

Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Election Commission – Failure to Comply with Law or Alleged Illegal Election Practices

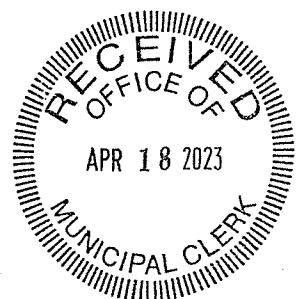
OBSERVER INFORMATION	<u>4-18-23</u>
	Date
	<u>DANIEL SMITH</u>
	Printed Name Of Observer
	<u>BRIAN FLYNN</u>
	Name Of Candidate Or Organization/Group Representing

EXPLANATION OF EVENTS	EXPLANATION OF ALL EVENTS CREATING THE CONCERN:
	<p>REFERENCE ATTACHED. 6 PAGES</p> <p>ATTACHMENTS: A, B, C, D, E, F, G, H, I, J, K, L</p>

CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH WERE NOT COMPLIED WITH:
	<p>Violation of City Ordinance 3.90.010 and 3.90.030</p> <p>A review of Title 28 of the city code that pertains to elections does not have an explicit provision on transparency. This should be explicitly addressed. However, Title 3.90.010 and 3.90.030 pertaining to "Access to Public Records" was violated. Title 3.90.010 states that unless records are explicitly listed as not disclosable, the records should be available to the public. Election information/records are not listed as non-disclosable (3.90.0400). Title 3.90.010 states, "It is the policy of the municipality to provide the fullest and most rapid public access to municipal records and information so that the right of the people to remain informed is protected." 3.90.030 specifically lists the records that are available to the public. Although the information requested is not explicitly listed in 3.90.030, it clearly states, "the policy of providing public access to public information shall be broadly and liberally construed, and, where there is no express policy governing the release of a particular report or other information, the information shall be released providing its release does not conflict with the privacy rights of ordinary citizens.</p>

AFFECTS TO OUTCOME OF ELECTION	EXPLANATION OF HOW THE CONCERN WOULD CHANGE THE OUTCOME OF THE ELECTION IF FOUND TO BE TRUE:
	REFERENCE ATTACHED.

SIGNATURES	<div> <div><i>Daniel E. Smith</i></div> <div>Signature of Observer</div> </div> <div> <div>4-18-23</div> <div>Date Submitted</div> </div>
	<div> <div></div> <div>Signature of Municipal Clerk or Designee</div> </div> <div> <div></div> <div>Date Received</div> </div>



Following is the product of observing the 2023 MOA Regular election over 4 to 5 weeks of the election process, deciphering and analyzing enormous amounts of data provided by MOA Elections, the State of Alaska and that information which was gathered independently. Initial data provided by MOA Elections led to the complaint filed on March 29, 2023 by Daniel Smith, Observer for Brian Flynn candidate for MOA Assembly Seat E.



Initial Observation

34,102 Active Registered Voters were intentionally not mailed a ballot by MOA Elections for the April 4, 2023 Regular Election.

March 28, 2023 - It was observed there were more voters on the State of Alaska list of Active Registered Voters in Anchorage than on the Municipality of Anchorage list of Voters Receiving Ballots for the 2023 Municipal Election.

Active Registered Voters can vote. As obtained from the State of Alaska voter rolls by the Municipality of Anchorage on March 5, 2023, the MOA indicates 235,564 Active Registered Voters in Anchorage. Reference attached daily Ballot Return Data from MOA Elections web site,

<https://www.muni.org/Departments/Assembly/Clerk/Elections/Pages/Ballot-Return-Data.aspx>.

(RE: ATTACHMENT "A")

Reference also the front page of the Election Summary Report. Note the number of active registered voters is 235,546.

(RE: ATTACHMENT "B")

As provided by MOA Elections in an Excel file on March 17, 2023, the "List of Voters Receiving Ballots" for the 2023 Municipal election indicates 201,462 voters received ballots (by USPS mail).

(RE: ATTACHMENT "C") sample

This is a difference of 34,102 active registered voters who have purposefully not been sent a ballot due to MOA Actions.

