

March 30, 2007

The Honorable Larry Gossett
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Gossett:

This transmittal provides a comprehensive analysis and recommendation for an upgraded ballot tabulation system, a requirement to move King County to all-mail voting in 2008. This information technology business case, which has been approved by the Information Technology Project Review Board, is provided to Council members in response to the budget proviso contained in Ordinance 15623 adopted in November of 2006.

Ensuring King County has the tools, technology and systems in place before transitioning to an all-mail voting system is my first priority. What is outlined in the enclosed business case is a careful analysis of two tabulation solutions that will allow us to better manage ballot counting in a presidential year election. This business case builds on earlier reports I provided to the Council in February 2006 and February 2007. The tabulation equipment King County purchased in 1998 to replace punch card voting is operating at capacity and we are faced with the decision of investing in a system that will take us through the next 10 years.

Upgrading our tabulation equipment now will improve process efficiencies, ballot tabulation speed, and provide greater accountability and systems security while relying on fewer staff and scanners. With new equipment, King County will be able to report election results for all ballots available for tabulation on Election Day.

Historical trends indicate King County can expect to count more than 900,000 mail ballots in the November 2008 General Election. Operating under the assumption that we will move to all mail voting in a special election in 2008, the goal is to have a system in place by the end of 2007 for acceptance testing with implementation occurring in a special election in 2008 in the first or second quarter of the year.

The tabulation system selection process began by researching and comparing the vendor system solutions from the four active elections vendors in Washington State: Elections Systems & Software, Diebold Elections System, Hart InterCivic, and Sequoia Voting Systems. All four vendor solutions were evaluated using mandatory criteria including: system certification, system compatibility, basic system requirements, technical requirements and business process needs. Two vendor's solutions, Diebold Elections System and Hart InterCivic, met the criteria and were invited to give system and equipment demonstrations in February and March. Members of the Citizens Election Oversight Committee and County Council staff also attended demonstrations. King County Elections' officials also visited Clark County, Washington during the February special election and performed independent reviews of the equipment in use in other large jurisdictions.

Elections Systems & Software does not meet the mandatory criteria of all the basic system requirements because of the lack of a direct recording electronic (DRE) voting machine, inability to meet the technical requirements for a jurisdiction the size and complexity of King County, and

the business process need to preprocess ballots as they are received by voters. Sequoia Voting Systems does not meet the business process need requirement to preprocess ballot.

After careful analysis and review, I support the recommendation made in this information technology business case that King County invest in an upgraded tabulation system with Diebold Elections System. The upgraded software and equipment will integrate with the voting system that has proven successful in King County since the system was implemented in 1998. Diebold's solution presents the least risk and given the complexities of a county the size of King, the tabulation equipment would integrate efficiently with existing systems. I recommend using the \$1.5 million in Help America Vote Act grant funds to replace our existing tabulation equipment.

The recommendation to stay with Diebold is made with elements of King County's Security Plan in mind. Diebold's central tally system utilizes cutting-edge technology software, system encryption to prevent unauthorized access or tampering with the election database. Encryption goes beyond existing protocols and is a feature not seen in any vendor solution on the market. This encryption process obscures the data and is not retrievable without an encryption key. The encryption technology uses AES, a strong encryption standard recognized by the National Bureau of Standards and has been adopted by the US Government. Combining the procedural elements of the King County Elections security plan, this encryption technology and two-factor security protocols will make our election technology environment one of the safest in the nation.

Although the Hart and Diebold solutions meet the basic system requirements for a jurisdiction the size of King and allow for pre-processing of ballots, the risks associated with the Hart solution far exceed the Diebold solution.

The following is a summary of the key issues considered in making a recommendation of the Diebold solution.

- **Timeline.** The Diebold solution integrates with King County's election management and voter registration system and the accessible voting units implemented successfully in 2006. Integration is a key component to a successful transition to vote-by-mail and presents the least risk from a training and implementation perspective.
- **Cost.** The Hart solution would require King County to invest in a total system upgrade of all equipment and duplicate training, education, and outreach efforts already completed for accessible voting at a cost to taxpayers of more than \$2.3 million. The federal grant funding will cover the costs associated with the recommendation to upgrade with the Diebold solution. Upgrading a portion of the system is a better decision from both a cost and business process analysis than it would be to replace a system proven effective.
- **System integration.** A system that integrates easily and seamlessly with King County's current systems and practices is essential. Selection of the Hart solution would require a more significant shift in King County's business practices, procedures, systems and require retraining of temporary and full-time staff in a presidential year election. This is particularly true with the accessible voting units implemented in 2006.
- **Ballot building and printing.** Diebold's ballot building software (GEMS) provides the most ballot design flexibility for large and complex election jurisdictions. With up to 5,500 unique

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types of ballots, King County's existing GEMS software allows staff to achieve and maintain one-page ballots avoiding significant costs and challenges experienced by other jurisdictions. In an on-site visit with Clark County and a telephone conference call with Orange County, California, several issues were observed that suggest Hart's ballot building software is rigid and labor intensive and might not integrate well with Washington's election calendar. Using the Hart system it is uncertain King County could meet printing deadlines during the overlapping special elections between February and May each year.

To move forward with the procurement and testing of the upgraded tabulation system and countywide implementation of vote-by-mail, we are seeking legislative action on this Business Case by May 11, 2007. I urge you to pass the motion approving the system recommendation in order to keep the momentum of this historic transition moving forward. Your continued involvement and support are vital to the success of this effort.

Sincerely,

Ron Sims
King County Executive

Enclosures

cc: King County Councilmembers
 ATTN: Ross Baker, Chief of Staff
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 Anne Noris, Clerk of the Council
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