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CLARK COUNTY  
WASHINGTON

**AUDITOR**  
GREG KIMSEY

October 10, 2017

Ms. Shawna Powell  
32 E. Washington Street, Suite 1675  
Indianapolis, Indiana 46204

Dear Ms. Powell:

On September 25, 2017, Clark County received a letter from you alleging that the County has “significantly more voters on the registration rolls than it has eligible, living citizen voters” and that you were therefore requesting various records from us. As we clarified in our email to you on September 26, 2017, the number provided to the Election Assistance Commission following the November 2016 election lists the total of non-active rather than inactive voters in Clark County. Non-active voters, which total approximately 205,233 people, include people who have been declared inactive, pended, fatally pended, canceled, and cancelled felons. Separating out only inactive voters from this category, as of November 8, 2016, Clark County’s inactive voters totaled only 31,610. You may verify the information has been corrected at the EAC website and you may view it at: <https://www.eac.gov/research-and-data/dataset-notes-updates/>

Following this clarification, we received an email back from you in which you renewed your request for records based on your continuing belief that Clark County has “significantly more voters on the registration rolls than it has eligible, living citizen voters.” Although this is clearly not the case, we responded to your email with a request that you contact us so that we could clarify your request to ensure our compliance with it. As we have not heard back from you, we ask that you review the following to make sure there are no other categories of election records not listed that you intended to be part of your request.

The following is a list of records in our possession that we believe are responsive to your request. The records identified are still being compiled and reviewed. Please note that some of the records identified may be exempt from production under Washington State or federal public records laws. It is our intention to compile our first installment of responsive records along with any exemption and/or redaction logs on or before Oct. 25, 2017.

- (a) Clark County reads this request as seeking the registration totals of active and inactive voters since June 29, 2017.
- (b) Clark County reads this request as seeking jury questionnaires and records and list maintenance records associated to jury questionnaires. We note that the Clark County Elections Department does not receive or utilize jury questionnaires for any list maintenance purposes, or any other sources regarding individuals who were ineligible to serve on juries, due to reason of citizenship, death or relocation out of the jurisdiction. We have no responsive records to this of your request.
- (c) Clark County reads the portion of © seeking the number of ineligible registrants removed from voter rolls as a request for a list of cancelled voters in our county from December 1, 2011 to present and records associated with the cancellations.
- (d) Clark County reads this request as seeking the number of 8D2 confirmation notices sent to voters who became inactive since 2011, and confirmation cards returned with changes to reactivate or cancel Pursuant to Washington law, we retain these cards for three years. With respect to mailings, please be advised that Clark County has been a vote by mail county since 2005. Therefore your request for any countywide mailings as to all registrants since 2011 would include an electronic list of all voters receiving ballots at every election since 2011 and the returned affidavit envelopes. Pursuant to Washington State law, electronic lists are available from 2013 to present and affidavit envelopes are kept for 22 months for Federal Elections and 60 days for Special Elections.
- (e) Clark County reads this request as seeking an organizational chart of the elections department.
- (f) Clark County reads this request as seeking the number of registrants and an electronic list of voters cancelled based on a felony conviction since December 1, 2011. You are also requesting the most recent dataset which was used to compare against voter registration lists. Any communication or list to compare against registrants is handled through the State Voter Registration Database, and no responsive records are available from Clark County Elections for this dataset and communications.
- (g) Clark County does not use or have access to the SAVE program data base and therefore has no records responsive to this request. No other program databases are utilized regarding citizenship verification data. A list of registrants missing required information of citizenship and not ever registered is available. Since no date is requested, unless we hear otherwise we will produce this list from 2013 through present. Incomplete voter registration forms indicating a potential registrant is not a U.S. Citizen are not processed, but are filed. Voter registration forms are confidential and exempt from public records disclosure.
- (h) Clark County reads this request as seeking federal voter registration forms received and ballot envelopes with NCOA post office return stickers. Voter registration forms are exempt from public disclosure requests. Pursuant to Washington State law, status change notices are retained for three years and will be made available for copying or viewing.

Licensing database. We are prohibited to disclose the names and addresses of people on this list because the list includes personal information about an individual obtained by the Department of Licensing. See Federal 18 U.S.C. sec. 2721 and sec. 2725.

- (j) Clark County reads this request as seeking records listing voters removed or potentially removed for reason of death, including Social Security death index or other data and dates of removal. This would include local death lists, public health death lists and local obituary notices. Since no date has been requested, unless we hear otherwise, we will produce responsive records from 2013 to present.
- (k) Clark County reads this request as seeking all records and notification received by anyone requesting removal or cancellation from voter rolls for any reason related to non U.S. citizenship or ineligibility. These records would include an electronic list of all cancellations and the reason for cancellation. It would also include the documents used for the list maintenance.
- (l) Clark County reads this request as seeking any complaints regarding errors or suggestions to correct voter roll lists from third parties and data received. This would include any email correspondence searching for keywords of "correction", "wrong information", "error", and "mistake".
- (m) Clark County reads this request as seeking office procedures regarding how the office detects and handles duplicate voter registration records.

**Please review the entire list above and let me know specifically if there are other categories of election records not listed that you intended to be part of your request.** Otherwise, we will have the first installment of records compiled by October 25, 2017. At that time any electronic records will be made available, and the approximate number of available responsive records available in paper form with an estimate of cost of copying will be provided. You may let us know if you would like us to copy and mail them to you or if you would like to inspect them in person.

Sincerely,



Cathie Garber  
Elections Manager