Requested list of Active Registered Voters from State this afternoon.

March 29, 2023 - A complaint was filed addressing the observations made March 28, 2023. Request was made for **MOA Clerk to provide** a list of the active registered voters who were intentionally not mailed a ballot.

(RE: ATTACHMENT "D") includes full chain of communication regarding this complaint.

Received list of Active Registered Voters from State this morning.

March 30, 2023 - MOA Clerk confirmed this was their doing and by ordinance is permitted to cull the Active Registered Voters List provided to the Municipality by the State of Alaska pursuant to MOA ordinance 28.40.020C which reads,

"Voting by mail. The municipal clerk shall cause an official ballot to be mailed to voters at least 21 days before the regular or special election day and seven days before runoff election day. The municipal clerk is not required to mail ballots to any voter that does not have a valid residence address, or is in the

condition of purge notice (PN), undeliverable (UN), list maintenance (LM), or list maintenance undeliverable (LU), as described in AS 15.07.130".

The term "valid address" has not been defined and appears as an addition to condition codes which are somewhat better described.

Jamie Heinz explains that these are known undeliverable ballots. Voters who are in "Purge" notice have not responded to the States efforts to contact them after a period of not voting. Full response from Heinz attached, (RE: ATTACHMENT "D").

March 31, 2023 – Observer follow up request made for list of voters not mailed a ballot. Added request for list of undeliverable ballots returned to the Election Center for the 2022 MOA regular election.

MOA / Heinz responds and claims all active registered voters were mailed a ballot with references to sub codes not available to general public. Heinz directs observer to State of Alaska to obtain codes.

State of Alaska Elections was contacted in quest of voter condition codes but advised that voter condition codes would/could not be released by State Elections and these codes could be obtained from MOA Elections.

April 3, 2023 – Observer restates original request for list of voters that did not receive ballots.

April 5, 2023 – Liaison Ralph Duerre states MOA did modify the list of Active Registered Voters from the state and a list of those voters culled from the State list would be provided before the public session of Canvass.

At this point there is no longer the possibility of contacting the 34,102 voters intentionally denied a ballot by mail due to the MOA clerk's actions. Inviting the purged voters to participate in the election is now impossible due to the late date and complete lack of information provided regarding the identity of the voters purged by MOA clerk.

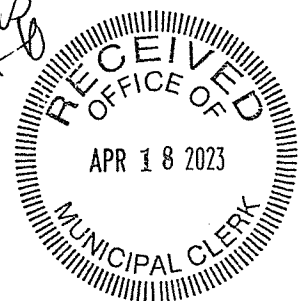
April 11, 2023 – Observer asks for an update on schedule for delivery of Culled voter list and 2022 undeliverable list.

April 12, 2023 – Jamie Heinz indicated requested lists will be delivered by close of business Friday, April 14, 2023.

April 13, 2023 - Received a thumb drive from MOA Elections Jamie Heinz with a file titled "2023 All Anchorage Eligible Voters". This is not a list of voters who were intentionally not sent a ballot. This is a list with a new title unseen before and does contains voter condition codes below. A tally of how many voters in each code group is included below:

RG	Registered Voter	199,514
UN	Undeliverable	26,642
LM	List Maintenance	9,257
LU	List Maintenance Undeliverable	93
ID	Identification Required	57

I am not required to create records to respond to a request pursuant to AS 44.



201,402

TOTAL

235, 563 Active Registered Voters

The total is a close match to the Active Registered Voters stated on the March 28, 2023 Ballot Return Data Page on MOA Elections web site and the March 5, 2023 State voter roll list the MOA received from the State.

How did MOA Elections arrive at 201,462 voters who were sent a ballot? Assuming all voters with condition code RG were sent a ballot that would leave a balance of 1,948 voters who received a ballot but were in some other condition besides RG. Discretion appears to be used to select voters and mail ballots to active registered voters (all 235,564 are active registered voters) from other category(s).

1,948 votes is enough to overturn any of the seven Assembly seats up for election with the possible exception of District 1, Seat B and District 3, Seat E.

