



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: February 22, 2022

DATE: Wednesday, February 16, 2022

TO: Board of County Commissioners

FROM: Jeanne Herman, Commissioner (District 5), Office of the County Manager
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THROUGH: Eric Brown, County Manager

SUBJECT: Recommendation to accept the Election Resolution R22-28 and direct the Registrar of Voters to implement procedures enforcing policies by the 2022 Primary election. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

SUMMARY

This matter is brought to the Board's attention to publicly set forth on the record challenges within the current system of voter registration and processing of ballots in Washoe County which have been shown to be inadequate in meeting various requirements of the Nevada Revised Statutes, Nevada Administrative Code, Nevada Constitution, and federal laws, as well as fiscal responsibility. This item requests the Board to approve a resolution authorizing measures for the same.

Washoe County Strategic Objective supported by this item:

Fiscal Sustainability—Long-term sustainability & Efficient Delivery of Regional Services

Economic Impacts—Meet the needs of our growing community & Support a thriving community

Innovative Services—Strengthen our culture of service & Promote Experimentation and Innovation

PREVIOUS ACTION

None.

BACKGROUND

On February 8, 2022, the Board of Commissioners of Washoe County received significant public comment expressing a desire to adopt proposals related to the accuracy, security, and purity of elections.

AGENDA ITEM # _____

Pursuant to NRS 244.164 and WCC 5.451, the Board of County Commissioners of Washoe County created the office of Registrar of Voters and appointed a Registrar of Voters to assume all the powers and duties vested in and imposed upon the Clerk of the county with respect to elections, except the duties imposed by virtue of NRS 293.393 to make out and deliver certificates of election.

The Board of County Commissioners recognizes the authority of State and Federal law over many aspects of elections conducted by Washoe County, such as, but not limited to:

Observation (NRS 293.274)	ID requirements (NRS 293.277)
NVDMV registration (NRS 293.524)	Same day registration (NRS.8837)
Early voting (NRS 293.356)	Ballot harvesting (NRS 293.8864)
ADA provisions (NRS 293.2955)	Recounts (NRS 293.480)
Mail ballots (NRS 293.8844)	Voter challenges (NRS 293.535)
Recounts (NRS 293.404)	Audits (NRS 293.394)

Washoe County also recognizes its responsibility to conduct its elections in a manner that follows the law and ensures accuracy and security, reduces opportunities of fraud, reduces outside influences, ensures fiscal responsibility, ensures the ascertainment by proper proofs of persons entitled to the right of suffrage, and preserves the purity of elections (Nevada Constitution, Sec. 6). It is recommended that a Resolution be adopted in support of that position and direct measures to be implemented as allowed by law.

As allowed by law, measures to ensure accuracy, security, and purity of elections may include the following:

1. Immediately correct the current voter registration list in-verification with the USCIS SAVE program, National Change of Address (NCOA), and Washoe County Assessor and Vital Records;
2. Ensure the strict use of Washoe County residents as poll workers;
3. Providing equitable and fair opportunities for observation;
4. Limiting private contributions per contributor to the Registrar's Office to \$2,500 per year;
5. Enacting any other measure that ensures the accuracy, security, and purity of elections;
6. Quarterly reporting by the Registrar of Voters of all measures, and improvements thereto, used to ensure accuracy, reporting, and purity of elections;
7. Utilizing stealth paper ballots as primary method of voting, with provision of one electronic voting kiosk for ADA qualified voters;
8. Ensure mail ballots are sent certified receipt so only intended voter takes possession of it;
9. Ensure ballot envelopes are scanned as "received" at intake stations connected in real time to voter database before being deposited into ballot boxes;

10. Ensure bipartisan teams, who are not married, are utilized throughout election processes, including but not limited to verification of registration applications, intake stations/ballot boxes, ballot pickup teams, sorting sealed envelopes into precincts, delivering sealed envelopes to precinct tables, opening envelopes, verifying signatures, counting ballots, tallying results, etc.;
11. Ensure bipartisan teams are approved by respective Central Committees of primary parties;
12. Ensure bipartisan teams are scheduled in two shifts (one morning/day, one afternoon/swing) for all positions;
13. Ensure there is a Nevada National Guard presence at each polling/ballot box location, as well as the central counting center;
14. Ensure the counting procedure is public and continues without adjournment until completed (NRS293.363);
15. Ensure ballots are counted by hand in order to be counted by hand in a recount (NRS 293.404);
16. Ensure same day registrations are issued a paper provisional ballot of a different color than precinct paper ballots;
17. Ensure all voter registration forms are verified against the USCIS SAVE program, National Change of Address (NCOA), and Washoe County Assessor and Vital records BEFORE they are entered into the voter registration system;
18. Ensure registrations in voter registration system expire 5 years after registration/renewal;
19. Ensure renewal notifications are mailed in January to "active" electors whose registrations expire that year;
20. Ensure forensic material of elections is maintained for a period of 10 years.

FISCAL IMPACT

There may be a minimal cost associated with the registration and training with the US Citizenship and Immigration Services Systematic Alien Verification for Entitlements (SAVE) Program and the National Change of Address (NCOA) Source. There may be increased labor costs for manual counting of ballots which should be offset by reduced costs associated with software and hardware updates on voting kiosks and ballot scanners.

RECOMMENDATION

It is recommended that the Board accept this resolution and direct the Registrar of Voters office to provide estimated cost savings and increases associated with proposed changes to process improvements.

POSSIBLE MOTION

Should the Board agree with this resolution, a possible motion would be, "Move to accept the Election Resolution and direct the Registrar of Voters to implement procedures-enforcing-policies by the 2022 Primary election.'