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
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 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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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 party. Ballots would include candidates' party preference. The two candidates receiving most votes advance to the general election, regardless of party. Should this measure be enacted into law?

Initiative of Law 873

Propuesta al Pueblo

La iniciativa de ley No. 873 establece funciones de las escuelas públicas autónomas. Este proyecto de ley autoriza a las escuelas públicas autónomas a determinar sus propios requerimientos de funcionamiento y a generar y gastar fondos propios. ¿Debe esta iniciativa convertirse en ley?

Passed by the Legislature and Ordered Referred by Petition: Aprobada por la Legislatura y Dispusa y Referred por Petición:

Referendum Measure 55

The legislature passed Engrossed Second Substitute House Bill 2295 (ESSHB 2295) concerning charter 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 districts, and allocated certain public funds. Should this bill be:

- Approved
- Rejected

Initiative to the People 884

Initiative Measure No. 884 concerns public funding for educational purposes. This measure would create an education fund that could fund educational programs, certain salary increases, preschool access, and expanded college enrollment and scholarships, funded by increasing state sales tax by 1%. Should this measure be enacted into law?

Propuesta al Pueblo

La iniciativa de ley No. 884 trata sobre la asignación de fondos para fines educacionales. Esta iniciativa de ley crea un fondo estatal para educación que incluye aumentos salariales, programas de aprendizaje anticipado, servicios de apoyo y acceso a la educación preescolar. ¿Debe esta iniciativa convertirse en ley?

Approval Vote for One

L. S. Representative, 4th Distric
I. S. Senator

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Representative

Vote for One

S. Representative, 4th Distric
I. S. Senator

Vote for One

S. Representative, 4th Distric
I. S. Senator

Vote for One

S. Representative, 4th Distric
I. S. Senator