MOA Elections Center culled or caused to be culled the list of Active Registered Voters. The MOA Clerks office removed at least 34,102 voters from the Active Registered Voter list, by intentionally not sending them a ballot. The municipal clerk knows who these voters are but has not fulfilled the formal request(s) to provide that information. The MOA is not forthcoming with this information and is not providing this information in a good faith effort pursuant to observer's clear and repeated requests. What criteria was used to select the 1,948 additional voters who were mailed a ballot?

The State doesn't know who the MOA Clerk culled from the Active Registered Voter list. The State makes available to anyone for a \$20 fee, a list of Active Registered Voters. A request was made to State Division of Elections and the State list of Active Registered Voters was obtained. Comparison began between the State provided Active Registered Voters list and the Municipality List of Voters Receiving Ballots.

From the State List of Active Registered Voters with "*" or "?" codes (RE: ATTACHMENT I), It can be determined from the State provided Anchorage voter roll how many Anchorage voters got culled and intentionally not mailed a ballot. Their public voter history is as follows:

2,162 people who last voted in 2022*

- 1,193 voters who last voted in 2022 State General Election – 4 months prior to MOA 2023 list creation.

2,448 people who last voted in 2021

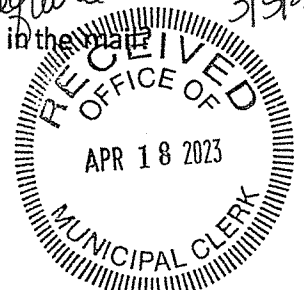
8,001 people who last voted in 2020

How did voters manage to get coded "UN" or "LM" between November 2022 and March 5, 2023?

2,162 votes is enough to change the outcome of many 2023 races.

But these are state numbers derived from State provided voter roll information. There is no such information from the municipal clerk because it has not been provided. No information regarding voter history has been included in lists from municipal clerk.

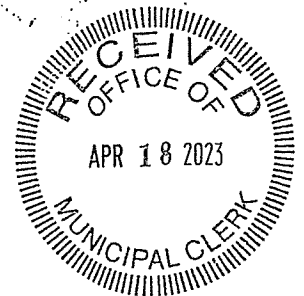
Who made their way to a Vote Center and managed to vote without receiving their ballot in the mail?



There are active registered voters on the MOA "2023 All eligible Voters" list who have been assigned the condition code "UN", or "LM. Many of these voters have voted in very recent elections including the 2022 State General Election held November 2022. Some of these same voters have lived at the same residence for many years.

There is record of 15 voters who contacted MOA elections to get a replacement due to never having received one in the mail. All of these voters have voted in the recent 2022 elections. More than half of these 15 voters have voted in state and municipal elections dating back to 2015. All of these 15 voters have addresses which are deemed "UN" or undeliverable.

(RE: ATTACHMENT "G")



In the case of Marie Beatty, She took the time to produce an affidavit stating she did not receive a ballot in the mail. She votes in all Anchorage elections. Her voter condition code was "UN" undeliverable this year. She successfully called for and received a replacement ballot. Mrs. Beatty last updated her voter profile August 18, 2022.

(RE: ATTACHMENT "J")

There is also the case of Suzanne Piscoya. She has lived at the same residence for nearly 30 years and appears to have voted in every election as far back as records are provided. She was on the list of people that were NOT sent a ballot because of a bad address. When she did not receive a ballot she called and asked for one to be mailed. Twice. She was told that one was mailed to her with all the original mailings. But she is on the cull list. Mrs. Piscoya last updated her voter profile May 20, 2022.

April 14, 2023

Creation of "Voters Receiving Ballots List"

Apparently observer is unable and unlikely by this time, to receive a list of voters intentionally not sent a ballot from municipal clerk. Inquiries were made with both liaisons Ralph and Gayle regarding the origin and creation of the "Voters Receiving Ballots List". Whose responsibility was it to create it? What does the procedure manual for that process look like? Observer looking for a way to determine how 1948 voters were selected to receive a ballot who were not in condition "RG".

