

district not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall to the extent possible, preserve existing communities of related and mutual interest.

**RCW 42.56.420 – Security. The following information relating to security is exempt from disclosure under this chapter.**

**Section 7 (a)** – The continuity of operations plan for election operations and any security audits, security risk assessments, or security test results, relating to physical security or cybersecurity of election operations or infrastructure. These records are exempt from disclosure in their entirety; and

**Section 7 (c)** – The exemptions specified in (a) of this subsection do not prohibit an audit authorized or required under Title 29A RCW from being conducted.

**Summary:** Section 42 started about securing methods and the Democrats are expanding it to amend (7/c) to also mean ballot return signatures which is beyond the scope of original intent here.

**RCW 43.135.060 – Prohibition of new or extended programs without full reimbursement – Transfer of programs – Determination of costs.**

1. After July 1, 1995, the legislature shall not impose responsibility for new programs or increased levels of service under existing programs or any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of the new programs or increases in service levels. Reimbursement by the state may be made by (a) A specific appropriation, or (b) increases in state distributions of revenue to political subdivisions occurring after January 1, 1998.
2. If by order of any court, or legislative enactment, the cost of a federal or local government program are transferred to or from the state, the otherwise applicable state expenditure limit shall be increased or decreased, as the case may be, by the dollar amount of the program.
3. The legislature, in consultation with the office of financial management or its successor agency shall determine the cost of any new programs or increased levels of service under existing programs imposed on any political subdivision or transferred to or from the state.
4. Subsection (1) of this section does not apply to the cost incurred for voting devices or machines under RCW 29A.12.150.

**Summary Recap on Unfunded Ballot Boxes:** In 2017, Governor Inslee signed into law RCW 29A.40.170 authorizing the placements of unfunded and unsupervised ballot boxes prior to the 2020 election. Not only did the law have no state funding as required in RCW 43.135.060, but

there were not any consequences for non-compliance, and to the best of our knowledge, no WACs have been written to that effect yet. Immediately, the Washington Association of Counties sued the state in Superior Court but were originally denied a hearing for the case until October 2020 because no plaintiff had been able to identify cost or harm to their county. Six months later, they finally heard the case. The court ruled unanimously in the counties favor. As expected, AG Ferguson immediately appealed to the Washington Supreme Court, and they finally heard the case in November 2021. On January 27, 2022, the ruling in case #99230-4 was announced. The court considered the relationship between RCW 29A.40.170 (the ballot box statute), RCW 29A.04.430 (the reimbursement statute), and RCW 43.135.060 (the unfunded mandate statute).

**In the end**, the court ruled that the election funding law which had remained in place excluded the counties cost from the Section 45 unfunded mandate. So now the counties are faced with the “forever cost” of installing, maintaining, and removing each of the boxes at 8:00 pm sharp, regularly collecting and paying for servicing the boxes. That will now be a cost for every primary, special and general election, forever!

**But there was an additional cost** that no one wanted addressed. By putting the counties in the remote ballot box collection business, they have assumed the liability of any lawsuits challenging the ballot collection process. At least using the USPS, they had the power of Federal Postal Inspectors investigating, serving subpoenas, arresting, and prosecuting for mail fraud, all at the expense of the Federal government. How will counties do this when challenged?

**This is all because:** (a) people who get their ballots no less than 8 - 18+ days before the election, for some reason, cannot get them completed and deposited for postmark by 4:30 pm by election day and (b) can't get to the county courthouse drop box by 5 pm. (So why not change the time of the election day ballot submission from 8:00 pm (left over from when we needed time to go to the polls after work) to now be earlier, thereby giving the USPS time to collect and post mark them by election day? Because the USPS changed their service to only postmark when the mail ballot is shipped to Tacoma's centralized processing station. It now takes 3-5 days to get the ballots collected in the county, postmarked in Tacoma, then back to the originating counties for counting.

**New laws need to be imposed** on the USPS to route all ballots directly to the nearest USPS location serving each county courthouse and postmark them there. Then just start counting the “secured ballots” on the Monday of the week following the election day date. This would also give the state time to update the public records for “WA.GOV” where the voter can confirm the ballot has been received, and if not, they have all the counting week to request an alternate ballot (if you really wanted every legal vote to count). Ballot totals should not be released until the end of “counting week.” New laws would require the secretary of state not to release any voting numbers until all counties had reported. In 2020 it was reported that 19 counties had not transmitted their total voting data when Kim Wyman, the Secretary of State at the time, called the election. \* Special Note: Wikipedia now has Kim Wyman as an Independent and no longer a Republican (no word yet on her new address in Washington, D.C.)!

