

[Archive](#) | [Mytown](#) | [Classifieds](#) | [Home Delivery](#) | [Contact Us](#)

Our View: Don't add new votes to recount

2004-12-05

Our election for governor is beginning to look like the movie "Groundhog Day." Once again we will find Secretary of State Sam Reed has ordered a recount. This time we will wait until nearly Christmas to learn who will be our state's chief executive.

The third time might be the charm, but only if everyone tries to avoid turning this into an ongoing court battle.

The Democratic Party has put up \$730,000 to pay for hand recount. That's allowed under state law. However, the party also is expected to ask the state Supreme Court to rule that all ballots be treated the same from county to county. Translation: they want the recount to consider some previously uncounted ballots, particularly in Democratic-leaning King County.

That's not a recount; that's a re-vote. The court should limit the recount to those votes already counted and not let new ones be added to the mix.

Reed's office is clear that a recount is the process where the counties simply re-tabulate all the ballots that were counted in the original count. In the original count, final determinations are made by the county canvassing boards on what votes will be counted. The recount does not allow a review of decisions by the county canvassing boards of what constitutes a vote."

The election itself gave Republican Dino Rossi the win by 261 votes. A machine recount -- required under state law because of the close margin -- reduced Rossi's winning margin to 42 votes.

To her credit, Gregoire told her party's leaders that the hand recount would have to be statewide and not just of selected precincts where they thought they might pick up enough votes for her to win. State law allows either, but "cherry-picking" precincts would leave too many people questioning the outcome.

EDITORIALS PRACTICAL POLITICS ETHICS
GUBERNATORIAL RACE DECISIONS 2004 WASHINGTON STATE

PulsePoll

Should our state adopt California's tough vehicle-emission standards?

Yes. The new standards would greatly reduce pollution and ease health concerns.

No. The new standards would make new cars more expensive.

[view results](#)



- Home
- Local News
- Business
- Prep Sports
- Sports
- Opinion
- Obituaries
- Paid
- Obituaries
- Milestones
- Living
- Entertain.
- Women's
- Journal
- Site Map
- Search Archive

- World News
- MoneyWire

- Mytown
- Classifieds

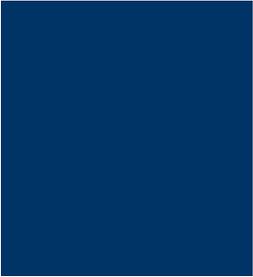
- Traffic
- Weather
- Lotto
- Crossword
- Dilbert
- Horoscope
- Movies

- Komo TV
- TV Listings

- Home Delivery

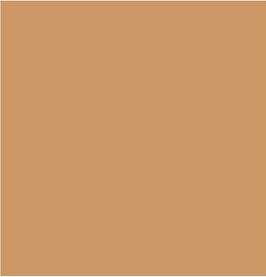
- Jobs with Us
- About Us
- Contact Us





Eastside:
King County Journal
1705 132nd Ave. N.E.
Bellevue, WA 98005-2251
Phone: 425-455-2222
Fax: 425-635-0602

South County:
King County Journal
600 Washington Ave. South
Kent, WA 98032
Phone: 253-872-6600
Fax: 253-854-1006



All materials Copyright © 2004 Horvitz Newspapers, Inc.
Any questions? See our [contact page](#).



Tuesday, December 07, 2004, 12:00 A.M. Pacific

*Permission to reprint or copy this article/photo **must** be obtained from The Seattle Times. Call 206-464-3113 or e-mail resale@seattletimes.com with your request.*

Editorial

Keep governor's count out of twilight zone

A governor's election with only 42 votes separating the Democratic candidate, Christine Gregoire, from the Republican Gov.-elect, Dino Rossi, was bound to bring out the zealots in the political parties.

And it has. The state Democratic Party goes too far with a lawsuit seeking to compel counties to reconsider ballots previously rejected. The ballots include absentee or provisional ballots with signatures that don't match signatures on file or ballots cast by voters whose registrations may have been wrongfully canceled. The first recount by machine was a tally provided by the law — no argument there. Even the second statewide hand recount, paid for by Democrats and expected to be completed in about two weeks, is provided by law. No argument there.

But Democrats threaten to send the state into an election twilight zone with a lawsuit asking county canvassing boards to revisit ballots already reviewed in accordance with state election laws and rules. The laws and rules have not changed since the first recount; the only thing that would be different is the political pressure and lawyering.

That sets a dangerous precedent.

Democrats appear to be searching for votes until they find 42 that will force the counties to pay for the third count. The party is messing with the election and the state runs the risk of having the race decided by the courts or the Legislature.

If the courts intervene, the validity of the second recount will be at risk because the rules effectively would be changed mid-election. Voters of all political stripes will be angry and alienated for years.

Both Gregoire and Rossi are proceeding with transition plans, but the ballot counting could stretch into January if election officials have to start anew with ballots earlier rejected. At some point, a new governor has to take office and go to work.

The most reasonable approach is to let the second recount proceed unfettered — without revisiting

previously examined and rejected ballots.

Copyright © 2004 The Seattle Times Company



Another look at rejected ballots very questionable Wednesday, December 08, 2004

Recounting ballots that have already been verified and certified is one thing.

It's quite another to go back and reconsider and reexamine ballots that were rejected. But that's what the state Democratic Party and its candidate for governor, Christine Gregoire, want all the counties to be ordered to do.

Gregoire trailed Republican Gov.-elect Dino Rossi by 42 votes after the first recount, which was done by machine except for the notable exception of heavily Democratic King County, which also did some hand counting.

Although the election for governor has been certified after the first recount with Rossi declared the winner, the Democrats have asked for another recount, this one by hand in all the counties.

In such a close race, the hand recount is allowed by law.

But the Democrats went beyond the recount. They have asked the state Supreme Court to order all county election departments to reconsider several thousand previously rejected ballots and potential trouble spots. These include questioned "provisional" and absentee ballots, including hundreds where the voter's signature was missing or didn't match the one on the voter registration card.

