To: Senator Javier Valdez, State Government and Elections Committee Chair

To: Senator Jeff Wilson, Ranking Member

CC: Committee members Senators Deb Krishnadasan, Marcus Riccelli, Bob Hasegawa, Shelly Short, Phil Fortunato, & Jim McCune

From: Sam Reed, Secretary of State (2001 - 2013), Thurston County Auditor (1978 - 2001)

Feb. 11, 2025

I have some serious concerns regarding Senate Bill 5382 ([https://lawfilesext.leg.wa.gov/biennium/2025-26/Pdf/Bills/Senate%20Bills/5382.pdf?q=20250210120424](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flawfilesext.leg.wa.gov%2Fbiennium%2F2025-26%2FPdf%2FBills%2FSenate%2520Bills%2F5382.pdf%3Fq%3D20250210120424&data=05%7C02%7Cerik.smith%40leg.wa.gov%7C510914e9cda1425820c708dd4f08d695%7C848b0e6c94894d83b31e4fde99732b09%7C0%7C0%7C638753621694551583%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=etzG3rZFnkCEYGuDep4dOCDiAxG%2FqmNfY09QV%2Bgo03k%3D&reserved=0)).

Since 1912, the citizens of the state of Washington have cared deeply about their initiative and referendum rights under our constitution.   I urge you not suppress voter involvement in this honored tradition.

My first concern is Section 6, which requires the Secretary of State to reject a voter’s signature even if it matches the voter’s signature on file. A voter may sign a petition in March, but the Secretary of State won't verify it until January, 11 months later. If that voter moves in the interim, under Section 6, that voter’s signature will not count. That should not happen.   As Thurston County Auditor, I learned that a large proportion of the voters move every year.  This is particularly true with renters.

Another concern: when voters are asked to put their address on a petition, many put their PO Box. Under Section 6, doing so would result in rejection even though the voter's signature matches the signature on file.

It will be very expensive to the Secretary of State's office. With Section 6 in effect, the invalid rate will dramatically increase. That will result in many ballot measure showing insufficient signatures under the statistical sampling process. When that happens, the Secretary of State is required by law to verify every signature on every sheet (currently, that's over 400,000 voter verifications). During my tenure, we had to do a full check a couple of times — back then, even though much fewer voter verifications were required, it took months, caused huge disruption, and was very costly to the office.

During my tenure and during the tenure of other Secretaries of State, both Republicans and Democrats, it has always been a solemn and sacred responsibility to count a voter’s signature if it matches but reject it if it doesn’t. If it’s a close call, we examine and reexamine the signature to ensure only matching signatures count. Section 6 does not enhance the existing process — it will only result in willing, active, engaged voters having their voices silenced because of a non-matching address. This should not be allowed.

Section 6's requirement is unnecessary, would be very costly to the Secretary of State’s office, and would disenfranchise valid voters whose signature matches who support a vote on a ballot measure (whether that ballot measure be progressive, conservative, or non-partisan).

When you exec this bill on Friday, I strongly urge you remove section 6 for the reasons provided in this letter.

As for requiring circulators to sign the back of the petition (Section 2-5), I have no problem with that provided the voters who signed the front of the petition not have their signatures rejected. A legitimate voter should not be penalized based on the actions (or inactions) of the circulator. A simple amendment should be included in the bill that clarifies that valid voter signatures will not be rejected due to the person who asked them to sign.

Finally, when it comes to the requirements in Sections 2-5, I would suggest that unpaid volunteer circulators be exempt so as to encourage, and not deter, volunteers from exercising their right under the First Amendment to petition their government.

Thank you all for considering my sincere and heartfelt worry about these aspects of Senate Bill 5382.

Respectfully,



Sam Reed

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