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From: Thurston County Public Records Center

Sent: Monday, March 14, 2022 12:56 PM

[REDACTED]

--- Please respond above this line ---



March 14, 2022

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This communication is regarding your public records request, [REDACTED]

Specifically, you requested:

*Please provide the Cast Vote Record from the 2020 General election. This should include batch and tabulator information. Please include the dates and times in the report. ES&S systems can produce this as a standard report.*

RCW 29A.04.008 defines a ballot to include “a facsimile of the contents of a particular ballot whether printed on a paper ballot or ballot card or as part of a voting machine or voting device,” and “a physical or electronic record of the choices of an individual voter in a particular primary, general election, or special election.”

The cast vote record is a document that contains the electronic record of the choices of an individual voter in an election. As such, it is the functional equivalent of viewing a physical ballot document.

Please be advised that article VI, section 6 of the Washington Constitution, RCW 29A.60.110, RCW 29A.60.125, and WAC ~~434-261-045~~, which are other laws preventing disclosure pursuant to RCW 42.56.070(1), bar us from providing you with those records. *See also White v. Clark County*, 199 Wn. App. 929, 401 P.3d 375 (2017); *White v. Skagit County*, 188 Wn. App. 886, 355 P.3d 1178 (2015). That legal authority provides that ballots and ballot images, including electronic records and digital image files, must remain in secure storage at all times, and may only be opened or accessed for specific or authorized purposes. Accordingly, we cannot legally provide you with those records that you have requested.

At this time Thurston County considers your public records request to be closed.

If you believe we have misunderstood your request, or if you have any questions, please contact me or paralegal Sara Meath at (360) 754-4998.

Sincerely,

Karen Horowitz

Senior Deputy Prosecuting Attorney

Thurston County Public Records Officer

Thurston County Prosecuting Attorney’s Office

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To monitor the progress or update this request please log into the [Thurston County Public Records Center](#)