But where signatures are missing on the envelopes enclosing the ballots or don't match the voter registration card, those voters, in the earlier counts, had already been officially notified by the counties and given ample opportunity to come to the election offices (auditor's office in Lewis County) to verify the ballot is theirs. County canvassing boards have already compared signatures on questioned ballots and determined whether they should be counted.

An overriding issue now, with the second recount, is whether this process should be mandated to be reopened or whether just the ballots already verified and counted should be recounted.

Elections experts have said that a hand recount is not likely to be as accurate as a machine recount. It opens the door not only for human error, but also for fraud.

And to allow reexamination of ballots that have already been rejected in accordance with all existing elections laws and procedures will simply further increase the chance for error and fraud.

Whatever tally the recount shows will be suspect and open to further challenge. Remember, the only reason Gregoire has asked for another recount is to seek to overturn the lead for Rossi and become governor. She knows her best chance for that is reexamining rejected ballots, especially in King County, which has already given her a margin over Rossi of more than 150,000 votes and which has about a third of the total vote.

"Christine Gregoire isn't interested in a fair recount. She wants this to be as inaccurate and as corruptible as possible," said Mary Lane, a spokeswoman for Rossi. "She didn't get the results she

wanted, so now she wants to change the rules. Anyone who is concerned about the integrity of our election system should be very worried.”

Some polls indicate that an overwhelming majority of the voters in this state, including many Democrats, do not agree with the hand recount.

Nevertheless, the recount will proceed as allowed by law. Whether the rejected ballots will be counted depends on how the Supreme Court decides the Democrats' request.

The court would do well to recognize the can of worms it would be opening and the aspersions it would cast on the integrity of the election process, the outcome of the election and the new governor.

RECOUNT START: In directing the hand recount this week in the state's 39 counties, Secretary of State and chief elections officer Sam Reed said, “Our assumption is that their job is to simply recount the ballots that were previously counted in the machine recount. However, in our rules we point out that the canvassing boards have the prerogative to take up and reexamine any problem ballots that have come to their attention ... and we are giving them the word that the Washington state Supreme Court will take up the Democrats' case.”

But Reed also said “at this point, we are not authorizing them to go back and start all over again.”

Content © 2004 The Chronicle, Centralia, WA
Software © 1998-2004 **1up! Software**, All Rights Reserved



JOBS



HOMES



AUTOS

News

Sports

Opinions

Classifieds

Customer Service

Internet Service

[Home](#) | [Editorial](#) | [Reader Commentary](#) | [Letters to the Editor](#)

Today's Weather



46 F

[more...](#)
[WA Pass Cams](#)
[OR Pass Cams](#)

News

[Regional News](#)[Nation/World](#)[This Day](#)[Sports](#)[Business](#)[Oregon](#)[News Briefs](#)[Police Blotter](#)[Births](#)[Obituaries](#)[Editorial](#)[Letters](#)[Classifieds](#)[Archives](#)

Hot Links



Archives

Wednesday, December 08, 2004

Washington recount is unprecedented

Dec 08, 2004 - 07:29:42 am PST



TEXT

[Print this story](#)[Email this story](#)

Washington moved into uncharted territory Monday, when Secretary of State Sam Reed ordered a hand recount of the some 2.9 million ballots cast in last month's governor's race. A manual recount of ballots cast in all 39 counties is unprecedented.

We've no doubt that county elections officials around the state are up to the job. Voters can trust these elections professionals to conduct this second, more painstaking recount as fairly and accurately as is humanly possible.

Trust in the final tally, however, is not assured. It will likely be determined by how much of a role political partisans are allowed to play in this process.

Ideally, the party faithful would disappear while elections officials did their job --- or, at the very least, observe quietly.

There was never any serious expectation of realizing that ideal. Nevertheless, it was disappointing to see Democratic Party officials running to the courts last week, days before this recount had begun.

The Democrats last week asked the state Supreme Court to order elections officials to reconsider several thousand previously rejected ballots. These disputed "provisional" and absentee ballots without voters' signatures or with signatures that didn't match those on the voter registration cards.

The court could rule on the Democrats' petition as early as today. Clearly, the public interest in a final tally that can be trusted would be served by a rejection of the party's request.

It's easy enough to appreciate the Democrats' interest in having elections officials reconsider any and all previously disqualified ballots. Their candidate and the candidate we endorsed in this race, Christine Gregoire, came out just 42 votes behind Republican Dino Rossi in the machine recount. The cliché about every vote counting has never been truer than it is in this race.

But forcing elections officials to take the extraordinary step Democrats are demanding would surely erode public confidence in this process. And what if Gregoire then were to snatch victory from the jaws of defeat? What credibility would that result enjoy?

No, Democrats would do better to step back and let this hand recount proceed under existing rules. Resurrecting disqualified ballots is just the sort of partisan manipulation that leaves voters shaking their heads. Let the elections professionals do their job without interference.

'); // -->

Archive Search

[Advanced](#)

Top Jobs

[About Top Jobs](#)

Top Autos

[About Top Autos](#)

Top Rentals

[About Top Rentals](#)

SPONSORS

[I have a room for rent](#)[I need a room](#)[Backpacks at US Outdoor Store](#)

Subscribe

Get the whole story delivered every day! Subscribe now to The Daily News!

Paid Advertising

[Bedding](#)

[Fundraising](#)

[Baby Bedding](#)

[Vioxx](#)

[Discount Vacations](#)

[Search Engine Marketing](#)

More Special Sections

[Back to Basics](#)
[Cooking School](#)
[2003 Baby Annual](#)
[Readers Choice Awards](#)

[Home](#) . [Area News](#) . [Nation/World](#) . [Sports](#) . [Opinions](#) . [Business](#) . [This Day](#) . [Oregon](#) . [Classifieds](#) . [Blotter](#) . [Obituaries](#) . [Births](#)

© 2004 The Daily News
[Lee Publications, Inc.](#)

[Contact Us](#)

770-11th Avenue • P.O. Box 189 • Longview, WA 98632 • 360-577-2500 • webmaster@tdn.com

Published: Wednesday, December 8, 2004

A case of desperation: Democrats go too far

They're willing to pay for it, so Christine Gregoire and state Democrats are within their rights to ask for a manual recount of the closest gubernatorial election in the nation's history.

