

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7	MARTIN RINGHOFER,)	
)	
8)	No. 10-2-41119-4 SEA
	Petitioner,)	
	vs.)	
)	
9)	
	LINDA K. RIDGE, in her official capacity as)	DECLARATION OF THOMAS
10	Deputy Chief Administrative Officer of the King)	KUFFEL IN SUPPORT OF
	County Superior Court,)	RESPONDENT'S MOTION FOR
11)	SUMMARY JUDGMENT DISMISSAL
	Respondent.)	
12)	

I, Thomas Kuffel, declare under penalty of perjury of the laws of the State of Washington that the following is true and correct:

1. I make this declaration based on my personal knowledge. I am competent to testify hereto.

2. I am a senior deputy prosecuting attorney with the King County Prosecutor's Office and am assigned to represent Respondent Linda Ridge in this matter.

3. Attached to this declaration at Exhibit 1 is a true and correct copy of Teresa Bailey's February 24, 2010 response to Mr. Ringhofer's February 22, 2010 public disclosure request.

4. Attached to this declaration at Exhibit 2 is a true and correct copy of Ms. Bailey's March 5, 2010 response to Mr. Ringhofer's February 25, 2010 e-mail.

1 5. Attached to this declaration at Exhibit 3 is a true and correct copy of Mr.
2 Ringhofer's October 15, 2010 e-mail to Linda Ridge.

3 6. Attached to this declaration at Exhibit 4 is a true and correct copy of Ms. Ridge's
4 October 25, 2010 response to Mr. Ringhofer's October 16, 2010 e-mail.

5 7. Attached to this declaration at Exhibit 5 are true and correct copies of H.B. 3159,
6 60th Leg., Reg. Sess. (Wash. 2008); S.B. 6527, 61st Leg., Reg. Sess. (Wash. 2010); and S.B.
7 5855, 62nd Leg., Reg. Sess. (Wash. 2011). These documents were printed from the Washington
8 State Legislature's website (<http://search.leg.wa.gov/pub/textsearch/default.asp>).

9 8. Attached to this declaration at Exhibit 6 is the cover page and a one page excerpt
10 from the Washington State County Clerk and Clerk of Superior Court Records Retention
11 Schedule. These pages were printed from the Washington Secretary of State's website
12 (<http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>).

13 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
14 WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

15 Dated this 31st day of March, 2011, at Seattle, Washington.

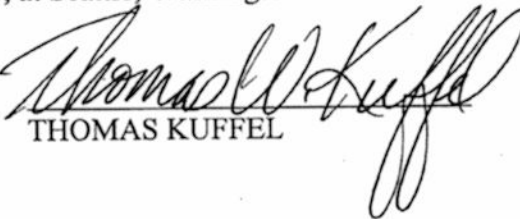
16 
17 THOMAS KUFFEL

Exhibit 1



King County

Department of Judicial Administration
Barbara Miner
Director and Superior Court Clerk
(206) 296-9300 (206) 296-0100 TTY/TDD

February 24, 2010

Martin D. Ringhofer
7012 24th Avenue NW
Seattle, WA 98117

Re: Your Public Disclosure Request

Dear Mr. Ringhofer:

The King County Department of Judicial Administration received your public disclosure request on February 22, 2010. In your request you ask for the names and addresses of prospective jurors who were disqualified from jury service in King County during January 1, 2008 through December 31, 2009 for any of the five reasons listed below in RCW 2.36.070:

A person shall be competent to serve as juror in the State of Washington unless that person:

1. Is less than eighteen years of age
2. Is not a citizen of the United States
3. Is not a resident of the county in which he or she has been summoned to serve
4. Is not able to communicate in the English language
5. Has been convicted of a felony and has not had his or her civil rights restored

In addition, you also request the names and addresses of prospective jurors in King County who were disqualified from jury service during January 1, 2008 through December 31, 2009 because of having indicated other reasons for disqualification, including the stated reasons for self-disqualification.

Please be advised that the Public Disclosure and Records Act does not apply to court records. Access to the contents of court records in the State of Washington is governed by case law rather than statute.

