

# Yakima County Auditor

Corky Mattingly, Auditor

Lynda Sissom, Assistant Auditor

June 22, 2005

Paul R. Lehto  
PO Box 1091  
Everett, WA 98206

Dear Mr. Lehto,

Enclosed is our response to your public disclosure request (Item 5).

If you have any questions or concerns, please call me at (509) 574-1343.

Sincerely,



Diana Soules  
Election Manager

## Lynda Sissom

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**From:** Harrell, Travis [THarrell@hartic.com]  
**Sent:** Wednesday, June 15, 2005 4:12 AM  
**To:** Diana Soules  
**Cc:** Jennifer Richter; Corky Mattingly; Lynda Sissom; Charleston, Sheri; Suver, Jim  
**Subject:** Nov 2004 Gen Election Recount

**Attachments:** Image0001.zip



Image0001.zip (146  
KB)

Diana,

During the recount following the Nov 2004 General Election, Jennifer reported that 24 ballots from Pct 3301 contained votes for candidates that were originally recorded and reported as undervotes.

An examination of the actual voted ballots by both Yakima County and Hart InterCivic staff members revealed that the ballots were properly marked and there were no apparent irregularities that might have caused Ballot Now to record and report the erroneous undervotes.

During his site visit the last week in March, Hart's technical support specialist, Keith Gaston, captured the requisite BN data associated with this issue, and this data was subsequently forwarded to the Hart engineering staff for analysis. The results of that analysis provided the following information.

1. The scanned ballot images of the 24 ballots in question (Batch 86, Pct 3301) all contain a white vertical line spanning the entire length of the ballot. The line runs directly through the left portion of all option boxes in the 4th column of each ballot. The line was most likely caused by a small foreign object (dirt or paper debris) in the scanner that subsequently dislodged. The attached image shows the line clearly and is representative of all 24 ballots.
2. Since the white line "whited out" a portion of each option box, Ballot Now was unable to detect at least 90 percent of each "target box" and therefore classified each contest in the 4th column of each ballot as a Damaged Contest.
3. Audit log data confirmed that during the processing of Batch 86, the option to Autoresolve Damaged Contests was selected. Consequently, Ballot Now (in autoresolve mode) confirmed and recorded the damaged contests as undervoted.
4. The undervotes recorded in the Cast Vote Records generated by BN were subsequently written to the BN MBB and then tabulated and reported by Tally.
5. All components of the eSlate system functioned to design and certification specifications.

Periodic cleaning of scanners during periods of heavy use will reduce the risk of image "damage". Your Kodak service representative can provide instruction on how such cleaning should be accomplished and can provide the requisite cleaning materials and supplies.

Damaged contests can be identified and analysed and appropriate corrective action can be implemented if damaged contests are resolved manually. If there are any open questions regarding Ballot Now procedures or functionality, Sheri will be happy to provide the required information and assistance.

These analysis results should allay any concerns you or your constituents may have had regarding the accuracy of the Hart Ballot Now system and its ability to meet the needs and

expectations of your staff and the voters of Yakima County. Please let me know if this is not the case, and we will work with you to make it so.

Also, do not hesitate to call if you have any questions regarding the satisfactory resolution or analysis of this issue.

Regards,  
Travis

TRAVIS HARRELL  
Manager, Professional Services  
Election Solutions Group  
Hart InterCivic, Inc.  
512-252-6526

<<Image0001.zip>>

\*\*\*\*\*  
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General Election
Elección General
Yakima County
Condado de Yakima
November 02, 2004 - 02 Noviembre 2004

Precinct Precinto 3301

Instruction Note:
Please use a black or blue ink pen to mark your choices on the ballot. To vote for your choice in each contest, completely fill in the box provided to the left of your choice. To write-in a candidate, write in the candidate name and party affiliation (if for a partisan office) on the line provided and fill in the square to the left of the write-in position.

Nota de Instrucción:
Favor de usar una pluma de tinta negra ó azul para marcar su boleta. Para votar por su selección en cada carrera, llene completamente el espacio cuadrado a la izquierda de su selección. Para votar por un candidato agregado por escrito escriba el nombre del candidato y su partido (solo si es un puesto partidista) en el espacio provisto y llene la caja a la izquierda de esa selección.

Proposed by Initiative Petition:
Propuesta por Petición de Iniciativa

Initiative to the People 872
Initiative Measure No. 872 concerns elections for partisan offices. This measure would allow voters to select among all candidates in a primary. Ballots would indicate candidates' party preference. The two candidates receiving most votes advance to the general election, regardless of party. Should this measure be enacted into law?

Iniciativa de Ley 872
Propuesta al Pueblo
La Iniciativa de Ley N° 872 trata sobre las elecciones de cargos partidistas.

Esta iniciativa de ley permitiría al electorado seleccionar entre todos los candidatos en una elección primaria. Las boletas electorales indicarían la preferencia partidaria de los candidatos. Los dos candidatos que reciben la mayor cantidad de votos avanzan a la elección general, independientemente del partido. ¿Debe esta iniciativa convertirse en ley?

Yes
Si
No
No

Initiative to the People 884
Initiative Measure No. 884 concerns dedicating funds designated for educational purposes. This measure would create an education trust fund for smaller classes, extended learning programs, certain salary increases, preschool access, and expanded college enrollments and scholarships, funded by increasing retail sales tax by 1%. Should this measure be enacted into law?