That's not all they want, however.

"They want to go back and start over again," Secretary of State Sam Reed, the state's top elections official, said Tuesday.

Gregoire and the party are way out of bounds in asking that the rules be changed in an effort to add more ballots to the recount. In a petition to the state Supreme Court, the party seeks to force counties to reconsider ballots that officials disqualified before the first count. Apparently, the Democrats believe that the only way they can change the result - which made Republican Dino Rossi the governor-elect by 42 votes out of nearly 2.9 million cast - is to change the rules.

It is disappointing to see Gregoire, who served the state with such integrity for 12 years as its attorney general, resorting to desperate tactics that could undermine the public's faith in the electoral process for years to come. Good-faith decisions by county election officials regarding the validity of ballots are made before anyone knows how close an election will be. Having such subjective decisions made with the knowledge that a race is extremely close could open the door to temptation and corruption.

Some ballots are rejected in any election. Perhaps they were postmarked after the election date. Perhaps they weren't signed. Without evidence of fraud or a willful effort to exclude valid votes, which no one is suggesting here, the rulings of local election officials ought to be final.

If decisions over individual ballots are to be made by the courts, where will it end?

"It establishes a bit of a precedent that if you don't like the results, just go to court and see if you can get a friendly judge to intervene," Reed said. "Historically, we've relied on the process itself to work."

It worked in the 2000 U.S. Senate election, when a recount confirmed Democrat Maria Cantwell's victory over GOP incumbent Slade Gorton. It has worked in a number of extremely close levy and school-bond elections. It can work now, too.

Recount the votes that were declared valid in the first place, but don't change the rules after the fact. Otherwise, what's the point of having rules?

Copyright ©1996-2004.
The Daily Herald Co.
ALL RIGHTS RESERVED.

Published: Wednesday, December 8, 2004

Take it from kids, losing isn't really all that bad

By Julie Muhlstein
Herald Columnist

A referee made a call and parents were hollering. Don't ask me if it was fair, I don't know. Anyway, my son wasn't on the football field. He's in the band.

What happened was a heartbreaker, an upset, a 19-15 loss of the league championship. What happened next on that cold night of Nov. 5 was a noble display of losing well.

It happens all the time, starting in Little League and youth soccer. Overzealous adults yell at officials, whose thankless job is subject to human error and too-close-to-call situations. But in years of warming spectator benches, I have never seen the kids act like sore losers.

They go on the field and shake hands, or high-five the winners. Disappointed guys from my son's school did just that in Seattle's Memorial Stadium on the Friday after Election Day.

Oh, that. We still don't know who won the governor's race, do we?

I thought I knew. Votes have been counted twice. Both times, Republican Dino Rossi came out ahead. First, it was 261 votes separating Rossi from Democrat Christine Gregoire. A machine recount, finished two weeks ago, gave Rossi a 42-vote lead.

Call me simple, or simply prone to giving up. Know what I'd have liked?

I would have liked to see Gregoire - the loser, if you accept totals from two tallies and you trust in the way we elect leaders - acting the way we expect kids to act.

This election resulted in what the Associated Press calls "a virtual dead heat," although two counts determined the same winner.

I wish Gregoire could have accepted a loss after the second count, before the state was thrust into a third

tally, an unprecedented manual recount. Doesn't a gracious concession, walking away with head held high, make someone politically attractive down the road?

I'm no political strategist, but I think so. Since the 2000 presidential race landed in the U.S. Supreme Court, Democrat Al Gore has seemed an unlikely candidate for political rebirth. In fighting for Florida recounts, some would call him tenacious. There's a fine line between tenacious and whiny.

Would Richard Nixon have been president in 1961 if he had fought the results of the 1960 presidential tally in Illinois? Pundits speculated that the Chicago Democratic machine tipped that state's electoral votes to John F. Kennedy.

In his book "Six Crises," Nixon said he feared contesting the race would have damaged American prestige. Later, in his memoir "RN," he wrote that if he had challenged the 1960 outcome, "Charges of 'sore loser' would follow me through history."

For 27 years, Jim Hogan has taught political science at Seattle University. Now semiretired, he supports a second recount.

"It seems to me there are enough different ways for people in this state to vote - they utilize different machines, absentee ballots and the like, it's tremendously complicated. It is too close," Hogan said.

As tallies keep changing, "you might find people losing confidence in the system," Hogan said. "But you might find an equal number saying this is the legitimate way we make a final determination."

While I think Rossi won, statisticians don't agree.

"Did someone win by 42 votes? No," said Charles Geyer, a statistics professor at the University of Minnesota. "That's what the last rather imperfect recount came up with. The true correct answer will never be known. Eventually, someone will be declared the winner by the last, still rather imperfect, recount."

"There is no reason to believe a best recount is now possible - one that would give the right answer, as if the votes had been counted without error, and no one who voted was missed, and no one who was not eligible to vote was counted," Geyer said.

Eric Aldrich, a University of Washington graduate student in statistics, said the margin would have to be way, way over 42 to know the true winner.

"I don't know how many. But out of 2.9 million votes, 42 is not it," Aldrich said. He thinks human error in a hand recount will surpass any machine error. "We're never going to know. I would suggest a coin toss."

Coin toss or recount, someone will lose - if they haven't already.

May they do so with grace.

Columnist Julie Muhlstein: 425-339-3460 or muhlstein.julie@heraldnet.com.

Copyright ©1996-2004.

The Daily Herald Co.

ALL RIGHTS RESERVED.

Disqualified ballots should stay disqualified

THE NEWS TRIBUNE

Last updated: December 8th, 2004 02:40 AM (PST)

When it comes to the onerous task of deciding which ballots for governor should count, once should be enough.

But that's not the answer state Democrats want. They have filed a lawsuit in the state Supreme Court seeking to force elections officials to reevaluate thousands of previously excluded ballots in Pierce, King and two other counties during a hand recount of almost 2.9 million ballots cast during the general election.

The contested ballots have already been declared invalid by county canvassing boards during the original tally, which had Republican Dino Rossi defeating Democrat Christine Gregoire by 261 votes. The automatic recount that followed reduced the winning margin to a scant 42 votes.