This Department keeps the Master Jury List, which is a list of all prospective jurors for a period of time. This Department is not part of the disqualification process. King County Superior

Seattle:
516 Third Avenue Room E609
Seattle, WA 98104-2386

Regional Justice Center:
401 Fourth Avenue North Room 2C
Kent, WA 98032-4429

Juvenile Division:
1211 East Alder Room 307
Seattle, WA 98122-5598

Court administers the disqualification process of jurors. You may wish to contact the Superior Court about this request. Contact information for King County Superior Court is below.

Linda Ridge, Deputy Chief Administrative Officer
King County Superior Court
516 Third Avenue, Room 203
Seattle, WA 98104
(206) 205-2582

I hope you find this information helpful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teresa Bailey".

Teresa Bailey
Deputy Director

Exhibit 2



King County

Department of Judicial Administration
Barbara Miner
Director and Superior Court Clerk
(206) 296-9300 (206) 296-0100 TTY/TDD

March 5, 2010

Martin D. Ringhofer
7012 24th Avenue NW
Seattle, WA 98117

Re: Your Public Disclosure Request

Dear Mr. Ringhofer:

The King County Department of Judicial Administration (DJA) received your February 25, 2010 e-mail correspondence clarifying your public disclosure request sent on February 22, 2010. In your message you clarify that you are requesting:

- (1) All documents containing the names and addresses of prospective jurors who were disqualified from jury service from January 1, 2008 to December 31, 2009 for any of the reasons listed in RCW 2.36.070 or for any other reason (and stating what that reason was);
- (2) All documents containing the total number of jurors on your master lists during 2008 and 2009; and
- (3) All documents indicating the number of summons sent to prospective jurors during 2008 and 2009.

DJA responded to your February 22, 2009 e-mail and referred you to King County Superior Court (KCSC). The information you are requesting in your second e-mail message is similar to that of your first, and so we would again refer you to KCSC. Please contact:

Linda Ridge, Deputy Chief Administrative Officer
King County Superior Court
516 Third Avenue, Room 203
Seattle, WA 98104
(206) 205-2582

I hope you find this information helpful.

Sincerely,

Teresa Bailey
Deputy Director

Seattle:
516 Third Avenue Room E609
Seattle, WA 98104-2386

Regional Justice Center:
401 Fourth Avenue North Room 2C
Kent, WA 98032-4429

Juvenile Division:
1211 East Alder Room 307
Seattle, WA 98122-5598

Exhibit 3

From: MartinRinghofer@aol.com [mailto:MartinRinghofer@aol.com]
Sent: Saturday, October 16, 2010 8:20 AM
To: Ridge, Linda
Subject: Request for non-juror information Disqualified for Juror Service

October 15, 2010

From: Martin D. Ringhofer
7012 – 24th Avenue NW
Seattle, WA 98117

Linda Ridge
King County Superior Court
516 Third Ave Rm 203
Mail Stop KCC-SC-0203
Seattle, WA 98104

Attention: Ms. Linda Ridge
Deputy Chief Administrative Officer
Email: linda.ridge@kingcounty.gov
Phone: 206-205-2582
Fax: 206-205-1360

Subject: Request for non-juror information Disqualified for Juror Service

Dear Ms. Linda Ridge:

I request that you provide me with a list of the names and addresses of non-juror information who were disqualified from jury service in the King Count jurisdiction for the time period ranging from January 1, 2008 to December 31, 2009, for any of the five reasons listed below in RCW 2.36.070.

Requestor has good cause for requesting this non-juror information. Requestor is concerned about unauthorized individuals influencing statewide elections. He wants to use the non-juror information to educate the public on voting enforcement issues.

Disclosure of the information is in the public interest because it will significantly contribute to public understanding of the operations and activities of the government, in regards to voter enforcement. The data should be released to promote government transparency, so that it can be use to educate the public about the real concern of unauthorized voting.

Revised Code Wash. (RCW) 2.36.070 "Qualification of Juror"

A person shall be competent to serve as a juror in the state of Washington unless that person:

- (1) Is less than eighteen years of age;
- (2) Is not a citizen of the United States;
- (3) Is not a resident of the county in which he or she has been summoned to serve;
- (4) Is not able to communicate in the English language; or
- (5) Has been convicted of a felony and has not had his or her civil rights restored.