*Note: Republican State Representative, John Koster, 39<sup>th</sup> Legislative District, sponsored the “ballot box bill.” Shortly thereafter, he resigned his House seat early and was rewarded with an appointment as the Washington State Director of CRAB (County Road Administration Board) responsible for distribution and standards of all state funds to county road departments and highway contractors. Many consider this esteemed “Democrat Job” to be one of the places where some political cronies go to get paid back for their support. Sound familiar? Kim Wyman (R\*) was rewarded to leave her post early to lead America down this same path. Governor Inslee promptly replaced her with a Democrat, rejecting any consideration of suggested Republican candidates (amended 4/11/22 to reflect that Koster was selected by committee).*

## Chapter 3

### Washington Legislative Efforts Being Considered in 2020-22 to Further Suppress Your Voting Rights:

*For the sake of brevity, we are only quoting the relevant sections/paragraphs of the bill with regards to a specific change regarding voting processes and rights. Many of the bill’s titles do not even reflect the real intent of these changes buried deep in their text. We encourage you to read the entire original bill on the State website to see how the Democrats bury these changes in a variety of bills incrementally to better understand what is being done to election transparency and our ability to provide oversight to our Auditors and election processes.*

#### **HB 1068 / 2020-2021**

**AN ACT relating to exempting election security information from public records disclosure; amending RCW 42.56.420; creating a new section; and declaring an emergency.**

**Section 1.** RCW 42.56.420 and 2017 are each amended to read as follows: the following information relating to security is exempt from disclosure under this chapter:

**Section 1 (7).** The continuity of operations plan for election operations, and any security audits, security risk assessments, or security test results relating to physical security or cybersecurity of elections operations or infrastructure. These records are exempt from disclosure in their entirety; and

**Section 1 (8).** Those portions of records containing information about election infrastructure, election security, or potential threats to election security, or public disclosure of which may increase risk to the integrity of election operations or infrastructure.

**New Section 2.** The exemptions in this act apply to any public records request made prior to the effective date of this section for which disclosure of records has not already been completed.

**Summary:** HB 1068 passed in the 2020/21 session and was supported by SOS Kim Wyman. It was the precursor for HB 1953, which was passed this year to further codify and restrict your right to witness and verify that your county can request an audit of the election. Ultimately, it will continue to be amended to block election observers from witnessing the opening of ballots and checking signatures as the auditors push us further towards automation.

**Auditors currently** have the power to send out ballots any time before the 18 days mailing deadline (without notifying political parties, candidates, or the public). Auditors can legally begin opening ballots as soon as they receive them. This can effectively accelerate ending the normal election cycle, making it even harder to have election monitoring going on for 30-40 or more days before the mail out deadline. **None of this was a problem before with in-person voting at multiple precincts limited to 300 voters each on election day.**

**Skagit County Public Hearing on Election Integrity:** Over 500 people attended a public hearing on election integrity in Bow, WA Aug. 29, 2021. The event was live streamed with more than 2,700 views, videos were censored from YouTube and Facebook, but videos are now available on **Rumble @ WAElectionIntegrity.com**. Assistant State Auditor Jenny Kammeyer's testimony, where she and her team of experts were tasked to find the actual cost per vote in WA State but were prohibited because of HB 1068. At 4 min 50 sec in the link below. Jenny talks about the problems of HB 1068 (being retroactive for the 2020 election) prohibiting her team from being able to receive and review basic election information via PRR, as their numerous requests were blocked for accessing records for things like public voting machine vendors, election services, ballot printing, etc.

