



Gillian Flaccus/The Associated Press

An election worker examines a ballot at the Clackamas County Elections Office on Thursday, May 19, 2022. Ballots with blurry barcodes that can't be read by vote-counting machines will delay election results by weeks in a key U.S. House race in Oregon's primary.

# Pressure mounts in Oregon ballot fiasco

By GILLIAN FLACCUS and SARA CLINE  
The Associated Press

OREGON CITY — A Democratic state lawmaker in Oregon is calling for an investigation into a ballot-printing fiasco that will delay results from the Tuesday, May 17, primary by weeks, with a key U.S. House race hanging in the balance in a state that prides itself on voter access and election transparency.

Tens of thousands of ballots in the state's third-largest county were printed with blurred barcodes, making them unreadable by vote-counting machines — a mistake that wasn't caught until ballots were already being returned in the vote-by-mail state. Elections workers must now hand-transfer the votes from those ballots to new ones that can be read in a painstaking process that also raises the possibility of duplication errors.

As the scope of the crisis became apparent, local, state and federal lawmakers Friday, May 20, all escalated their criticism of Clackamas County Elections Clerk Sherry Hall, who defended her actions at a news conference Friday and said she had learned from the mistakes.

State Rep. Janelle Bynum, who represents voters in the county, called the situation "unreasonable, and untenable" and U.S. Rep. Earl Blumenauer, who represents some Clackamas voters in Congress, called Hall's slow reaction "unconscionable." Oregon Secretary of State Shemia Fagan demanded a written plan from Hall detailing how she would get the election results tabulated by June 13, the state deadline to certify results.

"Despite having time to prepare for an Election Day disaster, Ms. Hall has repeatedly failed to adapt and accept enough help to remedy the current crisis," Bynum said.

## Mistakes made

The debacle has angered many in Oregon, where all ballots have been cast only by mail for 23 years and lawmakers have consistently pushed to expand voter access through automatic voter registration and expanded deadlines. It's also thrown into question a key U.S. House race in a district that includes a large portion of Clackamas County, which stretches nearly 2,000 square miles, from Portland's liberal southern suburbs to rural conservative communities on the flanks of Mount Hood.

In the Democratic primary for Oregon's 5th

Congressional District, seven-term Rep. Kurt Schrader, a moderate, was trailing in the vote behind progressive challenger Jamie McLeod-Skinner. The outcome could have an outsized impact in November, with the possibility that voters could flip the seat for the GOP.

At a news conference on May 20, Hall said she made mistakes. When pressed on why she didn't do more to address the problem when it was discovered in early May, Hall said, "I just didn't."

"I didn't respond to this with the urgency that I should have and I realize that, but I still know that we will have the counting done on time," she said. "This was something we've never seen before and so some of it, I guess it's just the reaction and the learning."

State Republicans were also paying close attention to the ballot mess.

Republican state Sen. Bill Kenemer, whose district includes much of Clackamas County, called the ballot issues "alarming and concerning" and said he hoped the crisis would prompt fixes to the system.

"I would really love to see us after we get through this crisis, take some deep breaths and get some experts in there that we have confidence with, and then start looking where our chinks in our armor are and what do we need to fix it," he told The Associated Press on May 20.

Hall used Moonlight BPO in Bend — a printer not used for ballots by any other county — and said she has used them for 10 years without any problems.

Moonlight, which was founded as a small family business in 1985, had been a certified printer for the election system the county uses, the Hart InterCivic tabulation system, but Hall said the company stopped certifying any printers for ballot-printing in 2020. Clackamas County continued to use Moonlight, but Hall said, "I don't intend to use them ever again."

Aaron Berg, a representative of Moonlight, said Moonlight has not been able to figure out what happened to the ballots.

"We follow the exact same protocol and process every year and nothing changed this year," he told AP. "We've got to figure out what the heck is going on. And we're not saying it's anyone's fault."

Berg said a team from Moonlight traveled to Clackamas County in early May and met with Hall and another of her staff to review the process.

"That's the last we've

heard of it until it hit the news, much to our surprise," Berg said.

## Unreadable ballots

As many as 60,000 ballots are unreadable by vote-counting machines because of blurry barcodes and up to 200 county employees were being redeployed starting May 19 from their normal duties to hand-transfer the voter's intent to a fresh ballot that could be scanned. Just 27,342 ballots of more than 90,000 that were returned had been tallied by May 20.

Hall said the problem came to light May 3, when workers put the first ballots returned through the vote-counting machine. About 70 or 80 ballots from each batch of 125 were spit out as unreadable because their barcodes were more faint and slightly blurred. It was too late to print and mail new ballots, she said.

Hall and her staff did not "proof" the printed ballots before they were mailed out to check for any issues, as is considered best practice, but had talked about doing so, she said. That still wouldn't have caught the problem if the toner ran low toward the end of a printing batch, affecting the barcodes, as may have happened in this case, she said.

As Election Day approached and ballots stacked up, Hall said she allowed elections workers to take the weekend off because just three people signed up to work Saturday or Sunday. Most election workers are "between the ages of 70 and 85" and they need rest, she said.

Fagan said her office offered Hall help twice after the problem came to light, but Hall said her county had enough resources.

State elections officials say they have little authority over the nonpartisan local county elections officials, who operate independently and are beholden to voters. Hall is up for reelection in November after holding the job since 2003.

It's not the first time Hall has come under fire in her elections role. In 2012, a temporary election worker was sentenced to 90 days in jail after admitting she tampered with two ballots. In 2014, Hall was criticized for using the phrase "Democrat Party" — a pejorative used by Republicans to demean Democrats — on a primary ballot instead of Democratic Party.