In addition, include the names and addresses of non jurors who were disqualified from jury service from the time period ranging from January 1, 2008 to December 31, 2009, because of having indicated other reasons for disqualification. Please include the individual's stated reasons for self-disqualification, and provide the total number of potential jurors on your master lists for 2008 & 2009 and the number of summons you sent to prospective jurors for both years.

Please provide this information to me in Microsoft Excel format attached to an e-mail or saved on a digital media disc.

Should you decide not to provide the information requested above, I request that you cite to the legal authority that is the basis for your denial (e.g. Revised Code Wash, General Court Rules, etc).

Thank you in advance for your work on behalf of the citizens and for your prompt response.

Best Regards,



Martin D. Ringhofer
martinringhofer@aol.com
7012 - 24th Avenue NW
Seattle, WA 98117
Voice (206) 784-5920
Fax: (206) 783-0890

Exhibit 4

Kuffel, Thomas

From: Ridge, Linda
Sent: Monday, October 25, 2010 5:11 PM
To: MartinRinghofer@aol.com
Subject: Response to Request for Juror Information
Attachments: 2008-09 Disqualified Jurors.xlsx

Mr. Ringhofer:

I am writing in response to your email sent Saturday, October 16, 2010, requesting the following:

- (1) "a list of the names and addresses of 'non-juror information' who were disqualified from jury service in the King Count[sic] jurisdiction for the time period ... from January 1, 2008 to December 31, 2009, for any of the five reasons listed ... in RCW 2.36.070[;]"
- (2) "the names and addresses of non jurors who were disqualified from jury service from the time period ranging [during the above time period] because of having indicated other reasons for disqualification[;]" and
- (3) "the individual's stated reasons from self-disqualification, and provide the total number of potential jurors on your master lists for 2008 and 2009 and the number of summons you sent to prospective jurors for both years."

Please note that the Public Records Act, Chapter 42.56 RCW (the "Act"), does not apply to the judicial branch. *City of Federal Way v. Koenig*, 167 Wn.2d 341, 346 (2009). See also, *Spokane & Eastern Lawyer v. Tompkins*, 136 Wn. App. 616 (2007) (superior court not an "agency" under public disclosure act); *Nast v. Michels*, 107 Wn. 2d 300, 305-307 (1986) (courts are not within the realm of the public disclosure act). Therefore, the specific duties imposed by the Act relating to the production of records and citation to exemptions do not apply in this instance.

Access to information relating to the master jury source list is governed by court rule. General Rule 31 (k) states that master jury source list information, other than name and address, is presumed to be private. A copy of the master jury source list for the current jury term, containing only names and addresses, is kept on file in the office of the Superior Court Clerk and is available for public viewing in Room E609 of the King County Courthouse. If you have questions about accessing the master jury source list, please contact Teresa Bailey at teresa.bailey@kingcounty.gov.

In addition to the foregoing, General Rule 18(d) states that self-reported juror information concerning the qualification requirements in RCW 2.36.070 "may only be used by the court for the term such person is summoned and may not be used for any other purpose." See also, RCW 2.36.072 (similar wording as court rule).

Based on these rules, the court is unable to provide you with the individualized names, addresses, and associated reasons for disqualification or excuse from service from the term specified as requested in items (1), (2) and (3) above. However, we can provide summary information on total numbers of persons disqualified for jury duty under the statute identified in item (1). This summary information is contained in the Excel file, attached.

With respect to the remainder of your requests, the number of persons on the master jury list for 2008-09 (jury term is September 1-August 30, not calendar year) totaled 394,999; the number contained in the 2009-10 list is 1,657,735. [Please note: effective the 2009-10 jury term, the master jury list is now a duplicate of the jury source list, as allowed by RCW 2.36.010 (9)]. The number of persons summoned in

2/10/2011

2008 was 144,973; in 2009, the court summoned 109,452 persons for jury duty.