Liaison Gayle indicated they found the procedure but there was an RDI watermark on it. They would need to check to see if it could be released.

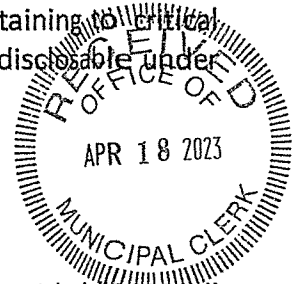
April 17, 2023

Response from Jamie Heinz, MOA Elections as follows:

"There is not one manual for all tasks and duties assigned to that position. While that position is primarily responsible for certain tasks and duties, others may be asked to perform the duties and tasks (i.e. if the person is out-sick or otherwise unable to come to work). There are procedures for each task which would be followed by the person(s) filling in.

The procedure used to generate the Voters Receiving Ballots list is information pertaining to critical infrastructure (elections information technology systems) in the municipality and not disclosable under AMC 3.90.040R"

(RE: ATTACHMENT "F")



April 17, 2023

Special Ballot Styles

From the information received April 13, 2023 - on a thumb drive from MOA Elections titled "2023 All Anchorage Eligible Voters" Ballot Styles "0" and "-1" were discovered. Definitions of newly discovered ballot styles were requested in clarification request dated 4/17/2023. Ballots of style "-1" are intentionally not sent a ballot.

(RE: Attachment "K")

There are 24 instances of voters with a "-1" style ballot who have a "RG" condition code. (RE: ATTACHMENT D page 4 of 7) The statement from MOA Elections, "There are no "RG" voters who were not mailed a ballot" is not entirely accurate.

(RE: ATTACHMENT "K")

24 voters were potentially disenfranchised when designated as ballot style "-1". Two of these voters contacted MOA elections to request replacement ballots as none were received in the mail due to intentional actions of municipal clerk.

(RE: ATTACHMENT "L")

2022 Undeliverable Ballots

Two more lists were received on the April 13, 2023 thumb drive from MOA Elections Jamie Heinz titled "UN to SOA Report 1" and "UN to SOA Report 2". The UN to SOA Reports, when combined are the requested total number of ballots the MOA claims were sequestered in the cage as undeliverable in last year's 2022 regular election. That number is 15,810.

From observers personal tally sheet copied from the 2022 regular election white board, a total of 17,000 plus one half box/tray (125 ballots) were boxed wrapped and sequestered in the designated cage as of April 8, 2022. Estimates of 17, 500 undeliverable were made by the time of 2022 certification.

(RE: ATTACHMENT "E")

There appears to be an under reporting in the amount of about 1,690 undeliverable ballots for the 2022 MOA regular election.

Conclusion:

We do not know which voters were intentionally not sent a ballot by the municipal clerk. The "2023 All Anchorage Eligible Voters" List does not contain the list of voters who were intentionally not sent a ballot. The list of voters intentionally not sent a ballot cannot be known from the information provided.

Receipt of the "2023 All Anchorage Eligible Voters" list was untimely and prevented candidates from knowing if their active registered voters were culled from the mailing list. The opportunity to learn who was intentionally not mailed a ballot prevented candidates from attempting to contact those unknown voters and advise them of the situation.

The possible obfuscation, either intentionally or unintentionally, by the municipal clerk's office in relation to list of 34,102 intentionally unsent ballots which was never produced and delivered to observer, has negatively affected candidates by depriving them of information required to contact those voters affected by municipal clerk's decision to intentionally not send ballots to voters.

To this day, the municipal clerk has not provided the list of voters not mailed a ballot to observer.

MOA appears to have under reported number of undeliverable ballots to State according to records kept by observer in 2022 MOA General Election. Total under reported ballots is about 1,690.

1,948 voters from the "2023 All Eligible Anchorage Voters" list were somehow selectively sent ballots using an unknown selection criteria. 1,948 votes is enough to overturn any of the seven Assembly seats up for election when additional irregularities are factored in.

There are at least 34,102 disenfranchised active registered voters who were intentionally not sent a ballot and not provided the same opportunity to vote by mail as those that were sent a ballot.

