



STATE OF WASHINGTON

March 21, 2017

The Honorable Elijah E. Cummings
The Honorable Robert A. Brady
The Honorable James E. Clyburn
Congress of the United States
Washington, DC 20515

Dear Representatives Cummings, Brady and Clyburn:

In a letter dated January 25, 2017, you requested that the Washington Secretary of State's Office and the Washington Attorney General's Office "provide a list of all specific cases in which either of your offices has determined that an individual who cast a vote in the federal elections held in November 2016 was legally prohibited from doing so." You requested certain specific information, including the identity of individuals involved, the legal reason the individual's vote was prohibited, and the result of the individual's prosecution, if any.

In Washington, county prosecuting attorneys' offices have primary criminal jurisdiction over voting offenses, so the Attorney General's Office (AGO) has not investigated or prosecuted any cases arising from votes in the November 2016 general election. Therefore, to answer your question the AGO contacted the 39 county prosecuting attorneys in Washington to request any information they had regarding ineligible votes and prosecutions. The Secretary of State's Office contacted the county auditors' offices, and has also been conducting assessments of the integrity of the November 2016 election. We received responses from most counties.

The information we received indicates that Washington prosecuting attorneys have initiated two criminal prosecutions for fraudulent votes cast in the November 2016 general election (both in Asotin County), but neither of those attempted votes was actually counted. In addition to the prosecuted cases, it appears that there were a small number of other cases in which voters potentially attempted to vote illegally, but the votes were not counted and no prosecution was initiated. Four other cases appear to be under investigation. These cases are detailed in the attached appendix.

To put these numbers in context, 3,317,019 ballots were cast in Washington in the November 2016 election for President and Vice President of the United States.

Please feel free to contact us if you need additional information.

Sincerely,

KIM WYMAN
Secretary of State

BOB FERGUSON
Attorney General

APPENDIX
Fraudulent/Questioned Votes, State of Washington
November 8, 2016 General Election

The following are the responses received by Washington’s Office of the Secretary of State and Office of the Attorney General from county auditors and county prosecuting attorneys as of March 14, 2017 that appear to meet your definition (or may after further investigation) of circumstances in which “an individual who cast a vote in the federal elections held in November 2016 was legally prohibited from doing so.”

Notes: The table below lists incidents by county. Individuals are identified by their full name only if they have been charged with a crime. Please note that Washington is primarily a vote by mail state. As a result, the circumstances surrounding the submission of ballots may appear different from jurisdictions that do not vote by mail.

County Name	Description
Asotin	<p>According to the Prosecuting Attorney’s Office, the following cases of voter fraud were identified:</p> <p>1) Donald Woodward pleaded guilty to false swearing for voting the ballot belonging to his deceased wife, Carissa. Mr. Woodward apologized in court to the State of Washington and his deceased wife for his actions. His family wrote a letter to the court on his behalf stating that he was attempting to fulfill his deceased wife’s wishes by voting for her candidate. Mr. Woodward received a \$740.00 fine and a gross misdemeanor of “false swearing.” Carissa Woodward’s ballot was not counted.</p> <p>2) Christopher Billups appears to have voted both in Asotin County and in Idaho in the 2016 election. Mr. Billups has been criminally charged in Asotin County and trial is scheduled for April 10. The ballot was caught because his voter registration in Washington had been cancelled. Christopher Billups’ ballot was not counted in the State of Washington.</p>
Benton	<p>According to the Auditor’s Office:</p> <p>The office is examining a possible improper ballot involving G. and S., two persons who appear to be a couple. A ballot for S. was sent to an address in Benton County. A replacement ballot for S. was then sent to an address in Lincoln, Nebraska. S.’s replacement ballot was returned, accepted and counted. Meanwhile, G. was issued one ballot in Benton County. G. voted and returned his ballot and Benton County accepted it. G. then also signed and returned S.’s original ballot with the Benton County address, after both G.’s ballot and S.’s replacement ballot already had been accepted.</p> <p>According to the Prosecuting Attorney’s Office:</p> <p>The Prosecuting Attorney’s Office elected not to file charges as they appeared to be honest mistakes and the auditor’s office caught the issue before the ballots were counted.</p>