PLEASE NOTE NEW EMAIL ADDRESS

Linda K. Ridge

Deputy Chief Administrative Officer

King County Superior Court

516 3rd Avenue

Seattle, WA 98104

(206) 205-2582

linda.ridge@kingcounty.gov

1/1/08 - 8/31/09

9/1/09 - 12/31/09

	Total
NOT A RESIDENT OF KING COUNTY	664
UNABLE TO COMMUNICATE IN THE ENGLISH LANGUAGE	1212
CONVICTED OF A FELONY, CIVIL RIGHTS NOT RESTORED	263
NOT A CITIZEN OF THE US	1544
UNDER 18 YEARS OF AGE	1

Exhibit 5

SECOND SUBSTITUTE HOUSE BILL 3159

State of Washington

60th Legislature

2008 Regular Session

By House Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Chandler, Roach, Dunn, Bailey, and McCune)

READ FIRST TIME 02/06/08.

1 AN ACT Relating to voter registration integrity; amending RCW
2 2.36.072, 29A.08.010, 29A.08.110, 29A.08.210, 29A.08.440, 29A.08.510,
3 and 29A.08.520; adding a new section to chapter 29A.08 RCW; creating a
4 new section; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 2.36.072 and 1993 c 408 s 9 are each amended to read
7 as follows:

8 (1) Each court shall establish a means to preliminarily determine
9 by a written declaration signed under penalty of perjury by the person
10 summoned, the qualifications set forth in RCW 2.36.070 of each person
11 summoned for jury duty prior to their appearance at the court to which
12 they are summoned to serve.

13 (2) Upon receipt by the summoning court of a written declaration
14 stating that a declarant does not meet the qualifications set forth in
15 RCW 2.36.070, that declarant shall be excused from appearing in
16 response to the summons. If a person summoned to appear for jury duty
17 fails to sign and return a declaration of his or her qualifications to
18 serve as a juror prior to appearing in response to a summons and is

1 later determined to be unqualified for one of the reasons set forth in
2 RCW 2.36.070, that person shall not be entitled to any compensation as
3 provided in RCW 2.36.150.

4 (3) Information provided to the court for preliminary determination
5 of statutory qualification for jury duty may only be used for the term
6 such person is summoned and may not be used for any other purpose,
7 except ((that)) under the following circumstances:

8 (a) The court, or designee, may report a change of address or
9 nondelivery of summons of persons summoned for jury duty to the county
10 auditor; and

11 (b) The summoning court must immediately notify the applicant,
12 county auditor, and secretary of state if it receives a written
13 declaration or otherwise learns that a declarant does not meet the
14 qualifications set forth in RCW 2.36.070 (1), (2), (3), or (5).

15 **Sec. 2.** RCW 29A.08.010 and 2006 c 320 s 2 are each amended to read
16 as follows:

17 As used in this chapter: "Information required for voter
18 registration" means the minimum information provided on a voter
19 registration application that is required by the county auditor in
20 order to place a voter registration applicant on the voter registration
21 rolls. This information includes:

22 (1) Name and full legal name, if different;

23 (2) Residential address;

24 (3) Date of birth;

25 (4) Washington state driver's license number or Washington state
26 identification card number, or the last four digits of the applicant's
27 Social Security number if the applicant does not have a Washington
28 state driver's license or Washington state identification card;

29 (5) A signature attesting to the truth of the information provided
30 on the application; ((and))

31 (6) A check or indication in the box confirming the individual is
32 a United States citizen; and

33 (7) A check or indication confirming that the individual has not
34 been convicted of a felony and, if the individual has been convicted of
35 a felony, that voting rights have been restored.

36 The residential address provided must identify the actual physical
37 residence of the voter in Washington, as defined in RCW 29A.04.151,

1 with detail sufficient to allow the voter to be assigned to the proper
2 precinct and to locate the voter to confirm his or her residence for
3 purposes of verifying qualification to vote under Article VI, section
4 1 of the state Constitution. A residential address may be either a
5 traditional address or a nontraditional address. A traditional address
6 consists of a street number and name, optional apartment number or unit
7 number, and city or town, as assigned by a local government, which
8 serves to identify the parcel or building of residence and the unit if
9 a multiunit residence. A nontraditional address consists of a
10 narrative description of the location of the voter's residence, and may
11 be used when a traditional address has not been assigned to the voter's
12 residence. If the postal service does not deliver mail to the voter's
13 residential address, or the voter prefers to receive mail at a
14 different address, the voter may separately provide the mailing address
15 at which they receive mail. Any mailing address provided shall be used
16 only for mail delivery purposes and not for precinct assignment or
17 confirmation of residence for voter qualification purposes.

