

COMMUNITY BALLOT COLLECTION

Guidance from Pierce County Elections, August 2022



Pierce County Elections knows that organizations such as schools, churches, and community centers will sometimes try to boost election awareness and engagement by hosting information stations or events at their locations.

At these events, organizations will sometimes offer to collect voted ballots and deliver them to an official ballot drop box, vote center, or county auditor's office.

While Washington State law doesn't prohibit the collection and delivery of ballots, organizations should use caution with the collection and delivery of voted ballots.

Pierce County Elections offers the advice to organizations that want to hold events or establish sites to boost awareness and engagement.

- ✓ Help voters.
- ✓ Protect reputations.
- ✓ Follow the law.

HELP VOTERS.

To ensure that your organization provides accurate information, we recommend using materials provided by Pierce County Elections. We can provide:

- ✓ Voter pamphlets (in a variety of languages).
- ✓ Brochures.
- ✓ Posters.
- ✓ Maps showing official ballot drop box locations.

If your event is a “voting party,” ensure that participants have enough space and screening for privacy. Every voter has the right to cast their vote in absolute secrecy.

Never touch a ballot that isn’t sealed and signed by the voter. Never open a voted ballot.

Never mark a ballot for a voter unless the voter requests assistance because they are unable to mark the ballot independently.

Ensure that you continuously remind voters of the election deadline.

Voters shouldn’t feel pressured to leave their ballots with the organization. We recommend signage that promotes use of a drop box. “The closest official ballot drop box is located _____ and is open 24 hours a day until 8 p.m. on Election Day. Or you may leave your voted, sealed ballot with us and we will deliver it to Pierce County Elections before 8 p.m. on Election Day.”

Advertise / post the phone, email, and website for Pierce County Elections so that voters can easily get assistance / information directly from election professionals.

PROTECT REPUTATIONS.

You **MUST** inform participants that you are not election officials, that the event / site is not sanctioned by Pierce County Elections, and that any ballot receptacle is not an official ballot drop box and is not secure.

While not required, we recommend that organizations: Notify your board of directors, administration, and/or risk managers before proceeding.

Notify Pierce County Elections (we may receive calls questioning your activity and it would be helpful to know in advance what is happening).

Encourage voters to log-in to VoteWA.gov to verify that their ballot was received by Pierce County Elections.

Ensure that ballots are always under the observation / security of at least two responsible adults (including during transport), preferably affiliated with each political party. Never leave ballots unattended or stored overnight.

We encourage organizations to deliver ballots directly to Pierce County Elections, rather than feed ballots into an official ballot drop box. Members of the public may misinterpret what is taking place.

FOLLOW THE LAWS.

There are several laws related to voter assistance that organizations need to carefully study.

RCW 29A.84.610

Deceptive, incorrect vote recording—Misrepresentation as official ballot drop box.

A person is guilty of a gross misdemeanor who knowingly:

- (1) Deceives any voter in recording his or her vote by providing incorrect or misleading recording information or by providing faulty election equipment or records;
- (2) Records the vote of any voter in a manner other than as designated by the voter; or
- (3) Misrepresents an unofficial ballot collection site or device as an official ballot drop box that has been established by the county auditor.

Such a gross misdemeanor is punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

RCW 29A.84.520

Electioneering at voting center or ballot drop location by election officers forbidden.

Any election officer who does any electioneering at a voting center or ballot drop location during the voting period that begins eighteen days before and ends the day of a special election, general election, or primary is guilty of a misdemeanor, and upon conviction must be fined in any sum not exceeding one hundred dollars and pay the costs of prosecution.

RCW 42.17A.555

Use of public office or agency facilities in campaigns - Prohibition - Exceptions.

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.