<https://rumble.com/vixeco-jenny-kammeyer-delivers-a-powerful-testimonial-at-public-hearings.html?mref=bpxwj&mrefc=2>

## **HB 1953 – 2021-22**

**Exempting sensitive voter information on ballot return envelopes, ballot declarations, and signature correction forms from public disclosure.**

**Section 7** (a) In addition to the information in subsection (4) of this section, the following related to election security:

- i. The continuity of operations plans for election operations and any security audits, security risk assessments, or security test results, relating to physical security or cybersecurity of election operations or infrastructure. These records are exempt from disclosure in their entirety.
- ii. Voter signatures on ballot return envelopes, ballot declarations, and signature correction forms, including the original documents, copies, and electronic images; and a voter's phone number and email address contained on the ballot return envelopes, ballot declarations, or signature correction forms. The secretary of state, by rule, may authorize in-person inspection of unredacted ballot return envelopes, ballot declarations, and signature correction forms in accordance with section 2 of this act.
- iii. Section 1 (7) (iii) .... *requires you to go through the secretary of state to get an unredacted look at the ballots and refers you to the new section 2, para .2 as noted below with no opportunity to make copies...*

**New Section 2.** A new section is added to Chapter 29A.04 RCW to read as follows:

1. In accordance with RCW 42.56.420, the following are exempt from disclosure:
  - a. Voter signatures on ballot return envelopes, ballot declarations, and signature correction forms, including the original documents, copies, and electronic images; and
  - b. A voter's phone number and email address contained on ballot return envelopes, ballot declarations, or signature correction forms.
2. The secretary of state may, by rule, authorize in-person inspection of un-redacted ballot return envelopes, ballot declarations, and signature correction forms. Except as provided under subsection (3) a person may not photocopy, photograph, or otherwise reproduce an image of the ballot return envelope, ballot declaration, or signature correction form...

**New Section 3.** The exemptions in Section 1 and 2 of this act apply to any public records request made prior to the effective date of this section for which disclosure of records has not already been completed. **How convenient, as auditors slow walked their FOIA responses?**

**New Section 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions and takes effect immediately.

**Summary:** Passed in the 2022 session in its original form, without allowing any amendments. Could the Democrats and "nonpartisan" Auditor's goals be any clearer? This bill creates an exemption to the public records act for the ballot signatures, phone number and electronic mail address on the ballot envelope. Say goodbye to public records and FOIA requests or any hope of getting to watch as election observers and being able to do anything about what you witnessed.

**HB 1953,** New Section 3 & 4, also were passed in HB 1068 (2021) session, also without the Democrats accepting any amendments. Why was it listed again as two new sections? Democrats wanted it to be retroactive to escape their obligation to respond to PRR and FOIA request. Democrat legislatures, in Olympia, had tried years earlier to exempt themselves from FOIA requests. The public outcry forced them to reverse their stand. It is probably going to take a constitutional fight and public demand for the right to oversight to undo the law this time.

**Notice** there are no time limits on when and how the secretary of state "may" respond to your request for any access? The auditor's association wants you out of their way to stop all inquiries into how they define election integrity and to escape their legal obligation to respond to the FOIA's resulting from questions arising from the 2020 election. In New Section 4, it will take effect immediately! Can you think of any other groups of politicians, like the auditors, which would like to exempt themselves from public oversight? This sets a very dangerous precedent for our elected representatives. It is part of their effort to make it impossible for them to witness ballot openings and take any meaningful action. Further, blocking copies will affect the work expected of observers, canvassing boards, or your County Board of Election Supervisors from doing their job to adjudicate voter disputes? Thanks to mail in ballots the auditors would

have all this done by computers we do not trust. The automated signature checking equipment can be dialed in to accept as low as a 3% signature match. A problem we did not have when you showed up with identification to vote in person at the polls. Is there any wonder why our citizens continue to question the integrity of our elections?

## **HB 2081 – 2021-22**

### **An act relating to expanding voter registration and elections access; amending RCW 29A.08.350; adding a new section to chapter 29A .08; and creating a new section.**

**New Section 1. (2)** Therefore, the legislature intends to increase the opportunity to register to vote for persons qualified under Article VI of the Washington State Constitution by expanding the streamlined voter registration process, which will increase opportunities for voter registration without placing new undue burdens on government agencies.

**New Section 2.** A new section is added to Chapter 29A.08 RCW to read as follows:

1. A person may register to vote or update their voter registration when purchasing a firearm by indicating to do so on the firearm transfer application to the department of licensing.
2. To register to vote or update a registration, the applicant must provide the information required by RCW 29A.08.010. The firearm transfer application must be designed such that the applicant can provide this information on the form.
3. The department of licensing must record when an applicant has requested to register to vote or to update a voter registration.