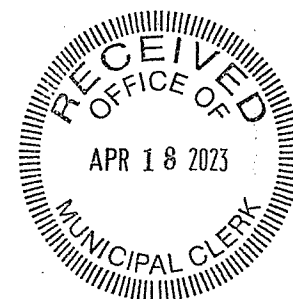
The inconsistencies and irregularities outlined in this document are only the ones that were discovered.

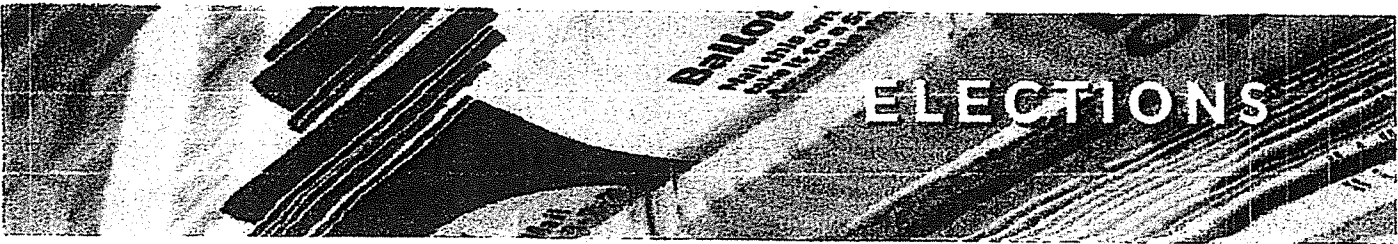
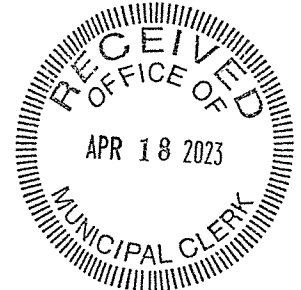
Given the size and scope of issues raised in this document, it would seem prudent for the Election Commission to request an electronic copy of the Complete Cast Vote Records (CVR's) for the MOA 2023 Regular Election. The election Commission may want to ask that CVR's be reviewed as a normal course of business for every election.

Attachments:

- A – MOA Elections Ballot Return Data
- B – Election Summary Report
- C – List of voters Receiving Ballots, Sample
- D – Original Complaint and Communication Chain
- E – Observers Log, MOA 2022 Regular Election
- F – Observer request for information regarding list of voters receiving ballots
- G – Replacement Ballot List, Condition UN, Voter History

- I – State of Alaska, Codes for Voter Roll
- J – Affidavit of Marie Beatty
- K – Ballot Style "0" and "-1" Clarification/Definition
- L – Voters with RG" Condition Code and Ballot Style "-1"




MEDIA CENTER


Ballot Return Data

2023 Regular Municipal Election

The data on this page is populated daily by 9AM the following day beginning 21 days prior to Election Day.

The figures below include all ballot envelopes returned and all in-person ballots voted and received at the [Election Center](#) through the date listed.

Please Note: Daily ballot return counts will not be the same number indicated on the [Unofficial Results Page](#) to account for reasons including, but not limited to: preliminarily rejected ballots envelopes, ballot envelopes which were rerun or repassed through the sorter, and/or voided ballot envelopes when a voter requests a replacement.

Questions? We're here to help: 807-243-VOTE or elections@anchorageak.gov

Active Registered Voters through March 5, 2023: 235,564

Date Received	By Mail	Drop Boxes	Vote Centers	Daily Total	Cumulative Total
March 28, 2023	1,251	1,664	81	2,996	19,944
March 27, 2023	1,380	2,658	0	4,038	16,948
March 24, 2023	708	939	0	1,647	12,910
March 23, 2023	894	930	0	1,824	11,263
March 22, 2023	1,069	1,256	0	2,325	9,439
March 21, 2023	1,362	1,364	0	2,726	7,114
March 20, 2023	1,245	2,188	0	3,433	4,388
March 17, 2023	391	464	0	855	955
March 16, 2023	10	98	0	100	100
March 15, 2023	0	0	0	0	0
March 14, 2023	0	0	0	0	0

