



King County

Records, Elections and Licensing Services Division

Department of Executive Services

King County Administration Building
500 Fourth Avenue, Room 553
Seattle, WA 98104-2337

206-296-1540
206-296-0108 Fax
711 TTY Relay

March 7, 2005

Stefan Sharkansky

Seattle, WA 98103

Dear Mr. Sharkansky:

The King County Records, Elections and Licensing Services Division received a public disclosure request from you by electronic mail at approximately 1:21 p.m. on Tuesday, February 22, 2005.

As you know, the Elections Section of our office is responding to a significant number of public disclosure requests at this time. Additionally, we are continuing to be responsive to requests for information related to the election contest lawsuit and related media inquiries. For these reasons, the Elections Section will need additional time to review your request, identify responsive documents and gather those documents for your review.

Listed below are the separate portions of your request as they appear in your letter dated February 22, 2005, with REALS' response to each. In addition, we have provided reasonable estimates on the time required to fully respond to each request. These estimates are based on the time it will take to locate and assemble the information requested and the time it will take to determine whether any of the records requested are exempt from disclosure. If any record(s) is determined to be exempt, the specific exemption will be cited to you.

In your request, you asked for access to the following:

1. A list of all King County voters who submitted ballots in the Nov.2 [2004] election. "Although KCRELS [sic] released to me a CD-ROM containing a voter list, you have been cited in the media as explaining that the list issued to me was not a list of voters who submitted ballots in the election, but a list that was created "as a result of the labor-intensive "voter crediting" or "voter history" process that is done after election results already have been certified." [Seattle P-I, Feb.18, 2005]. If the list that I received was not a list of all King County voters who submitted ballots in the Nov.2, 2004 election, then I request all documents in

which the list of all such voters is contained.

- a. The crediting of absentee voters occurs as absentee ballots are received unless there is an issue with their signature. This information has been provided in many versions to many people on a CD-ROM. While we have lists available for rejected ballots, we do not have a comprehensive list of voters whose ballots were received too late. You are welcome to review absentee ballot envelopes if you'd like, however we will need at least one week to make arrangements for such a request.
 - b. Responsive documents to this request also include poll books which will be available for review from 8:30 a.m. to 4:30 p.m. on Thursday, March 10 and Friday, March 11, 2005. We are happy to reserve a conference room and schedule additional viewing time with 48 hour advanced notice.
2. A file of all the King County voter registrations that have been cancelled since Nov. 1, 2004, including full name, full address, registration date, and voter id and a reason for cancellation.
- a. This list is available for you at the Elections office for \$12.50.
3. Public records pertaining to the employment of Conor McCarthy, including Mr. McCarthy's dates of employment, title, duties, pay rate and qualifications.
- a. Mr. Conor McCarthy worked Monday, Wednesday, and Friday from April 19, 2004 to May 14, 2004. Beginning May 18, 2004 he worked full days on Tuesdays and Thursdays and from 1 p.m. to 4:30 p.m. on Mondays and Wednesdays.
 - b. Mr. McCarthy worked in a temporary capacity as a Communications Specialist II (Range 54, Step 1 or \$23.4798/hour).
 - c. A printed copy of this position and its duties is available for review at the Elections office, or if you prefer, we will make copies for you at \$0.15 per page. Copies of emails related to his employment are also available. If there are additional related email with regards to Mr. McCarthy's employment, we will make that available no later than March 31, 2005.
 - d. Mr. McCarthy served in this position through Jan. 20, 2005.
 - e. Per RCW 42.17.310(1)(t), all application material is exempt from public record. A two page résumé and three page application form are being withheld under this exemption.
4. Files identified in the Nov. 3, 2004 email from Travis Elsom to Bill Huennekens as "no sig on file" and "AV ballot not signed.

- a. These two attachments and related email were forwarded electronically to you at 11:07 a.m. on March 7, 2005.
5. All poll site ballot reconciliation documents from the November 2004 election, which King County was required to create.
 - a. Information associated with this request is currently being used by the Prosecuting Attorney's Office as part of an ongoing lawsuit. We will make these documents available for review no later than March 31, 2005. If you wish to have copies made, please let me know by March 22, 2005 for a charge of \$0.15 per page.
 - b. Copies of any other responsive documents will be made available by March 31, 2005 for review or for a charge of \$0.15 per page.
6. All documents pertaining to the reconciliation of absentee ballots and absentee voters from the November 2004 election.
 - a. A copy of the Mail Ballot Report which was submitted to the Canvassing Board on November 17, 2004, was provided to you in person Monday, March 7, 2005. We estimate any other responsive documents will be available by March 31, 2005.
7. Names, addresses, polling place and voter ids of the 252 voters whose provisional ballots were inserted into vote counting machines at the polls, as well as any related documents to the identification and crediting of these voters.
 - a. A list of the precincts in which the 348 provisional ballots were cast is available for your review. We estimate copies of all responsive documents will be available by March 31, 2005, for review. If you would like copies there is a charge of \$0.15 per page. Given the volume of this documentation, I will assume you would like to review the material before requesting copies unless I hear otherwise.
8. Any documents pertaining to the reconciliation of ballots and voters from the November 2004 General Election, including all reports presented to the canvassing board prior to the certifications of the three vote counts that show the reconciliation of ballots and/or voters that explain any discrepancies in the number of ballots counted.
 - a. We estimate copies of all responsive documents will be available by March 31, 2005 for a charge of \$0.15 per page or \$12.50 per CD.

- b. Per our verbal conversation, you will inform me if you would like copies of the Canvassing Board audio minutes which are available on cassette tape (7), VHS (1 tape), and 1 audio CD for the following prices:
 - i. 1 VHS \$10
 - ii. 1 CD \$12.50
 - iii. 7 tapes for @ \$16.32 each for a total of \$114.24

- 9. All documents that describe provisional ballot and voter crediting procedures in place at the time of the start of the canvass (Nov.2, 2004) – as well as any changes made after Nov.2, 2004, and the effective date of the change.
 - a. We estimate copies of all responsive documents will be available by March 31, 2005.

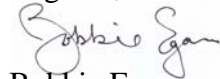
- 10. All documents that describe absentee ballot and voter crediting procedures in place during the canvassing period, including the procedures that prevent more than one vote per person from being counted.
 - a. We estimate copies of all responsive documents will be available by March 31, 2005.

- 11. All document requests to me, Bobbie Egan and Bill Huennekens and or members of King County Election staff in email or hard copy from any person for any type of document pertaining to the reconciliation of ballots and voters that was made between Nov.2, 2004 and Feb.21, 2005.
 - a. A copy of a public records request submitted by a reporter and our response is currently available for \$0.15 per page. We estimate any additional responsive documents will be available by March 31, 2005.

We will notify you by letter or electronic message as soon as we have been able to identify responsive documents and have gathered those documents for your review. At this time, the Elections Section estimates that it may take up to 30 days to be completely responsive.

If you have any questions, please contact me or Mary Stoa at 206-296-1540.

Regards,



Bobbie Egan

Communications Specialist

cc: Dean C. Logan, Director REALS

Mary Stoa, Confidential Secretary, REALS
Janine Joly, Sr. Prosecuting Attorney, King County Prosecuting Attorney's Office