A manual recount of ballots actually cast that reverses the outcome would probably end the matter. According to Washington Secretary of State Sam Reed, the Republicans wouldn't have the right to demand another recount, barring a court order.

But if the lawsuit succeeds and Gregoire wins, it would inevitably prolong the final determination of the next governor. Reed says that recounts have historically only applied to votes cast, not ballots that have been disqualified. The time to change recount rules is before the election, not after. Absent a showing of fraud or widespread negligence, there's no good reason to change the practice. We hope the state Supreme Court agrees.

The public is also becoming frustrated about the increasing duration of the post-election process. Instead of wrapping up the hand recount this month, county elections staff might have to undertake the time-consuming task of reviewing thousands of disqualified ballots. That raises the possibility that a winner might not be determined until early January.

And even that may not be the end of the episode in the courts. If Gregoire pulls ahead of Rossi on the strength of disqualified ballots, the Republicans would have potent legal ammunition to challenge the outcome as unconstitutional. They could rely on Bush v. Gore, the landmark U.S. Supreme Court ruling that decided the outcome of the 2000 presidential election.

The ruling overturned the Florida Supreme Court – which had ordered a manual recount in Miami-Dade and several other counties – because it would allow county elections officials to use different standards to determine voters' intent. According to the court, the use of inconsistent standards violated equal protection because it treated voters throughout Florida differently.

Among other things, Republicans could argue that voters in other counties whose ballots were disqualified were treated differently than similar voters in the counties targeted by Democrats. Any lawsuit alleging a constitutional violation could eventually be decided by the U.S. Supreme Court.

Protracted legal wrangling is a fate the state should be spared. The irony is that the lawsuit, if successful, could eventually backfire against the Democrats, both in terms of winning the governorship and weakening their party's standing among Washington voters.

Originally published: December 8th, 2004 12:01 AM (PST)



[Privacy Policy](#) | [User Agreement](#) | [Contact Us](#) | [About Us](#) | [Site Map](#) | [Jobs@The TNT](#)

1950 South State Street, Tacoma, Washington 98405 253-597-8742

© Copyright 2004 Tacoma News, Inc. A subsidiary of The McClatchy Company 



Commentary



NEWS

Local
Neighborhoods
Sports
Nation/World
Business
A&E
Lifestyle
NW Outdoors
Photos
Special Reports

COMMENTARY

Opinion
Columnists
Letters
David Horsey
Saturday Spin
Forums

COFFEE BREAK

Comics & Games
Horoscope
TV Listings

FIND IT!

[NWclassifieds](#)

- [Jobs](#)
- [Autos](#)
- [Real Estate](#)
- [Rentals](#)

[NWsource](#)

- [Shopping](#)
- [Personals](#)
- [Yellow pages](#)
- [Maps/directions](#)

[Newspaper ads](#)
[P-I Archives](#)
[Photo Reprints](#)
[Obituaries](#)

P-I ANYWHERE

[E-mail Newsletters](#)
[News Alerts](#)
[PDA](#)
[Cell Phones](#)
[RSS Feeds](#)

OPINION

Wednesday, December 8, 2004

Ballots, not the bench

SEATTLE POST-INTELLIGENCER EDITORIAL BOARD

The Washington Supreme Court's involvement in the gubernatorial election recount would be both unfortunate and unnecessary. An appropriate and consistent system exists to confirm, by hand count, the tally of valid ballots for governor previously recounted by machine.

The Democratic Party's petitioning the Supreme Court to order a review of county elections officials' decision to invalidate ballots is simply demanding too much too late. The hand recount introduces inherent additional risk of human error in the mere counting process. To reopen issues of ballot validity can only expand that risk.

Be it Republican Dino Rossi or Democrat Christine Gregoire, the victor will be so by the slimmest of margins. It's time to confirm the outcome. Elections are to be decided by ballots, not the bench.

That said, it's obvious that much clarification and reform is due before the next statewide election.

The best course is to find the political will and the money to install voting methods and requirements that are non-partisan, fair and uniform across all 39 counties. Transition to all-mail elections would be a big step in that direction. Certainly, ballots cast by all voters should be tabulated on the same type of election machinery, with uniform standards for that machinery's use, maintenance and regulation.

And at very least, standards for accepting or rejecting absentee or provisional ballots (in original or recount tallies) and requirements for notifying voters that their ballots have been rejected should be clarified and standardized, whether by executive fiat through the secretary of state's office or by new laws imposed by the Legislature.

TOOLS



[Print this](#)



[E-mail this](#)

Most printed & e-mailed

HEADLINES

[Combat claims 1,000](#)

[Troubling evidence](#)

[Ballots, not the bench](#)

[The common good](#)

[They come to bury Social Security](#)

[Let differing view guide U.S. policy](#)

[Virginia plan for kids makes things worse](#)

[Advance U.S. -- not Israel's -- interests](#)

[Murders a devastating punishment](#)

[Suited for battle](#)

[Pass intelligence reform](#)

[Reforming world body](#)

[Fly GOP Congress to the moon](#)

[Putin orders 'Chicken Kiev,' too](#)

[Fight for democracy continues in Ukraine](#)

[Good reasons to put off Iraqi election](#)

[State must provide better care for the mentally ill](#)



[Printer-friendly version](#)



[E-mail this story](#)



[Get e-mail news updates](#)



[Subscribe to the P-I](#)

[Back to top](#)

OUR AFFILIATES



[Home](#) | [Site Map](#) | [About the P-I](#) | [Contact Us](#) | [P-I Jobs](#) | [Home Delivery](#)