**Section 3.** RCW 29A.08.350 and 2018 c110 s106 are each amended to read as follows:

The department of licensing shall produce and transmit to the secretary of state the following information from the records of each individual who requested a voter registration or update at a driver's license facility or on a firearm transfer application: the name, address, date of birth, gender of the applicant, the driver's license number, signature image, and the date on which the application for voter registration or update was submitted. The secretary of state shall process the registration and updates as an electronic application.

**Summary:** At least gun customers and applications for a driver's license undergo a background check. However, shall we just forget that since our State implemented a new computer system a few years ago they quickly were hacked for an estimated \$600 million from our state unemployment funds, allegedly by Nigerians? Less than half was recovered and the reports of a state employee removing a security access code in the software quickly disappeared. A final explanation of how this happened is yet to be heard and nobody has been prosecuted. Just this past January 24<sup>th</sup>, 2022, the Washington DOL reported a data hack of 600,000 Washington business license holders and lost everything about your identity. Will the gun stores and the DOL now submit an invoice for reimbursement from the city, county, or state for providing the registration services? The auditors are pushing the voter registration job onto other agencies. How will the reimbursements work for registrations outside the immediate purview of the Secretary of State? How will we get a gun store to comply with voter registration security laws?

## **SB 5182 - 2021-22 Concerning repeal of advisory votes**

An act relating to advisory votes; amending RCW 29A.32.070, RCW 29A.64.090, RCW 29A.72.040, RCW 29A.72.250, RCW 29A.72.290, and RCW 29A.32.031; creating a new section; and repealing RCW 29A.72.283, RCW 29A.72.285 and RCW 43.135.041.

**Summary:** Washington voters have passed three initiatives over the past ten years to keep the advisory vote on the ballot. The secretary of state's office and auditors are making the same tired old argument that nobody reads or uses them. This bill continues to carry over every year to suppress this voter information and make less work for the auditors when they are putting the voter's pamphlet and ballots together. A more effective way would be for the legislature to just stop passing more tax laws. Last year Pend Oreille County Republicans sponsored a WSRP resolution that was signed by 38 state members. It was approved by the WSRP executive committee unanimously to support keeping the advisory votes on your ballot. The Auditor's Association does not mention this in their legislative summary at all.

## **SB 5540 – 2021 – 2022**

**AN ACT Relating to dates and timelines associated with the operation of the state primary and elections; amending RCW 29A.04.311, RCW 29A.04.321, RCW 29A.04.330, RCW 29A.24.050, RCW 29A.24.181, RCW 29A.28.041, and RCW 29A.60.240; reenacting and amending RCW 29A.16.040; repealing RCW 29A.24.07; and providing an effective date.**

Sec. 1. RCW 29A.04.311 and 2011 c 349 s 2 are each amended to read as follows:

Primaries for general elections to be held in November, and the election of precinct committee officers, must be held on the **(first) third** Tuesday of the preceding **(August) May**.

Sec. 4. RCW 29A.16.040 and 2011 c 349 s 5 and 2011 c 10 s 26 are each reenacted and amended to read as follows:

1. The county legislative authority of each county in the state shall divide the county into election precincts and establish the boundaries of the precincts. The auditor of each county may propose in writing any adjustment to the division of election precincts or precinct boundaries to the county legislative authority at least 45 days prior to the date found in subsection 2 of this section. If the county legislative authority does not formally reject or adopt a modification to the auditor's proposed changes within 45 days, the proposal is adopted.
2. Precinct boundaries may be altered at any time as long as sufficient time exist prior to a given election for the necessary procedural steps to be honored. Except as permitted under subsection (4) of this section, no precinct changes may be made during the period starting **(fourteen) seven** days prior to the first day for candidates to file for the primary election and ending with the day of the general election.
3. The **(county legislative authority may establish by ordinance a limitation on the) maximum number of active registered voters in each precinct (within its jurisdiction. The number may be less than the number established by law, but in no case may the number exceed) is** one thousand five hundred active registered voters.

**Summary:** This is the most blatant power grab to date by the Auditors. Sec. 1 proposed changing the primary date from August to May and that would result in the filing being moved to February. The auditors want to reduce the window for the public and political parties to request precinct changes in an election year, if not completely, because the provisions are designed in favor for convenience of the auditors. In Sec 4, para 1, auditors will have no obligation to notify the public for adequate time to comment on precinct changes and can quietly slip this by the public if the legislative authority is like minded. Sec 4, para 3, completely removes the county legislative authority to have any say in what the best precinct size and location for their county might be. The auditors will then have the power to wipe out duly elected PCOs simply by changing the precinct boundaries or removing them altogether.