Election Summary Report

General Election

Municipality of Anchorage

April 04, 2023

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups

Unofficial Results- April 6, 2023

Regular Municipal Election and Special Concurrent Election

Precincts Reported: 0 of 102 (0.00%)

Registered Voters: 41,020 of 235,546 (17.41%)

Ballots Cast: 81,950

ASSEMBLY DISTRICT 1 - SEAT B (Vote for 1)

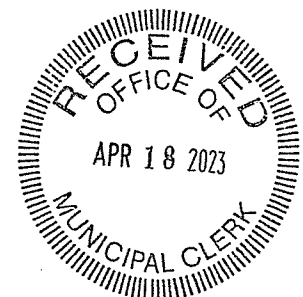
Precincts Reported: 0 of 19 (0.00%)

		Total	
Times Cast		3,966 / 35,664	11.12%
Candidate	Party	Total	
DANGER, Nick		448	11.86%
TRUEBLOOD, John		877	23.22%
CONSTANT, Christopher		2,452	64.92%
Total Votes		3,777	
		Total	
Unresolved Write-In		40	

ASSEMBLY DISTRICT 2 - SEAT C (Vote for 1)

Precincts Reported: 0 of 16 (0.00%)

		Total	
Times Cast		5,742 / 38,926	14.75%
Candidate	Party	Total	
ARLINGTON, Jim		2,340	42.87%
MYERS, Scott		3,118	57.13%
Total Votes		5,458	
		Total	
Unresolved Write-In		35	



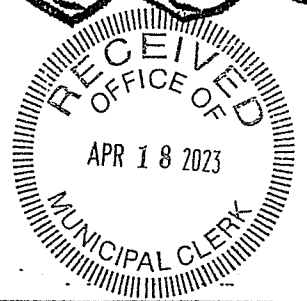
LIST OF VOTERS RECEIVING BALLOTS - SAMPLE

Ballot Style	Precinct	First Name	Middle Name	Last Name	Suffix	Address Line 1	Ad. Ad City	State	Zip	Country
3265_3266	19-610	JEANNICE	M	AABERG		4433 SAN ERNESTO AVE UNIT 109B	ANCHORAGE	AK	99508-2845	
3063_3064	09-120	LARISSA		AABERG		13120 LUPINE RD	ANCHORAGE	AK	99516-3227	
3229_3230	21-710	LAURA	J	AABERG		7124 E 17TH AVE	ANCHORAGE	AK	99504-2703	





Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Complaint Form



OBSERVER INFORMATION	<u>3.29.23</u> Date
	<u>DANIEL SMITH</u> Printed Name Of Observer
	<u>BRIAN FLYNN</u> Name Of Candidate Or Organization/Group Representing

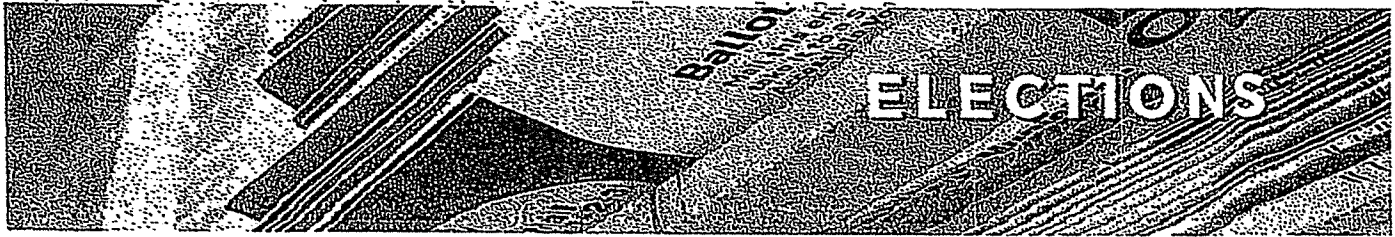
COMPLAINT	SPECIFIC INFORMATION REGARDING ELECTION OFFICIAL CONDUCT OR MISCONDUCT: There appears to be a discrepancy between the State of Alaska list of Active Registered Voters in Anchorage and the Municipality of Anchorage list of Voters Receiving Ballots for the 2023 Municipal Election.
	As obtained from the State of Alaska voter Rolls by the Municipality of Anchorage on March 5, 2023, the MOA indicates 235,564 Active Registered Voters in Anchorage. Reference attached daily Ballot Return Data from MOA Elections web site, https://www.muni.org/Departments/Assembly/Clerk/Elections/Pages/Ballot-Return-Data.aspx
	As provided by MOA Elections in an Excel file on March 17, 2023, the "List of Voters Receiving Ballots" for the 2023 Municipal election indicates 201,462 voters received ballots (by USPS mail?).
	This appears to be a difference of 34,102 active registered voters who have not received a ballot.
	Why did 34,102 active registered voters apparently not receive ballots? Please provide a list of active registered voters who apparently did not receive a ballot.
	Attachments: Ballot Return Data, 2023 Regular Municipal Election

CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH CONSTITUTES MISCONDUCT: INCLUDING BUT NOT LIMITED TO: <u>ANCHORAGE MUNICIPAL CODE, TITLE 28.40.020 - BALLOTS</u> <u>"PREPARATION AND DISTRIBUTION"</u>
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SIGNATURES	<u>Daniel Smith</u> Signature of Observer	<u>3.29.23</u> Date Submitted
	<u>Janie Heim</u> Signature of Municipal Clerk or Designee	<u>3/29/23</u> Date Received



Pursuant to AUC 28.40020C Ballots
Are not Mailed to ~~voters~~ registered voters who
Are Condition Code PNC (purge notice) undeliverable (UN)
List Maintenance (LM) or List Maintenance Undeliverable
(LU). Voters who are in Purge Notice ^{+ List Maintenance} have not
responded to the State's efforts to contact them
after a period of not voting. It is known
these ballots are undeliverable. Therefore, of these
ballots are not mailed to them. If ~~one~~ voters
wants to vote, they may go to a vote center
and vote. Voting at a vote center will update
their voter registration to RG and in future
years, they will be mailed a ballot.
These voters can also request a replacement ballot be mailed to Jamie Heim
them. which will also update their
voter registration



VOTERS CANDIDATES RESULTS MEDIA CENTER



Ballot Return Data

2023 Regular Municipal Election

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March 17, 2023	391	464	0	855	955
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March 15, 2023	0	0	0	0	0
March 14, 2023	0	0	0	0	0

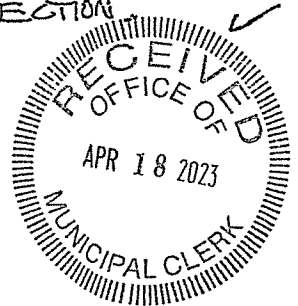
3.31.23

HI JAMIE,

AS A FOLLOW UP TO THE INQUIRY SUBMITTED 3.29.23
 AND YOUR RESPONSE, IT WOULD BE VALUABLE TO
 GET THE LIST OF ACTIVE REGISTERED ^{RG} VOTERS WHO WERE
 NOT MAILED A BALLOT FOR THE 2023 REGULAR
 MOA ELECTION. ^{All Active Registered (RG) voters were mailed a Ballot}
^{I have a thumb drive.}
 There were no RG voters who were not mailed a ballot.
 PLEASE ADD TO THAT REQUEST THE LIST OF
 UNDELIVERABLE BALLOTS RETURNED TO THE ELECTION
 CENTER FOR THE 2023 REGULAR MOA ELECTION.

THANK YOU

David E. Smith
 OBSERVER



IF looking for
 All RG, LM, UN, LU, PU, FC Active voters.
 Needs to request from
 State. They are the record owners of the voter
 Registration Database.

Jamie Heim
 3/31/2023

AS PER MY ORIGINAL REQUEST DATED 3.29.23,
 PLEASE PROVIDE THE LIST OF "ACTIVE REGISTERED VOTERS"
 WHO DID NOT RECEIVE BALLOTS.