A county audit conducted last year identified several problems with elections procedures, but Hall implemented only two of the four fixes suggested in the audit, Tootie Smith, the county chair, said.

# Johnson goes 'full-court press' in insurgent bid for governor

Independent has raised more than \$8 million, currently has \$5.3 million in campaign fund

By GARY A. WARNER  
Oregon Capital Bureau

SALEM — The "Betsy Brigades" are revving up to move into the Oregon political scene, carrying the message of the insurgent moderate seeking to become just the second independent governor in state history.

"We're in full-court press," Betsy Johnson said in an interview on primary election day. "We're going to have Betsy Brigades teeing up to gather signatures in every county."

Johnson's mixing of basketball and golf metaphors is symbolic of what she says Oregon needs in its politics: a variety.

"Take the best ideas from Democrats and the best ideas of Republicans so Oregon can get its mojo back," she said.

She's eager to unleash her campaign, sending volunteers dubbed "Betsy Brigades" out to connect with voters in all 36 counties.

With Democrats and Republicans exhausted and depleted by primary races, she's jumping into the spotlight with the largest war chest of all. Johnson has raised more than \$8 million, and currently has \$5.3 million in her campaign fund. Her campaign has attracted large contributions from what critics have called the "bulldozer and buzzsaw" industries — timber and construction.

The largest amount — \$1.75 million — has come from Nike co-founder Phil Knight.

Johnson's first campaign goal is to gather at least 24,000 valid signatures to submit to the secretary of state by Aug. 16. "We'll blow by that number," she said.

## Middle ground

Johnson has sought to stake out the middle ground between what she called "the shrill voices of the left and right." She's lined up endorsements from the moderate wings of both the Democratic and Republican party.

She added Democratic former Gov. Ted Kulongoski and former U.S. Sen. Gordon Smith, R-Oregon, Friday, May 20. She's backed by former Rep. Knute Buehler, R-Bend, who was the GOP nominee for governor in 2018, losing to Gov. Kate Brown in her last election.

Johnson, 71, has straddled the political divide for much of her life. Born in Bend and raised in Redmond, her father, Sam Johnson, was a prominent timber industry business owner. He served seven terms in the House, as a Republican. He was mayor of Redmond at the time of his death in 1984.

After earning a law degree and commercial pilot's licenses for both fixed-wing aircraft and helicopters, Johnson ran an aviation company that included fire-fighting aircraft.

Like her father, she ran for the House, winning election in 2000.

Unlike her father, she was a Democrat. She moved to the Senate in 2005 and served until resigning to run for governor.

With the primary on Tuesday, she now knows who her opponents will be if she qualifies for the ballot.

Former House Speaker Tina Kotek, D-Portland, won the Democratic nomination. Former House Minority Leader Christine Drazan won the Republican nomination.

Johnson was often at odds with Kotek,

most recently on carbon cap legislation that led to Republican walkouts in 2019 and 2020. Passage of the bill was a priority for Kotek. While its fate was uncertain in the Senate, Johnson was seen as a likely opponent.

Over the years, Kotek and leaders of the progressive wing of the Legislature's Democrats have seen Johnson as a roadblock to legislation on gun control, the environment and the expansion of collective bargaining rights further up the ranks of fire, police and other public employees.

Johnson already has a soundbite-ready line when asked about Kotek, playing off polls that show Gov. Kate Brown with low popularity ratings.

"Tina Kotek is more Kate Brown than Kate Brown," she said.



*"Take the best ideas from Democrats and the best ideas of Republicans so Oregon can get its mojo back."*

— Betsy Johnson

On the Republican side, Drazan won a fragmented primary with 22% of the vote among 19 candidates. Fervent followers of former President Donald Trump were unable to rally around a single standard bearer, instead splitting their votes into substantial chunks spread among several candidates. That helped Drazan win on election night.

Johnson said it will be impossible for Drazan to appeal to moderate swing voters who are the key to winning the governorship while not alienating the conservative GOP base.

"I don't think she's going to be able to speak her mind," Johnson said.

Kotek had been the front-runner for the nomination since announcing her candidacy in September. Democrats have been planning a counterattack on Johnson since well before Kotek's primary victory on May 17.

## 'Let Betsy be Betsy'

Oregonians for Ethics, a political action committee that registered with the Secretary of State in early February, has raised \$195,000 to highlight Johnson's votes against Democratic initiatives. The largest contributor has been the Democratic Governor's Conference, with a total of \$65,000.

Drazan has chafed at suggestions that if Johnson makes the ballot, the Republican candidate could be nothing better than a spoiler for a Johnson victory over Kotek.

In April, Drazan told Willamette Week that Johnson's break with the Democratic Party was an opportunistic move to take advantage of the first election in which a governor or ex-governor wasn't on the ballot since 2002.

"She could have been helping recruit and elect moderate Democrats all these years," Drazan said.

Johnson says she won't revise her politics to try to siphon more votes away from Kotek or Drazan.

"Let Betsy be Betsy," Johnson said. "Let me get out and connect with regular people who are sick and tired of the status quo."

Drazan will be the only candidate who is against abortion rights running for governor. That could cap Johnson's appeal to a large percentage of Republicans.

The abortion issue could loom even larger due to an expected U.S. Supreme Court ruling that would strike down the landmark Roe vs. Wade ruling.

Johnson said her position is "not negotiable."

"I am unapologetically pro-choice," she said. "I disagree with everything that Tina Kotek stands for except when it comes to a woman's right to choose."

Johnson said that the much discussed urban-rural divide is a problem for Democrats, whose center of political power is Portland.

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