



Ted Wheeler, Multnomah County Chair

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To: Board of County Commissioners

Fm: Ted Wheeler, Multnomah County Chair

Re: Sheriff Elections in 2010

Dt: September 9, 2009

The Multnomah County Charter guides us in the process used to fill vacancies in elective offices. The process outlined is unique to Multnomah County and it is not widely understood. I think that understandability is important and I hope that the citizens who are convening this month to consider charter revisions will put this issue on their list. However, we must now proceed under the current charter as we best understand it.

Sheriff Skipper's decision to retire on November 5 triggers one or two elections in 2010 to fill the remainder of the unexpired term that Bernie Giusto started in 2007. There will doubtless be some confusion because in 2010 we will also have one or two elections for the term that will begin in 2011.

These are the steps:

1. When Sheriff Skipper retires, his Board approved interim designee will become Sheriff. There is no election in this step and the designee serves until a person is elected to serve the remainder of the term (December 31, 2010)..
2. In March 2010 or in May 2010 (and that choice is the big issue) the voters will vote on an interim Sheriff to serve until December 31, 2010. If one candidate receives a majority of votes, that candidate is elected. If no candidate receives a majority of votes, the two candidates receiving the most votes proceed to a runoff.
3. If a runoff is required (to fill the remainder of Sheriff Skipper's term, December 31, 2010) it would be in May if the first election was in March and in July if the first election was in May. The winner of the runoff would fill the unexpired term.
4. In May 2010 voters will vote on a Sheriff for the term beginning January 1, 2011 and ending December 31, 2014. If one candidate receives a majority of votes, that candidate is elected. If no candidate receives a majority of votes, the two candidates who receive the most votes proceed to a runoff which would be held at the General Election in November 2010.

The big issue is whether we should schedule the first election for March or May of 2010. This is a decision that will be made by the Board of County Commissioners. There are good arguments for each option and I hope that we will get some feedback from the community before we decide.

The strongest argument for a May election is that a March election would cost between \$430,000 and \$470,000 and we would have to cut services someplace to get that money.

The strongest argument for a March election is that it resolves the issue sooner.

There are other factors that we also need to consider:

If we had the election in May and a runoff was required, it could be as early as July. A July election would cost just as much as a March election so any savings would be erased. We have no way of predicting whether or not a runoff would be required.

The interim period is about 14 months. If we elected a person in March they would serve for about 9 of those 14 months, in May it would be 7 months, in July it would be 5 months.

It will probably be confusing to voters to see two Sheriff's elections on one ballot. If we schedule the election for the interim in May, they would both be "primary". If we schedule the election for the interim in March, and a runoff is required in May, it would have two candidates who might or might not appear on potentially longer list of candidates on the same ballot.

The good news is that we don't need to decide until November and we may have more information by then. If another jurisdiction needs to have an election in March, that would defray some portion of the expenses and make that choice more attractive. If a large number of individuals announce their candidacy for office, the need for a runoff is much more likely, and we might consider that as well.

I have not decided how I will vote on this because I want to hear more from the community on these choices. I know that taxpayers want us to be frugal. I know that the right to vote on these issues is deeply cherished and important. I have confidence that we will make the right decision.

But I also have hope that the citizens who are coming together as a Charter Review Committee will find a better and clearer way to fill vacancies in office. I have never been fully comfortable with the designee system because it seems to me to be the least democratic option. But I have to add that any options to change the system would also be on the ballot in March or November of 2010. It will be an interesting year.