Seattle Post-Intelligencer

101 Elliott Ave. W.
Seattle, WA 98119
(206) 448-8000

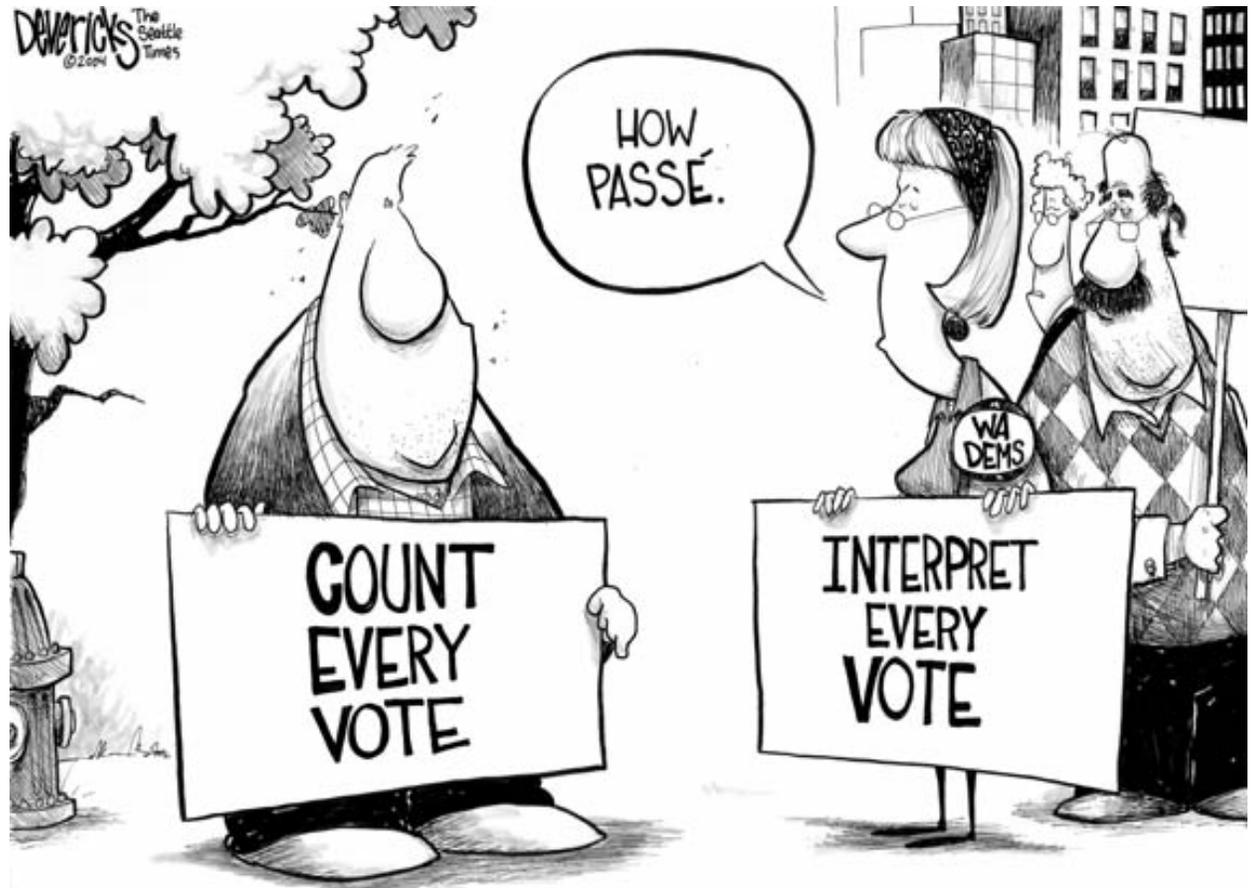
Home Delivery: (206) 464-2121 or (800) 542-0820

Send comments to newmedia@seattlepi.com

©1996-2004 Seattle Post-Intelligencer
[Terms of Service/Privacy Policy](#)

- NEWS / HOME
- OPINION
- EDITORIAL
- Eric Devericks**
- STOP
- NEXT
- COLUMNISTS
- SPORTS
- ENTERTAINMENT
- HEALTH
- TRAVEL / OUTDOORS
- LIVING
- PACIFIC NW MAGAZINE
- COMICS / GAMES
- PHOTOGRAPHY
- NWCLASSIFIEDS
- NWSOURCE
- SHOPPING
- SERVICES

Wednesday, December 8, 2004



[More >](#)

[seattletimes.com home](#)

[Home delivery](#) | [Contact us](#) | [Search archive](#) | [Site map](#) | [Low-graphic](#)
[NWclassifieds](#) | [NWsource](#) | | [The Seattle Times Company](#)

[Copyright © 2004 The Seattle Times Company](#)

[↑ Back to top](#)

Published on Wednesday, December 8, 2004

Vote counting 2004 — Come with us as we step back in time ...

What an ironic twist: With a third count in the closest gubernatorial race in state history set to start, we've come full circle as a state.

The laborious hand count means the ballots will be tallied pretty much the same way they were when Elisha P. Ferry was elected Washington state's first governor in 1888 — one by one, and by hand.

So much for election reforms over the years, which have progressed from voting-lever machines to computer-tallied punch cards, optical scanners, and, most recently, the touch-screen computers used by Yakima and Snohomish counties in last month's elections.

There were good reasons for going to mechanized and high-tech ways to count votes to better ensure accuracy and speed up the process. That said, don't count us among those who think this hand count is better. Any time the human element is added to the equation, there is potential for error.

The highly unusual situation resulted when the race between Republican Dino Rossi and Democrat Christine Gregoire ended in a virtual dead heat in the first two counts. After Rossi was certified the winner by just 42 votes out of 2.9 million ballots cast, the Democrats on Friday ordered up a manual recount and went to the state Supreme Court to demand that some previously disqualified ballots be counted this time.

That's overstepping. This is a RE-count of ballots in an election that has been officially certified by the state's chief elections officer. It is not, nor should it be, seen as an opportunity to go shopping for new votes that weren't part of the original tally.

The party is paying the cost of the new recount — more than \$700,000 — and by law it will be the last tally of the disputed election.

Secretary of State Sam Reed on Monday ordered the recount in the state's 39 counties. It will take until Christmas week in some counties, especially King County, where a third of the state's voters live.

We won't even speculate how long it might take to get a final determination in this cliffhanger if lawsuits by either or both of the major parties continue to challenge the outcome. If "yesterday" is not an option, we'd like to have things decided by Jan. 12 — the day the new governor is supposed to be inaugurated.