**This concern was best described to me in an email from Wes McCart, County Commissioner, Stevens County, February 5, 2022:**

“This bill (SB 5540) had a hearing on January 14. It was never scheduled for executive session. Although no bill is technically dead – for all practical purposes this bill is dead.

So, with that being said, I think we need to continue to pay attention to this bill and the Auditor’s legislative agenda. Also, Senator Hunt is famous for never letting go of bills. So, it may come back in the future.

The most important thing is to get the county commissioners to understand their authority under current law and USE IT.

Also, WSAC was NOT in favor of this bill. However, the Washington State Association of County Auditors was in favor of this bill. Not the same organizations.”

### **Initiatives and Referendums:**

In 1912, Washington became one of the first states to adopt the initiative and referendum process, thus securing the rights of citizens to make and remake their laws directly, and to provide a check over the decisions of their Legislature. Current laws exercise these rights with certain dates & deadlines:

1. **Initiatives to the people:** January 3 – July 8, 2022
2. **Initiatives to the Legislature:** March 9 – December 30, 2022
3. **Referendum:** No later than 90 days after the Legislative Session in which the measure was passed.

### **HB 1727 – 2021-22: An Act relating to odd-numbered year elections.**

This 23-page monster did not pass in session but is an example of what Democrats are trying to do. By eliminating or modifying references to general elections throughout the code. This bill wasn’t about initiatives and referendums exactly. It would literally end all elections in odd number years. That would mean that initiatives would have to be done only in even numbered years, but worse than that, it would mean no referendums on any legislation passed during a legislative session in an odd numbered year – those are the years Democrats push their tax bills, so people have a chance to forget about those taxes before elections. That means no tax

bill could be put on the ballot (well, no bill could, but the tax bills are some of the most detrimental). This helps explain their dream of removing advisory votes from the ballot.

**Summary:** There are a multitude of RCWs outlining the process for each and handbooks on the process are readily available on the Washington Secretary of State web site. But the Auditors are working to make these options only available to the citizens every other year to slow the process down and again, get them off the ballot because of the “extra work” it takes the auditors to do their job.

**In Thurston County, R. Storm, the County Republicans’ EIC Chair shared their issues with us on an email dated January 30,2022:**

“As Thurston EIC Chair, I’ve been going head-to-head with our auditor on a number of issues, and the gloves are off, though it remains civil. I’ve offered to support her with the county commissioners on her budget and other needs the voters can give a hand with. Now I see these auditors are working with the commissioners’ councils to cut us off at the knees? I guess all is fair in love and war.

This is a critical year. WE win or we lose, no other choices. They are coming at us hard on all fronts. “

**In a follow up email in response to the idea of the WSRP leading the way on FOIA request to the Secretary of State, R. Storm writes:**

“Either that and/or go after their insurance bonds for misfeasance of fiduciary duty to the Public Trust.”

**In further follow up, R. Storm shares her recent experiences:**

“Know that they are getting tighter on data released in a PRR.

I just got something back from the Prosecuting Attorney’s office on a PRR I submitted to find out who ordered the shredder truck to be at the ballot Center on an off day and what was in the contents of the bags to be shredded. I got bupcus.

Just a list of the bags. I have another week to ask for clarification and am working on that, along with the thousands of other projects now that legislation is in session and there is still a special election taking place. It is what we do as a civic duty, though.

One has to be persistent with PRR’s as WACs and RCWs are tightening down on what the public is entitled to and what they want us to see (under the blanket of security).

**In Mason County, Steve Duenkel, MCRP EIC Chairman, has the pleasure of dealing with their Auditor Paddy McGuire. To his credit, Steve has recently announced his primary challenge of Paddy for 2022 and is endorsed by the members of the WSRP EIC. Every Republican County Party needs to help Steve take out Paddy as an example to all of the association members.**

**Suggestion:** Paddy is currently the secretary of the WSACA. Be sure and read his entire bio on the Association web site. He is the “Mail Ballot” architect, having brought this entire mess to us

from his work in Oregon. Paddy needs to be primaried and removed in the next election. Every Republican County should consider sending donations to help our WSRP members.