18 If the individual does not have a driver's license, state
19 identification card, or Social Security number, the registrant must be
20 issued a unique voter registration number in order to be placed on the
21 voter registration rolls. All other information supplied is ancillary
22 and not to be used as grounds for not registering an applicant to vote.
23 Modification of the language of the official Washington state voter
24 registration form by the voter will not be accepted and will cause the
25 rejection of the registrant's application.

26 **Sec. 3.** RCW 29A.08.110 and 2005 c 246 s 5 are each amended to read
27 as follows:

28 (1) An application is considered complete only if it contains the
29 applicant's name and full legal name, if different, complete valid
30 residence address, date of birth, signature attesting to the truth of
31 the information provided, a mark in the check-off box confirming United
32 States citizenship, a mark in the check-off box confirming no felony
33 conviction or, if the applicant has a felony conviction, proof of
34 restoration of voting rights, and an indication that the provided
35 driver's license number, state identification card number, or Social
36 Security number has been confirmed by the secretary of state. If it is
37 not complete, the auditor shall promptly mail a verification notice of

1 the deficiency to the applicant. This verification notice shall
2 require the applicant to provide the missing information. If the
3 verification notice is not returned by the applicant within forty-five
4 days or is returned as undeliverable, the name of the applicant shall
5 not be placed on the official list of registered voters. If the
6 applicant provides the required verified information, the applicant
7 shall be registered to vote as of the original date of mailing or date
8 of delivery, whichever is applicable.

9 (2) If the information required in subsection (1) of this section
10 is complete, the applicant is considered to be registered to vote as of
11 the original date of mailing or date of delivery, whichever is
12 applicable. The auditor shall record the appropriate precinct
13 identification, taxing district identification, and date of
14 registration on the voter's record in the state voter registration
15 list. Within forty-five days after the receipt of an application but
16 no later than seven days before the next primary, special election, or
17 general election, the auditor shall send to the applicant, by first-
18 class mail, an acknowledgement notice identifying the registrant's
19 precinct and containing such other information as may be required by
20 the secretary of state. The postal service shall be instructed not to
21 forward a voter registration card to any other address and to return to
22 the auditor any card which is not deliverable.

23 (3) If an acknowledgement notice card is properly mailed as
24 required by this section to the address listed by the voter as being
25 the voter's mailing address and the notice is subsequently returned to
26 the auditor by the postal service as being undeliverable to the voter
27 at that address, the auditor shall promptly send the voter a
28 confirmation notice. The auditor shall place the voter's registration
29 on inactive status pending a response from the voter to the
30 confirmation notice.

31 **Sec. 4.** RCW 29A.08.210 and 2005 c 246 s 11 are each amended to
32 read as follows:

33 An applicant for voter registration shall complete an application
34 providing the following information concerning his or her
35 qualifications as a voter in this state:

36 (1) The address of the last former registration of the applicant as
37 a voter in the state;

1 (2) The applicant's full name and full legal name, if different;
2 (3) The applicant's date of birth;
3 (4) The address of the applicant's residence for voting purposes;
4 (5) The mailing address of the applicant if that address is not the
5 same as the address in subsection (4) of this section;
6 (6) The sex of the applicant;
7 (7) The applicant's Washington state driver's license number or
8 Washington state identification card number, or the last four digits of
9 the applicant's Social Security number if he or she does not have a
10 Washington state driver's license or Washington state identification
11 card;
12 (8) A check box for the applicant to indicate that he or she does
13 not have a Washington state driver's license, Washington state
14 identification card, or Social Security number;
15 (9) A check box allowing the applicant to indicate that he or she
16 is a member of the armed forces, national guard, or reserves, or that
17 he or she is an overseas voter;
18 (10) A check box allowing the applicant to confirm that he or she
19 is at least eighteen years of age;
20 (11) A check box allowing the applicant to indicate whether he or
21 she has ever been convicted of a felony;
22 (12) Clear and conspicuous language, designed to draw the
23 applicant's attention, stating that the applicant must be a United
24 States citizen in order to register to vote;
25 (~~(12)~~) (13) A check box and declaration confirming that the
26 applicant is a citizen of the United States;
27 (~~(13)~~) (14) The following warning:
28 "If you knowingly provide false information on this voter
29 registration form or knowingly make a false declaration about your
30 qualifications for voter registration you will have committed a class
31 C felony that is punishable by imprisonment for up to five years, a
32 fine of up to ten thousand dollars, or both."
33 (~~(14)~~) (15) The following affirmation by the applicant:
34 "By signing this document, I hereby assert, under penalty of
35 perjury, that I am legally eligible to vote. If I am found to have
36 voted illegally, I may be prosecuted and/or fined for this illegal act.
37 In addition, I hereby acknowledge that my name and last known address