"Our assumption is that their job is to simply recount the ballots that were previously counted in the machine recount," Reed said in an Associated Press interview. "However, in our rules we point out that the canvassing boards have the prerogative to take up and re-examine any problem ballots that have come to their attention ... and we are giving them the word that the Washington state Supreme Court will take up the Democrats' case."

If anything good can be said about this sticky wicket, it's the recent trend of most local and state voters preferring mail ballots, which are readily adapted to a hand count. Of course, they were meant to be read by optical scanners; now they'll be tallied the same way they were in Ferry's day.

Somehow we're having trouble chalking this up as progress. Actually, it's a major regression in the election process.

Reed has a host of new reform measures he will propose to next month's legislative session that would offer vehicles for discussion and action by lawmakers to ensure this type of step back into time doesn't happen again.

Hand counts may have been OK in the 19th century; we expect better in the 21st.

n Members of the Yakima Herald-Republic editorial board are Michael Shepard, Sarah Jenkins and Bill Lee.

© Copyright 2004 Yakima Herald Republic

TheColumbian.com

Serving Clark County, Washington

News

Local and national
Sports
Weather
Traffic
Archives
Opinion
Obituaries
Business
Local stocks

Marketplace

Classifieds
Jobs
Homes
Cars
Yellow Pages

Only online

Top Story
Columblog
I've Been Thinking
Cort's Buzz

Community

Calendar
Photo album
Local History
Police Report

Site search:

Entertainment

Movies
Portland
TV
Personals
Lottery

The Columbian

Privacy Policy
Contact us
Terms of service
History of *The Columbian*
Advertise in *The*

Opinion - Democrats' 'every vote' claim a sham

Thursday, December 9, 2004

ELIZABETH HOVDE *Columbian staff writer*

Don't buy the Democratic Party's line that it is trying to make sure every vote counts in the state's gubernatorial race. The reality is, the party has tried to make every Christine Gregoire vote count and it doesn't give a flying Pike Place Market fish about Dino Rossi voters being "disenfranchised."

Three examples:

* Shortly after the election, upon seeing how close the race was, the Democrats began chasing voters who cast provisional ballots with mismatched or missing signatures. (Provisional ballots are used when voters vote somewhere other than their regular polling place or when a voter's eligibility is in question.)

Now, chasing down the problem ballots wasn't the problem. The problem is that the Democrats insisted they were undertaking the task to make sure every vote counted (even though the Dems were only interested in going the extra mile in Gregoire-backed King County).

And here's how the party went about making every one of those King County votes count:

Ryan Bianchi, communications assistant for Gregoire's campaign, told *The Seattle Times* that volunteers knocked on doors and asked voters with problem ballots if they voted for her. "If they say no," he told *The Times*, "we just tell them to have a nice day." And if they said yes? The red carpet was rolled out to assist these most deserving voters with the process required to turn their erroneous ballots into valid ones.

To prevent this monkey business in the future, the Secretary of State's Office told me it intends to close a loophole in the law by getting a rule passed by the Legislature that limits this tainted third-party interaction with voters.

Example No. 2 of partisan putridness:

* After the state's 39 counties reported their initial vote tallies to the state, Rossi was declared the winner of the governor's race with a slight 261-vote lead. But the declaration was only temporary, as the small margin of victory rightly triggered an automatic statewide recount. Still, there was little to worry about for Rossi, because in the past 40 years, no statewide recount has reversed an election's outcome. That the recount ended up whittling Rossi's



Subscribe to The Columbian
Contact The Columbian
E-mail comments about the site
The Columbian archives

Discussion forums

lead from 261 votes down to 42 votes has raised some suspicion of foul play. However, there has never been a statewide race this close in terms of percentage of the total vote, making a 219-vote change less dubious.

The Democrats thought they owed it to themselves to pay for a second recount by hand. That started Wednesday. And I agree with their decision. Even though Rossi won twice at taxpayer expense, 42 votes is just .0014 percent of the 2.8 million vote total. And I think Republicans would probably do the same thing in the Democrats' shoes. But the telling part of the Democrats' hand-recount push was their desire to pay for only a partial recount (a recount in places Gregoire leads, no less). Again, so much for every vote counting.

It took classy Christine to threaten her party into paying for the statewide hand recount, which is the fairest way to handle the situation especially when elections officials admit that a hand count introduces the possibility of greater inaccuracy, given its human element. Gregoire told the party that if it did not seek a statewide hand recount, rather than a partial one, she would concede. (This move reminded many Washingtonians that the Rossi-Gregoire race was one of those rare ones: One in which both candidates are smart, qualified and likable.)

* A recent Elway poll shows Gregoire might be losing favor with voters, however. Of those polled, more people have favorable opinions of Rossi than of Gregoire. The most recent twist in this recounted race certainly isn't helping.

The Democratic Party is now asking the state Supreme Court to force elections officials to re-evaluate thousands of previously rejected ballots in four counties (ensuring that ballots are treated differently in some places than others). These ballots have already been ruled invalid by canvassing boards, and state law is clear that recounts should not include them. While she was attorney general, Gregoire's office even advised the secretary of state that previously rejected ballots could not be put back into the recount process. It seems that a once-clear law grows murky when you want every Gregoire vote to count.

Elizabeth Hovde's column of personal opinion appears on the Other Opinions page each Thursday. Her e-mail address: elizabeth.hovde@columbian.com.

Talk about this story in our Discussion Forums.

Copyright © 2004 by The Columbian Publishing Co. P.O. Box 180, Vancouver, WA 98666. No part of this publication may be stored in a retrieval system, transmitted, or reproduced in any way, including but not limited to photocopy, photograph, magnetic or other record, without the prior agreement and written permission of the publisher.

Thursday, December 9, 2004

Opinion ©2004 The Olympian

Conflicting views on recount:Gregoire may not be seen as a legitimate governor

Ralph Munro, Former Secretary of State



RALPH MUNRO Several weeks ago, former Gov. Dan Evans and I predicted that if the Democratic Party and Chris Gregoire decided to pursue a strategy of a lawsuit aimed at re-opening and changing recount rules, coupled with a hand recount, serious problems would result.