County Name	Description
Chelan	<p>According to the County Auditor and the Prosecuting Attorney's Office:</p> <p>H.M. may have voted both in Chelan County and in Ohio. The case is currently under review.</p>
Jefferson	<p>According to the Prosecuting Attorney's Office:</p> <p>A "very elderly" woman voted twice in what appeared to be an innocent mistake; no criminal charges were filed.</p> <p>An individual with the last name "C" is thought to have voted in both Snohomish County and Jefferson County. The case is currently under review by the Prosecuting Attorney.</p>
King	<p>According to King County Elections:</p> <p>A father and son with the same name and address went to the vote center together. Two separate staff persons assisted the father and son, and both staff persons accessed the father's voter registration record. They verified the name and address, but one staff person did not catch the fact that the son's date of birth did not match the father's record. Both father and son cast a ballot, but only the father was registered to vote. No prosecution was made. The County determined it was an administrative error.</p>
Lewis	<p>According to the Prosecuting Attorney's Office:</p> <p>The following potential cases were identified, however no fraud was found and/or no fraudulent ballot was accepted:</p> <ol style="list-style-type: none"> 1) Two voters were very elderly and forgot they voted once before. Only the original and not the replacement ballots were counted. No fraud was found. 2) One person cast two ballots, but only the first ballot received was counted. The office has not yet been able to contact this person. No prosecution.
Mason	<p>According to the County Auditor and the Prosecuting Attorney's Office:</p> <ol style="list-style-type: none"> 1) J.A. submitted a ballot dated 11/7/2016. J.A. was identified as being under the supervision of the Department of Corrections. The vote was not counted and J.A. was not prosecuted. 2) L.M. submitted a ballot dated 11/7/2016. A ballot with L.M.'s signature was already returned. The vote was not counted and L.M. was not prosecuted.

Pierce	<p>The Pierce County Auditor’s Office had no known determinations that an individual who cast a vote in the 2016 general election was legally prohibited from doing so. Pierce County investigated the following:</p> <p>1) A voter called the County Auditor’s Office and reported that someone else in their household had voted their ballot. On the ballot in question, the signature matched the signature on file with the County Auditor for that voter, so the ballot had been accepted and counted. The voter did not want to support further investigation. No prosecution.</p> <p>2) A caregiver for a disabled voter admitted that she had signed the ballot for the disabled voter. The ballot was not counted. No prosecution.</p> <p>3) A voter came into a voting center on Election Day. Records showed the voter had already returned a vote by mail ballot. The voter stated that they had not returned their ballot; someone else must have signed and returned it. They were offered and voted on a provisional ballot. Further review of the first ballot received by mail showed that it may have been signed by another, but there was no way to identify whom. The canvassing board ruled that the provisional ballot was not valid and rejected it. No prosecution.</p> <p>4) A voter’s ballot was challenged as “signature does not match”. A cure letter was sent. The voter responded via phone stating that they had not voted nor returned a ballot. The ballot was not counted, but there was no way to identify who may have signed it. No prosecution.</p>
Snohomish	<p>A.C. is thought to have voted in both Snohomish County and Jefferson County (mentioned above). Currently under review by the Prosecuting Attorney in each county.</p> <p>M.N. signed a declaration indicating a name change in Thurston County. The Voter Registration Database triggered a possible duplicate record in Snohomish County. Records show voting history in both counties. Research shared with Thurston County for further investigation.</p>
Thurston	<p>1) An individual with the last name “N” signed a declaration indicating a name change in Thurston County (see also the entry for Snohomish County). The voter registration database triggered a possible duplicate record in Snohomish County. Records show voting history in both counties. This research is being shared with Snohomish County for further investigation.</p> <p>2) An individual with the last name “C” was identified as possibly being registered in both Thurston and King counties. The duplication was not caught until December 2016. Records show voting history in both counties. Research is being shared with King County for further investigation.</p> <p>[Note: At this time, neither the Secretary of State nor the Attorney General’s Office is aware of whether ballots for either of these voters were counted in more than one county in the 2016 general election.]</p>

Walla Walla	<p>J.W.W. appears to have returned ballots in two different counties (Walla Walla and Thurston).</p> <p>L.B. attempted to vote and return her two sons' ballots.</p> <p>A.O. appears to have voted in Walla Walla and Multnomah County, OR.</p> <p>[Note: At this time, neither the Secretary of State nor the Attorney General's Office is aware of whether ballots for these voters were counted in more than one county or state in the 2016 general election.]</p>
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