1 will be forwarded to the appropriate state and/or federal authorities
2 if I am found to have voted illegally."

3 ~~((15))~~ (16) The oath required by RCW 29A.08.230 and a space for
4 the applicant's signature; and

5 ~~((16))~~ (17) Any other information that the secretary of state
6 determines is necessary to establish the identity of the applicant and
7 prevent duplicate or fraudulent voter registrations.

8 This information shall be recorded on a single registration form to
9 be prescribed by the secretary of state.

10 If the applicant fails to provide the information required for
11 voter registration, the auditor shall send the applicant a verification
12 notice. The applicant may not be registered until the required
13 information is provided. If a verification notice is returned as
14 undeliverable or the applicant fails to respond to the notice within
15 forty-five days, the applicant shall not be registered to vote.

16 **Sec. 5.** RCW 29A.08.440 and 2003 c 111 s 231 are each amended to
17 read as follows:

18 To maintain a valid voter registration, a person who changes his or
19 her legal name shall notify the county auditor regarding the name
20 change in one of the following ways: (1) By sending the auditor a
21 notice clearly identifying the name under which he or she is registered
22 to vote, the voter's new full legal name, and the voter's residence.
23 Such a notice must be signed by the voter using both this former name
24 and the voter's new full legal name; (2) by appearing in person before
25 the auditor or a registration assistant and signing such a change-of-
26 name notice; (3) by signing such a change-of-name notice at the voter's
27 precinct polling place on the day of a primary or special or general
28 election; (4) by properly executing a name change on a mail-in
29 registration application or a prescribed state agency application.

30 A properly registered voter who files a change-of-name notice at
31 the voter's precinct polling place during a primary or election and who
32 desires to vote at that primary or election shall sign the poll book
33 using the voter's former and new names in the same manner as is
34 required for the change-of-name notice.

35 **Sec. 6.** RCW 29A.08.510 and 2004 c 267 s 124 are each amended to
36 read as follows:

1 (~~In addition to case by case maintenance under RCW 29A.08.620 and~~
2 ~~29A.08.630 and the general program of maintenance of voter registration~~
3 ~~lists under RCW 29A.08.605,~~) Deceased voters will be canceled from
4 voter registration lists as follows:

5 (1) (~~Periodically~~) Monthly, the registrar of vital statistics of
6 the state shall prepare a list of persons who resided in each county,
7 for whom a death certificate was transmitted to the registrar and was
8 not included on a previous list, and shall supply the list to the
9 secretary of state.

10 The secretary of state shall compare this monthly list with the
11 registration records and cancel the registrations of deceased voters
12 (~~within at least forty five days before the next primary or~~
13 ~~election~~).

14 (2) In addition, each county auditor may also use newspaper
15 obituary articles as a source of information in order to cancel a
16 voter's registration from the official state voter registration list.
17 The auditor must verify the identity of the voter by matching the
18 voter's date of birth or an address. The auditor shall record the date
19 and source of the obituary in the cancellation records.

20 (3) In addition, any registered voter may sign a statement, subject
21 to the penalties of perjury, to the effect that to his or her personal
22 knowledge or belief another registered voter is deceased. This
23 statement may be filed with the county auditor or the secretary of
24 state. Upon the receipt of such signed statement, the county auditor
25 or the secretary of state shall cancel the registration (~~records~~
26 ~~concerned~~) from the official state voter registration list.