Unfortunately, that is just what's happening now, and I have two primary concerns.

My first concern is that a hand recount is not necessarily more accurate. It's perfectly legal, but it's important to note that accuracy is not necessarily an outcome.

When I was secretary of state, our office always had a concern about a hand recount being the final decision, and consistently as election equipment got better and better, we came to the feeling that the machine recount was much more accurate. And we have said that time and time again, especially in the past few years.

If you believe a hand recount is more accurate, I would urge you to stop at the stationery store and pick up a ream of paper. Take a few sheets off the top and then take the rest of the ream and hand it around the dinner table tonight and see how many answers you come up with. I'll bet my paycheck you'll have four or five different answers after each person counts the ream. Now imagine doing this with 2.8 million ballots.

My second concern, which is far more troubling, is that the Democratic Party is asking the state Supreme Court to change the rules and election laws midway through the recount.

The state of Washington has been dealing with provisional ballots for many years. We led the way with provisional ballots, and the rules have remained the same over the years on how they are counted, how they are tallied and, if some are rejected, why they are rejected.

To ask the court now to change the rules on counting provisional ballots is simply wrong. This would be like the Sonics or the Seahawks losing by one point or one field goal, and then coming back and saying, "Well, if we changed the rules, we'd really win."

I hope the Supreme Court doesn't fall for this.

Finally, I'd like to point out that every single rule, regulation and election law that the Democratic Party now appears to want to bend, stretch, twist or change was passed under the administration of Chris Gregoire as attorney general and Gary Locke, Mike Lowry or Booth Gardner as our governor. The very laws they all once certified as constitutional, they now want to overturn in order to win this race.

I can only hope that as we move forward, the Supreme Court will reject this lawsuit and we can get an accurate recount. I also want to stress that if the situation was reversed, and if Dino Rossi had lost two recounts, I'd be standing with Chris Gregoire, and I mean that.

My biggest fear in this process is that we become another Florida. I've worked with six governors, and the big dilemma for Chris Gregoire is that if the election results somehow reverse, it's going to be very difficult for her to be seen as a legitimate governor.

Ralph Munro served as Washington's secretary of state from 1980 to 2000.

©2004 The Olympian

[Print this story](#) | [close window](#) x

Tacoma, WA - Sunday, December 12, 2004

[< Back to Regular Story Page](#)

Recount requests illegal, show desire to win at any cost

DANIEL J. EVANS

Last updated: December 9th, 2004 02:40 AM (PST)

In Washington's election recount saga there is now another eerie similarity to Florida 2000.

Our state Supreme Court is about to play a major role. And, depending on its decision, the next step might well be the U.S. Supreme Court. Sound familiar?

In 2000, when three Florida counties decided – after the election was over – to change their rules for counting votes, the Florida Supreme Court was asked to decide whether that was fair. The court said yes. That decision led to an appeal in the nation's high court found that the Florida decisions had been unconstitutional.

Why is that relevant now? For the very reason that a central request of Christine Gregoire's party to our state Supreme Court runs directly opposite to the U.S. Supreme Court decision.

The Democrats are asking our state Supreme Court to come up with a new definition of a recount. They are asking, against the letter of the law and against decades of consistent practice of that law, to have the counties reconsider all the ballots that were discarded in the earlier counting process.

In counting votes, a "discard pile" occurs because some ballots simply are not valid. Sometimes people vote who aren't legally registered. Sometimes they try to vote twice, say, by absentee and on Election Day. Sometimes they don't sign their absentee ballot, or they don't make the intent of their votes clear.

With almost three million voters, things like this happen. But each county, under the guidance of a canvassing board, reviews questionable ballots and discards the illegal ones as the first count is conducted.

After that, the recount is about the legitimate ballots. Always has been.

Now Gregoire's lawyers want our Supreme Court to rule that for the recount they have just purchased, the counties must essentially put the discard pile back on the table and go through it until they find some new cards they'd like to add to their hand.

If this were a hand of poker in the Old West, we all know what the response would be. There's a problem with that in the new West, too. It's called a law.

But more than being the existing state law, it is a critical application of core principles of fairness, due process and equal treatment, that are crucial to the functioning of a democratic society.

In December 2000 when the U.S. Supreme Court reversed the Florida decisions, it did so for two key reasons.

First, it is blatantly unfair to change the rules of an election in the middle of deciding the outcome. And second, it is blatantly unfair for the counties in a state to apply election rules differently. To do otherwise is to violate the U.S. Constitution.

And so it is that the Washington Supreme Court has a choice in the days ahead. And the direction it takes will either mark us to be like Florida, with almost certainly the same judicial rebuke to follow, or to mark us as honoring these core constitutional principles and distinguishing Washington state from the national embarrassment that was Florida 2000.

Certainly the lawyers for Gregoire's side are skilled and knowledgeable, so certainly they know this recent Supreme Court decision intimately. What excuse, then, can there be for asking the courts to create a new recount process that runs so directly counter to long established law and recently confirmed principles?

Only one: winning at any cost.

This election for governor has seen two counts already. Both very close, but both clearly establishing Dino Rossi as our next governor.

As the first recount wore on, Gregoire's lawyers were granted by various judges every request they made to enhance their chances of winning. Some of those decisions are highly questionable. But still she lost.

Now we must move from machine counts, assisted by hand review of ballots, to a hand count only. Who really believes that ordinary human beings, functioning on a nearly constant basis for about two weeks straight, with hostile observers breathing over each shoulder the whole time, will be able to count thousands and thousands of ballots by hand and make a more accurate count than machines can?

Even Democrat elections officials acknowledge the hand count will be less accurate.

This latest gambit is a last gasp, a lawyer's "Hail Mary" play, to change the outcome. Our Supreme Court should see this for what it is. For voters, it is unfair, illegal and unconstitutional. For the court, it is a fool's mission to boot.

Our state and our voters deserve better.

Daniel J. Evans is a former U.S. senator and three-term governor of Washington.

