

July 27, 2005

Dean Logan
Records, Elections, and Licensing Services Division
King County Administration Building
500 4th Avenue
Room 553
Seattle, WA 98104

Dear Mr. Logan;

This letter is to make you aware of fourteen persons who are improperly registered in King County Precinct 1823 at invalid residential addresses. The following is a list of these registrants with comments that explain why each registered residential address is not valid:

<u>Voter ID</u>	<u>Name</u>	<u>Residence</u>	<u>Comments</u>
950805340	Joseph M Garshae	605 1 st Ave #350	Office Building
921599358	David Murphy	605 1 st Ave #375	Office Building
980419576	Karen Ellen Bendler	605 1 st Ave #300	Office Building
990613438	Jason D Story	308 4 th Ave #803	Address does not exist
940491975	Antonio F Daguio	308 4 th Ave #522	Address does not exist
40298827	Yusef A Barre	308 4 th Ave #617	Address does not exist
990603291	Rodolfo S Mutya	308 4 th Ave #R 826	Address does not exist
985996	Robert R Grause	308 4 th Ave #717	Address does not exist
960448618	Crystal L Hayes	308 4 th Ave #516	Address does not exist
950532980	Gaylen S Iwasaki	619 Western Ave #10	Office Building
840235726	Edward M Cox	619 Western Ave	Office Building
980648605	Michael A Knutson	619 Western Ave #12	Office Building
990199892	Jodi Ann Mikesell	619 Western Ave #22	Office Building
960523873	David C Wilson	619 Western Ave #22	Office Building

Please note that this letter is not a registration challenge. The code requires that a challenge to a voter's residence specify the voter's actual residence. This apparently presumes that the registered address is a real residence and, for that matter, that the person exists, is alive, and the persons actual residence can be determined.

I provided this information to your office in person and was told that it was your office's policy not to investigate allegations of invalid registration. I believe that this policy is faulty, particularly if your agents have failed to properly review applications.

RCW 29A.08.110 requires that proper review include a determination that the provided residential address is valid. It provides in part:

On receipt of an application for voter registration under this chapter, the county auditor shall review the application to determine whether the information supplied is complete. An application that contains the applicant's name, complete valid residence address, date of birth, and signature attesting to the truth of the information provided on the application is complete. [Emphasis added.]

Failure by an applicant to provide a valid residential address may be commission of a fraud. RCW 29A.84.010 specifies the procedure to be followed when a possibly fraudulent voter registration comes to your attention:

(1) A county auditor who suspects a person of fraudulent voter registration, vote tampering, or irregularities in voting shall transmit his or her suspicions and observations without delay to the canvassing board.

(2) The county auditor shall make a good faith effort to contact the person in question without delay. If the county auditor is unable to contact the person, or if, after contacting the person, the auditor still suspects fraudulent voter registration, vote tampering, or irregularities in voting, the auditor shall refer the issue to the county prosecuting attorney to determine if further action is warranted.

(3) When a complaint providing information concerning fraudulent voter registration, vote tampering, or irregularities in voting is presented to the office of the prosecuting attorney, that office shall file charges in all cases where warranted.

RCW 29A.84.110 specifies penalties for failure to perform the duties of your office related to voter registration:

If any county auditor or registration assistant:

(1) Willfully neglects or refuses to perform any duty required by law in connection with the registration of voters; or

(2) Willfully neglects or refuses to perform such duty in the manner required by voter registration law; or

(3) Enters or causes or permits to be entered on the voter registration records the name of any person in any other manner or at any other time than as prescribed by voter registration law or enters or causes or permits to be entered on such records the name of any person not entitled to be thereon; or

(4) Destroys, mutilates, conceals, changes, or alters any registration record in connection therewith except as authorized by voter registration law,

he or she is guilty of a gross misdemeanor punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

Please review the above information and inform me what corrective actions will be taken. Also, please inform me if your policy on investigating the validity of residential addresses has been correctly stated.

Respectfully submitted,

Robert M. Edelman
29871 232nd Ave SE
Black Diamond, WA 98010
(360) 886-7166

cc: Norm Maleng, King County Prosecuting Attorney