27 (4) Once each year, the secretary of state shall conduct an audit
28 of county registration records regarding cancellation of deceased
29 voters. The audit shall consist of a comparison of the deceased voter
30 information received with the county registration records to ensure
31 that the appropriate cancellations are made.

32 **Sec. 7.** RCW 29A.08.520 and 2005 c 246 s 15 are each amended to
33 read as follows:

34 (1) Upon receiving official notice of a person's conviction of a
35 felony in either state or federal court, if the convicted person is a
36 registered voter in the county, the county auditor shall cancel the
37 defendant's voter registration. (~~Additionally~~)

1 (2) The secretary of state in conjunction with the department of
2 corrections, the Washington state patrol, the office of the
3 administrator for the courts, and other appropriate state agencies
4 shall arrange for a (~~quarterly~~) semiannual comparison of a list of
5 known felons with the statewide voter registration list. If a person
6 is found on a felon list and the statewide voter registration list, the
7 secretary of state or county auditor shall confirm the match through a
8 date of birth comparison and suspend the voter registration from the
9 official state voter registration list. The canceling authority shall
10 send to the person at his or her last known voter registration address
11 a notice of the proposed cancellation and an explanation of the
12 requirements for restoring the right to vote once all terms of
13 sentencing have been completed. If the person does not respond within
14 thirty days, the registration must be canceled.

15 (~~(+2)~~) (3) The right to vote may be restored by, for each felony
16 conviction, one of the following:

17 (a) A certificate of discharge issued by the sentencing court, as
18 provided in RCW 9.94A.637;

19 (b) A court order restoring the right, as provided in RCW 9.92.066;

20 (c) A final order of discharge issued by the indeterminate sentence
21 review board, as provided in RCW 9.96.050; or

22 (d) A certificate of restoration issued by the governor, as
23 provided in RCW 9.96.020.

24 (4) Once each year, the secretary of state shall conduct an audit
25 of county registration records regarding cancellation of felon voters.
26 The audit shall consist of a comparison of the felon voter information
27 received and the county registration records to ensure that the
28 appropriate cancellations are made.

29 NEW SECTION. Sec. 8. A new section is added to chapter 29A.08 RCW
30 to read as follows:

31 (1) Whenever the secretary of state or a county auditor receives
32 information from the courts regarding a juror's ineligibility to serve
33 based on age, citizenship, residence, or felony conviction pursuant to
34 RCW 2.36.072(3)(b), the county auditor shall verify the reason for
35 ineligibility and take appropriate action to cancel or transfer the
36 registration. If the reason for ineligibility for jury duty is based
37 on felony conviction, procedures in RCW 29A.08.520 must be followed.

1 (2) Once each year, the secretary of state shall conduct an audit
2 of county registration records regarding cancellation of voters based
3 on information received about their ineligibility to serve on a jury.
4 The audit shall consist of a comparison of the ineligible juror
5 information received from the courts and the county registration
6 records to ensure that the appropriate cancellations and transfers are
7 made.

8 NEW SECTION. Sec. 9. Sections 2 through 5 of this act take effect
9 January 1, 2009.

10 NEW SECTION. Sec. 10. If specific funding for the purposes of
11 this act, referencing this act by bill or chapter number, is not
12 provided by June 30, 2008, in the omnibus appropriations act, this act
13 is null and void.

--- END ---

BILL REQ. #: S-3559.1

SENATE BILL 6527

State of Washington

61st Legislature

2010 Regular Session

By Senator Roach

Read first time 01/15/10. Referred to Committee on Government Operations & Elections.

AN ACT Relating to notifying the secretary of state when a person summoned for jury service does not meet the qualifications of a juror; and amending RCW 2.36.072.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1 RCW 2.36.072 and 2009 c 330 s 1 are each amended to read as follows:

- (1) Each court shall establish a means to preliminarily determine by a written or electronic declaration signed under penalty of perjury by the person summoned, the qualifications set forth in RCW 2.36.070 of each person summoned for jury duty prior to their appearance at the court to which they are summoned to serve.
- (2) An electronic signature may be used in lieu of a written signature.
- (3) "Electronic signature" means an electric sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.
- (4) Upon receipt by the summoning court of a written declaration stating that a declarant does not meet the qualifications set forth in RCW 2.36.070, that declarant shall be excused from appearing in response to the summons. If a person summoned to appear for jury duty fails to sign and return a declaration of his or her qualifications to serve as a juror prior to appearing in response to a summons and is later determined to be unqualified for one of the reasons set forth in RCW 2.36.070, that person shall not be entitled to any compensation as provided in RCW 2.36.150. Information provided to the court for preliminary determination of statutory qualification for jury duty may only be used for the term such person is summoned and may not be used for any other purpose, except that the court, or designee, may report a change of address or nondelivery of summons of persons summoned for jury duty to the county auditor.
- (5) The court shall notify the office of the secretary of state and the appropriate county election official if a declarant does not meet the qualifications set forth in RCW 2.36.070 (1) through (3) and (5).

--- END ---

SENATE BILL 5855

State of Washington

62nd Legislature

2011 Regular Session

By Senator Roach

Read first time 02/24/11. Referred to Committee on Judiciary.

AN ACT Relating to notifying the secretary of state when a person summoned for jury service does not meet the qualifications of a juror; and amending RCW 2.36.072.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1 RCW 2.36.072 and 2009 c 330 s 1 are each amended to read as follows:

- (1) Each court shall establish a means to preliminarily determine by a written or electronic declaration signed under penalty of perjury by the person summoned, the qualifications set forth in RCW 2.36.070 of each person summoned for jury duty prior to their appearance at the court to which they are summoned to serve.
- (2) An electronic signature may be used in lieu of a written signature.
- (3) "Electronic signature" means an electric sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.
- (4) Upon receipt by the summoning court of a written declaration stating that a declarant does not meet the qualifications set forth in RCW 2.36.070, that declarant shall be excused from appearing in response to the summons. If a person summoned to appear for jury duty fails to sign and return a declaration of his or her qualifications to serve as a juror prior to appearing in response to a summons and is later determined to be unqualified for one of the reasons set forth in RCW 2.36.070, that person shall not be entitled to any compensation as provided in RCW 2.36.150. Information provided to the court for preliminary determination of statutory qualification for jury duty may only be used ~~((for the term such person is summoned and may not be used for any other purpose, except that))~~ by the court, or designee, ~~((may))~~ to report a change of address or nondelivery of summons of persons summoned for jury duty to the county auditor, and to create and maintain the list described in subsection (5) of this section.
- (5) The court shall create and maintain a list of names of all prospective jurors who have been disqualified in accordance with RCW 2.36.070 for the following reasons: (a) Is less than eighteen years of age; (b) is not a citizen of the United States; (c) is not a resident of the county in which he or she has been summoned to serve; or (d) has been convicted of a felony and has not had his or her civil rights restored. The list shall be open for public inspection, and the court shall provide to the office of the secretary of state and the appropriate county election official on a monthly basis the name of any declarant who does not meet the qualifications set forth in RCW 2.36.070 (1) through (3) and (5).

--- END ---

Exhibit 6



Washington State Archives
Office of the Secretary of State

County Clerk and Clerk of the Superior Court Records Retention Schedule
Version 6.0 (January 2009)

This schedule applies to: County Clerks and Clerks of the Superior Court

Scope of records retention schedule

This records retention schedule covers the public records of County Clerks and Clerks of the Superior Court relating to the function of serving as administrative and financial officer of the Superior Court. It is to be used in conjunction with the *Local Government Common Records Retention Schedule (CORE)*.

Disposition of public records

Public records covered by records series within this records retention schedule must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Public records designated as Archival or Permanent must not be destroyed. Records designated as Potentially Archival must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency's policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with RCW 42.56. Such public records must be managed in accordance with the agency's policies and procedures for public records requests.

Revocation of previously issued records retention schedules

All previous versions of the *County Clerks and Clerks of the Superior Court Records Retention Schedules* are revoked. County Clerks and Clerks of the Superior Court must ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the Local Records Committee in accordance with RCW 40.14.070 on January 29, 2009.

Signature on File

For the Attorney General: Cindy Evans

Signature on File

For the State Auditor: Mark Rapozo

Signature on File

The State Archivist: Jerry Handfield