***In a letter to Paddy, dated August 8, 2021, after a two-paragraph review of the election observation laws, Steve writes:***

“During the 2020 general election, ballot observation in Mason County was restricted to observation of the process via YouTube with images from four cameras displayed in one quadrant of the screen. The results were that the images were too small to provide adequate ballot observation. Moreover, the YouTube video stream provided no audio. As a result, our election observers were unable to ensure that RCW compliant processes were followed, and ballot chain of custody maintained.”

***Steve then goes on to list 9 specific concerns, then continues....***

“This is completely unacceptable. Not only do the ballot observation limitations in the 2020 Mason County Election fail to meet the intent of the legislature to ensure election integrity, but they also erode the confidence of the citizens of the state in our election system. As a result, we are demanding a full forensic audit of the 2020 general election by an objective, qualified, experienced third party, ...”

**Summary:** Any question why the auditors do not want you to see what they are doing? The Auditors do not want to have to deal with the work and fallout from PRR (Public Records Request) and FOIA (Freedom of Information Request). Will they also take a cut in pay?

## Chapter 4

### About the WSACA - Washington State Association of County Auditors:

#### ***From the WSACA website...***

“WSACA is an organization of county auditors who are recognized experts and ‘trusted professionals’ in the areas of elections, licensing, recording and finance.

The office of the auditor is a constitutional elected office that must exist in every Washington County. The auditor’s duties are diverse and wide-ranging. In most counties, the auditor performs four major functions: ex-officio supervisor of elections and voter registration, recording and maintenance of permanent county records, licensing of all vehicles and vessels, and financial services.

There are some variations in small counties and charter counties. For example, by charter, King County has eliminated the office of auditor and replaced it with several appointed officials and one elected Director of Elections. And in some small counties, the office of county clerk has been combined with county auditor.”

## WSACA Mission Statement

“To foster a cohesive, collaborative group through continuing education, a high standard of conduct, and professionalism.”

**Summary: The Auditor office is “partisan.”** They are no longer “trusted professionals” by a growing majority of our state’s voters. The Association has lost all credibility with their work to prevent our witnessing a free and fair election. They do not readily admit that they act as a partisan group, but they have both legislative and election law committees to influence a very biased Democrat legislative outcome. They also have a strong hand in writing the election WAC codes which they then work to codify into the RCWs later.

**2021 – 2022 WSAC Officers:** [www.admin@wsaco.org](mailto:www.admin@wsaco.org)

**WSACA President** – Shoona Riggs, runs as non-partisan and serves as the Clallam County from 2015 – present.

**WSACA Vice President** – Darla McKay, runs as non-partisan and serves as Asotin County Auditor from 2011-present.

**WSACA Secretary** – Paddy McGuire, runs as a Democrat and serves as the Mason County Auditor since 2018 – present. *Paddy’s association web page bio tells you everything you need to know about where the problems in our election laws and policies are coming from. It reads in part:*

“McGuire had previously served as Oregon Deputy Secretary of State, Implementing Vote by Mail statewide, and as Director of Intergovernmental Affairs for the United States Department of the Interior. McGuire has also held positions at the Bonneville Power Administration and the Alaska Department of Fish and Game, **and several private companies involved in elections.**”

**Summary:** Will Paddy tell us who those private companies were? Auditors are taxpayer funded. All their actions in the Auditor’s Association should be completely, and easily accessible, for public scrutiny. Including their group and committee meetings, communications with lawmakers, membership voting records, and especially on election and legislative actions. Replacing Paddy with a Republican like Steve Duenkel will notify all of them we are watching.

## Chapter 5

### Electronic Registration Information Center (ERIC)

[The Electronic Registration Information Center \(ERIC\)](#) was the brainchild of leftist attorney [David Becker](#) and was originally funded by George Soros via the [Soros Open Society](#) and [Pew Charitable Trusts](#) in 2012.

Eric is a left-wing voter registration drive with the goal of registering as many people as possible, under the guise of voter roll clean up. Washington state was a founding member

along with six other states: Colorado, Delaware, Maryland, Nevada, Utah and Virginia. It has since grown to include 30 states and the WA DC.

Louisiana recently [suspended its participation in ERIC](#), among other reasons, because “partisan actors may have access to ERIC network data for political purposes.” ERIC is a real problem and has been the subject of several lawsuits including in [Louisiana](#), [Colorado](#), [Michigan](#) and [WA DC](#) by the [Public Legal Interest Foundation \(PILF\)](#). The ERIC Bylaws and agreements with the states violate federal law and the [1993 National Voter Registration Act](#) by hiding election data information and prohibiting public inspection.

