



copying charges. Please sign and return the refund receipt that was also included in that package.

3. We have already responded to the third item of your July 5 public disclosure request. As indicated in my July 14, 2005 letter to you, we have no documents responsive to your request for "files for batches that were created on October 29" from PSI batches. As the July 14 letter stated, batch file data from PSI for October 29, 2004, was either "corrupt or blank" and we therefore have no documents responsive to this portion of your request.
4. The fourth part of your July 5 request was for copies of provisional ballot envelopes and absentee envelopes for the November 2004 General Election that were returned by the voters listed in an Excel spreadsheet enclosed with your request. Twenty-seven pages of documents responsive to this request were made available to you on July 15, 2005. You picked them up on July 25. If there are any additional documents responsive to this portion of your request, we expect to be able to make them available to you on or before September 2, 2005.

In the fourth part of your request you also ask for "any other documents that could explain why these voters who returned absentee ballots would be credited as having cast a provisional ballot." The documents responsive to this part of your request were provided to you on July 25, 2005. Specifically, thirty-five pages of documents on provisional ballot procedures and provisional ballot processing (DIMSNET Guide) were provided to you. Our response to this second part of your fourth request is complete.

5. In my July 14 letter I responded to your request for "copies of all of the absentee ballot envelopes of batch RB-3365." As indicated in my letter, because RB-3365 is a rebatch, we are unable to determine from our Election Management and Voter Registration System which voters are in this particular batch. Therefore, we are unable to respond to your request because it is not a request for identifiable public records.
6. In your July 5 letter, you asked to examine the original ballot envelope for all absentee ballots that were "rejected prior to validation and not tabulated." We have reconsidered our position on providing you with access to copies of the envelopes rather than the originals. As I indicated in my July 14 letter, it is our policy to restrict access to the original envelopes. However, in order to facilitate your review of the envelopes, we have made arrangements for you to review the original envelopes at the King County Archives office.

The King County Archives office is located at 1215 E. Fir Street in Seattle. The research room at Archives will be made available for your exclusive use Monday, Tuesday, Thursday and Friday of each week from 9:00 a.m. to 4:00 p.m. beginning Tuesday, September 6, 2005 and continuing for the following six weeks. We will deliver a pallet of boxes to Archives and you will be permitted to review them one box at a time in the research room. Once you have completed your review of an entire pallet, we will make arrangements to deliver the next pallet. If you need additional time beyond the six weeks, we will make arrangements for your continued review of the documents. Once you begin

reviewing documents, please inform the staff at Archives if there are days you will not be reviewing documents so the research room can be made available for others to use.

The King County Archives has rules regarding what you may bring into the research room and you will not be given access to the ballot envelopes unless you agree to follow these rules. To get more information on these rules, please call Deborah Kennedy, King County Archivist, at 206-205-1396. If you intend to bring others to assist you in reviewing the records, please be advised that the research room holds a maximum of four people and one elections staff member will be in the room during your review. Therefore, you may only bring two additional persons to review records with you at any given time. As you review the documents, if you would like copies of specific envelopes, you will be able to flag those envelopes and copies will be made for you as soon as reasonably possible. The cost for copies will be fifteen cents per page.

7. In addition to examining the untabulated absentee ballot envelopes addressed in section six above, you indicated that you also wanted to examine "all other source documents that were used in the preparation of the 'Mail Ballot Report' that was presented to the canvassing board in November 2004." As indicated in my July 14 letter to you, there is a GEMS report that is responsive to this portion of your request. That report was provided to you on July 25.

Additionally, as indicated in my July 14 letter, all returned absentee ballots envelopes are "source documents" for the Mail Ballot Report and responsive to your request. In the July 14 letter, I asked you to clarify whether you intended your request to encompass these records. In your July 18 letter you indicated that you did want to review "all of the absentee ballot envelopes that were returned to King County in the November 2004 general election." Therefore, in addition to producing the untabulated absentee ballot envelopes that you requested in your July 5 letter and referenced in section six above, we will make the envelopes for tabulated absentee ballots available to you at King County Archives. Since you requested the untabulated ballot envelopes first, we will make those available first.

8. As I indicated in my July 14 letter, your request for immediate access to documents which you failed to identify in section eight of your July 5 letter has been denied. The Public Disclosure Act does not require agencies to honor such requests.
9. In your July 18 letter you requested that the corresponding batch slips be produced with the absentee ballot envelopes. The batch slips are stored separately from the envelopes. We will make copies of all batch slips available for your review at King County Archives beginning on the day you begin your review of the untabulated absentee ballot envelopes. However, the batch slips will not necessarily be in the order that absentee ballot envelopes are provided for your review.

Finally, in your July 18 letter, you listed the order in which you wanted to review the absentee ballot envelopes. As you requested and as indicated above, the envelopes for untabulated absentee ballots will be made available to you first. (It is possible that there may be some

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envelopes for tabulated ballots with the pallets for untabulated ballots.) However, the envelopes are not stored by legislative district, so we cannot provide the envelopes according to the remainder of your preference list. However, in general, you will be able to determine which legislative district a batch of envelopes is associated with by examining the envelopes within that batch. Most envelopes will contain a precinct name and possibly a legislative district prefix that will indicate the legislative district associated with that batch of envelopes.

If you are unable to begin reviewing absentee ballot envelopes at King County Archives on the date listed above, please let us know what date you will begin your review. We will inform Archives that the research room is available for others to use until you begin your review.

We will contact you on or before September 2 regarding production of the documents responsive to the portion of your request discussed in section 4 above.

Additionally, we are acknowledging your August 9, 2005 correspondence in which you requested a copy of the absentee ballot envelope returned by Donald Cornell Sims, Jr., for the September 2004 primary. We will make every effort to produce this document by September 2, 2005.

If you believe you have any outstanding requests that are not covered by this letter, please inform us in writing as soon as possible; however, we believe that all of your outstanding requests are addressed above.

Sincerely,



Dean C. Logan  
Director

cc: Janine Joly, Senior Deputy Prosecuting Attorney