Originally published: December 9th, 2004 12:01 AM (PST)



[Privacy Policy](#) | [User Agreement](#) | [Contact Us](#) | [About Us](#) | [Site Map](#) | [Jobs@The TNT](#)

1950 South State Street, Tacoma, Washington 98405 253-597-8742

© Copyright 2004 Tacoma News, Inc. A subsidiary of The McClatchy Company 



Friday, December 10, 2004, 12:00 A.M. Pacific

*Permission to reprint or copy this article/photo **must** be obtained from The Seattle Times. Call 206-464-3113 or e-mail resale@seattletimes.com with your request.*

Editorial

Chaos, the worst way to pick a governor

The Democratic Party is asking the Washington Supreme Court to enter perilous territory.

The party wants the court to order all county canvassing boards to reconsider ballots they rejected as illegal. The party is also arguing that partisan observers should be allowed to challenge the boards' decisions. Taken together, this is a recipe for confusion. It is Pandora's box, and the court should not open it. In its complaint, the party argues that reconsidering all rejected ballots "will assure that all lawful votes are counted, that consistent standards are applied statewide, and that all voters are treated fairly, equally and consistently."

If that's what it was, all good citizens should support it. But in practice it would be an attempt to identify barely plausible ballots and to use all possible arguments to get them accepted.

Mostly, these would be arguments about signatures. Every absentee and provisional ballot has to be signed, and the law says the signature has to "match" the one on file. The standard is the same statewide and needs no clarification. But whether signatures match is a matter of judgment.

Canvassing boards do make mistakes about this, and there is a way of correcting them. Anyone who voted lawfully by absentee or provisional ballot may check after the first round whether the ballot was counted, and if not, to go to the board and have it counted. Some voters have done this, but by law they had to do it before the winner of the first recount was certified.

Canvassing boards have the discretion to correct errors presented to them even after the winner is certified. But fixing mistakes is different from ordering a wholesale reinspection of rejected ballots.

The result will be a quick move to the courtroom. In each of Washington's 39 counties, lawyers for either the Democrats or the Republicans will be asking a judge to second-guess decisions of canvassing boards. This will have little to do with consistent standards statewide and a lot to do with winning.

That way, our next governor could be determined by who has the best lawyers. It would be a grand battle, but as a way to pick the next governor of Washington it would be about the worst method possible.

It would also be precedent-setting interference in an election by the Washington Supreme Court, which is itself elected. The court would be wise to stay out and allow state and local elections officials to finish their work.

[Copyright © 2004 The Seattle Times Company](#)

Tacoma, WA - Sunday, December 12, 2004

[< Back to Regular Story Page](#)

Keep Legislature out of the governor's race

THE NEWS TRIBUNE

Last updated: December 11th, 2004 02:40 AM (PST)

The latest plan by some state Democrats to capture the governorship is downright embarrassing – and that's putting it mildly.

In a letter to Secretary of State Sam Reed, Democratic Party lawyer David Burman claimed that under the state constitution, the race between Republican Dino Rossi and Democrat Christine Gregoire could be decided by a vote in the state Legislature, where Democrats control both houses.

That's because an obscure constitutional provision grants power to lawmakers to decide the outcome of a "contested election." According to Burman, an election could be considered contested if the challenger, presumably Gregoire, is able show errors in the vote counting that would have reversed the result.

The possibility of having the Legislature finally decide the outcome of this protracted race borders on the bizarre. Politically, it even has some Democratic lawmakers cringing.

State Rep. Dennis Flannigan (D-Tacoma) doesn't believe "anyone will endorse someone who didn't win the popular vote." Flannigan has the right idea. Democrats should think twice about the popular backlash that would follow if they played the Legislature "card." Gregoire, as well, should make it clear to fellow Democrats that she would oppose any effort to have the Legislature decide the outcome of the race.

Ideally, Gregoire and Rossi should accept the results of a statewide hand count of votes that has already gotten under way. But complicating the matter is a lawsuit filed by the Democratic Party with the state Supreme Court seeking to force some county election officials to also review disqualified ballots.

According to Reed, recounts have historically only applied to votes cast, not disqualified ballots. We hope the lawsuit fails. If it succeeds and Gregoire wins on the strength of previously disqualified ballots, it would invite a legal challenge by Republicans and trigger yet another delay. The state should be spared another round of legal wrangling.

Gregoire claimed Wednesday that she had nothing to do with the lawsuit. That's a protective move, given the public's growing impatience with the Democrats' legal maneuvers. Her next step should be to publicly announce she will accept the result of the hand count.

And so should Rossi. Keep it out of the courts.

Originally published: December 11th, 2004 12:01 AM (PST)



[Privacy Policy](#) | [User Agreement](#) | [Contact Us](#) | [About Us](#) | [Site Map](#) | [Jobs@The TNT](#)

1950 South State Street, Tacoma, Washington 98405 253-597-8742

© Copyright 2004 Tacoma News, Inc. A subsidiary of The McClatchy Company 



Saturday, December 11, 2004, 12:00 A.M. Pacific

*Permission to reprint or copy this article/photo **must** be obtained from The Seattle Times. Call 206-464-3113 or e-mail resale@seattletimes.com with your request.*

Editorial

Awaiting a hand count

As the hand count continues in the governor's race, everyone should exercise patience and respect for a tedious but important process.

The law provides for a hand recount if either side is willing to pay for it. The state Democratic Party paid \$730,000 as a down payment, and so far, several counties collectively have discovered a few hundred previously uncounted ballots. With only a few exceptions, votes are being *added* to the total. In that way, Democrats have a point: With only 42 votes separating the candidates in the first recount, votes were overlooked. Ballots not counted last time are being included, and that is a good thing.

This editorial page does not support revisiting ballots earlier rejected by county canvassing boards, as Democrats have asked the courts to approve. Decisions were made according to the rules. Those ballots should not be reopened. Regular hand counting, however — the good, the bad and the ugly — is the process spelled out in the law.

In Whatcom County, election workers found seven unopened, uncounted ballots. In Mason County, 21 ballots have been added. Kitsap County's tally increased by 154.

Slow and maddening to be sure. But this is what a close election with an old-fashioned hand count looks like.

[Copyright © 2004 The Seattle Times Company](#)