<https://pjmedia.com/ichristianadams/2021/12/22/care-about-election-integrity-let-me-introduce-you-to-eric-n1543792>

<https://yournews.com/2022/01/21/2285284/whos-cleaning-our-voter-rolls-soros-founded-and-funded-eric/>

<https://www.thegatewaypundit.com/2022/01/cleaning-voter-rolls-soros-founded-funded-eric-now-used-31-states/>

<https://www.thegatewaypundit.com/2022/01/eric-investigation-part-2-largest-u-s-counties-removed-zero-two-ineligible-voters-voter-rolls-4-years/>

<https://www.thegatewaypundit.com/2022/01/eric-investigation-part-3-soros-open-society-founding-nations-largest-voter-roll-clean-operation/>

<https://www.thegatewaypundit.com/2022/02/eric-part-4-response-panicked-media-attacks/>

## Chapter 6

### Find Out If Your County Auditor is “Doing It For You...or To You?”

#### *Vetting questions you need answered:*

**On these pages you will find a series of questions you may wish to ask your County Auditor. If you do not like the answer you get, including the ones they will not give you, then consider filing a FOIA request (if you still can) to see all their correspondence with their Auditors Association and the Secretary of State’s office.**

1. Do you support removing “Advisory Votes: from the ballots as proposed in SB 5182?

*Note: Three initiatives in the past ten years put them back on the ballot and the WSRP unanimously passed a resolution to keep them on our ballots in 2021. You can read the association’s own website on this one ([Go to admin@wsaco.org](mailto:Go to admin@wsaco.org)).*

2. **Do you support HB 1068 & HB 1953 exempting voter information on the return ballot envelopes, ballot declarations, and signature correction forms from public disclosure?**
3. **Do you support the voters rights, being challenged in HB 1953, to request public records requests and audits?**
4. **Are you a member of the Washington State County Auditors Association?**
5. **Which office or committees in the association do you serve on?**
6. **The law requires that you have ballots in the mail no less than 18 days before the election. Would you agree there needs to be a limit on how far before that deadline you should release ballots?**
7. **If you were to send ballots out more before the 18-day deadline date, would you notify the public, media, and candidates for public comment before doing so?**
8. **How much advance notice time would you give local political parties to organize and accommodate additional poll watchers if you release ballots prior to the 18-day deadline?**
9. **Do you support the law that legislative authority for precinct designations belong solely to the county commissioners as stated in our state constitution?**
10. **What do you see the future role in elections of elected Precinct Committee Officers (PCOs), constitutionally elected, in our county?**
11. **Should auditors have the power to solicit the county's legislative authority to make precinct changes without public notice and input as proposed in SB 5540?**
12. **How should the counties reimburse the DOL and gun shops for registration of voters as proposed in HB 2081? This would reduce your workload. Would you agree to reduce your budget accordingly?**
13. **How do you explain confidential Washington State voter information showing up on Arizona voting machine audits?**
14. **Do you believe in and support the use of ERIC software to search for voter registration duplications?**
15. **Would you support a "double level of security" to change any voter information or request for ballots on the "Vote WA System?"**

**16. Are you running as a Republican, Democrat or Independent? Will you be seeking the endorsement of our County Republican Party?**

**Actions You Can Take**

***Together, we can change the majority of the Auditors Association to be Republicans. Only then can we begin to rebuild election integrity in Washington.***

1. Invite your current auditor into your next Central Committee meeting to speak while there is still time to find a primary candidate challenger.
2. If your auditor is not up for re-election, do it anyway. Let them know you are not taking them for granted and will be increasing oversight.
3. Find out what Association Committees they are active in and how they vote on each of the legislative policies advanced by their association.
4. Meet with each of your County Commissioners separately and find out how they feel about PCOs, and themselves, losing their legislative authority to the auditors.
5. Make sure everyone on your Central Committee reads this and understands what is at stake. Then find a Republican challenger and educate the voters in your county too.
6. Help other Republican counties challenge the association's leadership, that are up for reelection in their counties, with your financial support.
7. Invite Keith Wagner, 2022 Republican candidate for Secretary of State to your county functions to learn the difference he can make in Washington.

**Credits**

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