Iniciativa de Ley 884
Propuesta al Pueblo
La Iniciativa de Ley N° 884 trata sobre la asignación de fondos destinados para propósitos educacionales. Esta iniciativa de ley crearía un fondo fiduciario para la educación para clases más pequeñas, programas de aprendizaje extensivo, determinados aumentos salariales, acceso a la enseñanza preescolar y un mayor número de inscripciones y becas para la universidad, financiados por el aumento en un 1% del impuesto sobre las ventas minoristas. ¿Debe esta iniciativa convertirse en ley?

Yes
Si
No
No

Initiative to the People 892
Initiative Measure No. 892 concerns authorizing additional "electronic scratch ticket machines" to reduce property taxes. This measure would authorize licensed non-tribal gambling establishments to operate the same type and number of machines as tribal governments, with a portion of tax revenue generated used to reduce state property taxes. Should this measure be enacted into law?

Iniciativa de Ley 892
Propuesta al Pueblo
La Iniciativa de Ley N° 892 trata sobre la autorización de "máquinas electrónicas de billetes para raspar" adicionales para reducir los impuestos sobre la propiedad. Esta iniciativa de ley autorizaría a los establecimientos de juego no tribales a utilizar los mismos tipos y cantidades de máquinas que los gobiernos tribales, y una parte de la renta generada de los impuestos se utilizará para reducir los impuestos estatales sobre la propiedad. ¿Debe esta iniciativa convertirse en ley?

Yes
Si
No
No

Passed by the Legislature and Ordered Referred by Petition:
Aprobada por la Legislatura y Dispuesta y Referida por Petición.

Referendum Measure 55
The legislature passed Engrossed Second Substitute House Bill 2295 (ESSHB 2295) concerning charter public schools. This bill would authorize charter public schools and would set conditions on operations. Charter schools would be operated by qualified nonprofit corporations, under contracts with local education boards, and allocated certain public funds. Should this bill be:

Ley de Referéndum 55
La legislatura aprobó el Proyecto de Ley 2295 Segundo Sustituto de la Cámara de Representantes (ESSHB 2295) referente a las escuelas públicas autónomas. Este proyecto de ley autorizaría las escuelas públicas autónomas y establecería las condiciones de funcionamiento. El funcionamiento de las escuelas autónomas estaría a cargo de corporaciones sin fines de lucro calificadas, mediante contratos con juntas educativas locales, y se les asignarían determinados fondos públicos. Este proyecto de ley debe ser:

Approved
Aprobada
Rejected
Rechazada

Proposed to the Legislature and Referred to the People:
Propuesta a la Legislatura y Referida al Pueblo

Initiative to the Legislature 297
Initiative Measure No. 297 concerns "mixed" radioactive and nonradioactive hazardous waste. This measure would add new provisions concerning "mixed" radioactive and nonradioactive hazardous waste, requiring cleanup of contamination before additional waste is added, prioritizing cleanup, providing for public participation and enforcement through citizen lawsuits. Should this measure be enacted into law?

Iniciativa de Ley 297
Propuesta a la Legislatura
La Iniciativa de Ley N° 297 trata sobre desechos tóxicos "mixtos" radioactivos y no radioactivos. Esta iniciativa de ley agregaría nuevas disposiciones relacionadas con los desechos tóxicos "mixtos" radioactivos y no radioactivos, que requieren que se limpie totalmente la contaminación antes de volver a colocar desechos. Estas disposiciones darán prioridad a la limpieza, y brindarán participación pública y cumplimiento de la ley por medio de juicios de los ciudadanos. ¿Debe esta iniciativa convertirse en ley?

Yes
Si
No
No

FEDERAL OFFICES
CARGOS FEDERALES

U.S. President / Vice President
Vote For One
Presidente de los Estados Unidos / Vicepresidente de los Estados Unidos
Vote For One

- John F. Kerry (D) / John Edwards (D)
George W. Bush (R) / Dick Cheney (R)
Michael Badnarik (L) / Richard V. Campagna (L)
John Parker (WW) / Teresa Gutierrez (WW)
David Cobb (G) / Patricia LaMarche (G)
James Harris (SW) / Margaret Trowe (SW)
Michael Anthony Peroutka (C) / Chuck Baldwin (C)
Bill Van Auken (SE) / Jim Lawrence (SE)
Ralph Nader (I) / Peter Miguel Camejo (I)
Write-in
Agregado por escrito

U. S. Senator
Vote For One
Senador Federal
Vote For One

- Patty Murray (D)
George R. Nethercutt, Jr. (R)
J. Mills (L)
Mark B. Wilson (G)
Write-in
Agregado por escrito

- U. S. Representative, 4th District
Vote For One
Representante Federal, Distrito 4
Vote For One
Sandy Matheson (D)
Doc Hastings (R)
Write-in
Agregado por escrito

STATE OFFICES
CARGOS ESTATALES

Governor
Vote For One
Gobernador
Vote For One

- Christine Gregoire (D)
Dino Rossi (R)
Ruth Bennett (L)
Write-in
Agregado por escrito

Lieutenant Governor
Vote For One
Vicegobernador
Vote For One

- Brad Owen (D)
Jim Wiest (R)
Jocelyn A. Langlois (L)
Bern Haggerty (G)
Write-in
Agregado por escrito

Secretary of State
Vote For One
Secretario de Estado
Vote For One

- Laura Ruderman (D)
Sam Reed (R)
Jacqueline Passey (L)
Write-in
Agregado por escrito

State Treasurer
Vote For One
Tesorero Estatal
Vote For One

- Mike Murphy (D)
Oscar S. Lewis (R)
John Sample (L)
Write-in
Agregado por escrito

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