



CALIFORNIA PUBLIC RECORDS ACT (CPRA) REQUEST FOR PUBLIC INFORMATION

April 24, 2009

Ms. Barbara Dunmore  
Riverside County Registrar of Voters  
2724 Gateway Drive  
Riverside, CA 92507-0918

Dear Ms. Dunmore,

On behalf of myself and Election Defense Alliance, pursuant to the rights of citizens under the California Public Records Act (Government Code Section 6250, et seq.) and the California Constitution as amended by passage of Proposition 59 on November 3, 2004, I am seeking copies of the following public records related to the November 4, 2008 Presidential General Election in Riverside County, CA which I understand to be in the possession of your agency.

"DOCUMENT" means records, reports, correspondence, agreements, receipts, and other WRITINGS.

"WRITING" means handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

I am requesting the production of the following documents, all in original electronic format as required by Government Code Section 6359:

1. The final electronic version of the Ballot Reconciliation Excel Spreadsheet in unlocked and unblocked format including totals for all columns containing numbers. If some columns did not contain a complete set of data (e.g. "Total of Provisional Electronic Signatures (from Rosters)"), please do not add data into those columns for purposes of responding to this request. Please illustrate where on the documents the reader can find the data that reconciles or validates the data required by EC§ 15300 et seq.
2. All documents that were prepared to satisfy Election Code Section 15302(b) regarding required official canvass tasks which reads "a reconciliation of the number of signatures on the roster with the number of ballots recorded on the Ballot Statement." Please illustrate where on the documents the reader can find the data that reconciles or validates the requirements of EC§15302(b).
3. All documents that were prepared to satisfy EC§15302(c) which reads "In the event of a discrepancy in the reconciliation required by subdivision (b), the number of ballots received from each polling place shall be reconciled with the number of ballots cast, as indicated on the ballot statement." Please illustrate where on the documents the reader can find the data that reconciles or validates the requirements of EC§ 15302(c).
4. An electronic copy of each of the audit and event logs including directory listings from:
  - a. the central tabulator,
  - b. each of the eight Sequoia Optech 400C scanners, and
  - c. each of the Sequoia Edge II DRE (Direct Recording Electronic) units, and
  - d. any other computers of the Sequoia Voting System used in the November 4, 2008 Election.

The logs requested are those that document any activity related to the November 4 election, including, but not limited to, the testing of the ballot definition files, the Logic and Accuracy (L&A) tests performed on all of the DREs utilized for the November 4 election, and all DRE Results Cartridges uploads. The period covered by this request is August 1, 2008 to February 28, 2009.

5. Electronic copies of the election databases (including backup copies) for the period beginning with the first election database produced for the November 2008 Election to the last election database produced for the November 2008 Election.
6. An electronic copy of the documents used to generate or validate the data reported on the Statement of Vote (SOV), including but not limited to the totals of "Ballots Cast at Polls" and "Ballots Cast via Vote-By-Mail." Please illustrate where on the documents the reader can find the data that reconciles or validates the data on the Statement of Vote.

Pursuant to Government Code section 6253.9, subdivision (a)(2), I request that you make information that constitutes an identifiable public record that is in an electronic format available in the electronic format in which you hold the information, or in a format used by you to create copies for your own use or the use of other agencies.

I ask for a determination on this request within 10 days of your receipt of it, and an even earlier reply if you can make that determination without having to review the records in question.

I ask that you notify me of any costs involved prior to incurring those costs.

Please treat this request as severable. That is, should you determine that one or more portions of the request cannot be released, please state the legal basis for such non-release, and release the remaining portions expeditiously as required by Government Code Sections 6250 et seq.

If you determine that any or all of the information is exempt from disclosure, I ask that you reconsider that determination in view of Proposition 59, which has amended the California Constitution to require that all exemptions be "narrowly construed." The newly amended Government Code, section 6250, et seq., may modify or overturn authorities on which you have relied in the past.

If you nonetheless determine that the requested records are subject to a still-valid exemption, I would further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) that, with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest.

Finally, should you deny part or all of this request, you are required to provide a written response describing the legal authority or authorities on which you rely.

If you need clarification that will help expedite the processing of this request, please contact me by telephone at 510 233 2144 and e-mail at [Info@ElectionDefenseAlliance.org](mailto:Info@ElectionDefenseAlliance.org).

I look forward to your prompt and professional compliance with this request.

Sincerely,



Daniel Ashby  
Co-founder and Director  
Election Defense Alliance