David E. Smith

4.3.23

Election Day
 → he complains he can no longer
 contact voters not mailed a ballot
 but he asked on election day.

RESPONSE TO COMPLAINT DATED MARCH 29, 2023, FILED BY DANIEL E. SMITH:

Dan's Complaint was amended/clarified on March 31 and April 3, 2023. As we understand it, he essentially asks for:

A list of names and addresses of Anchorage voters who were not mailed a vote-by-mail ballot for the 2023 election.

A list of names and addresses of Municipal voters whose ballots for the 2022 election were returned as "undeliverable."

In response to the Complaint, as stated above, the State of Alaska prepared a list of approximately 235,564 Anchorage voters registered voters (the "2023 List"), including the voters' names, addresses, condition codes and a variety of confidential information, e.g. SSNs, telephone numbers, private residence addresses, *etc.*. That 2023 List was sent to the Municipality before the 2023 election.

We plan on giving you a copy of the 2023 List, designating the voters, by condition codes, who were not mailed ballots. We will need to redact all confidential information. We will also give you a list of voters in the 2022 election whose ballots were returned as undeliverable (the "2022 List").

Preparing the 2023 List, with redactions, will require 3 to 4 hours of staff time. We estimate we will give you the redacted 2023 List and the 2022 List before the Public Session of Canvass on April 20, 2023.

Before starting this project, please confirm that this proposed response to your Complaint is acceptable:

Yes, WITH COMMENTS

No, _____

Comments, SEE BELOW

Thank you.

IT WOULD BE MOST USEFUL IF THE REQUESTED LISTS CONTAINED THE SAME INFORMATION AS THE "DAILY VOTER LISTS" WHICH ARE PUBLISHED BY MOA. THAT WOULD INCLUDE BOTH PHYSICAL & MAILING ADDRESSES, IN ELECTRONIC FORMAT - EXCEL.

DAN SMITH

4.6.23

EMERALD1@ALASKA-NET

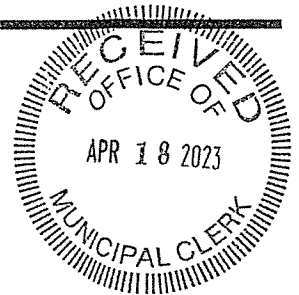
THIS ISSUE

RETAINED IS THE RIGHT TO APPEAL TO THE ELECTION COMMISSION.



Daniel Smith

From: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Sent: Wednesday, April 12, 2023 9:06 AM
To: emerald1
Cc: Jones, Barbara A.
Subject: RE: Delivery of information schedule



Now that we have caught up with processing the election, we will be able to get you the requested information by close of business on Friday.

Jamie Heinz, MMC
MOA Elections
907-343-4320

From: emerald1 <emerald1@alaska.net>
Sent: Tuesday, April 11, 2023 3:48 PM
To: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Cc: emerald1@alaska.net
Subject: Delivery of information schedule

[EXTERNAL EMAIL]

Hello Jamie,

I'm following up on your April 6, 2023 response to my request for the lists of voters that I requested on March 29, 2023.

To review, the lists requested are:

1. Names and addresses of Anchorage active registered voters who were intentionally not mailed a ballot for the 2023 MOA election.
2. Names and addresses of all voters whose ballots for the 2022 MOA regular election were returned to Election Center as undeliverable.

It was also requested that the lists mentioned above contain the same information as the daily voter lists.

When do you expect the requested information to be delivered?

Thank you,
Dan Smith
907-244-1811

Daniel Smith

From: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Sent: Thursday, April 13, 2023 9:32 AM
To: emerald1
Subject: RE: Delivery of information schedule



Hi Dan,

A thumb drive is available at the reception desk here at the Election Center for you containing:

1. The list of all registered Anchorage Voters; and
2. The list of voters whose ballots were returned as undeliverable for the 2022 Regular Election.

Pursuant to AS 15.07.195, (1) the voter's age or date of birth; (2) the voter's social security number, or any part of that number; (3) the voter's driver's license number; and (4) the voter's voter identification number; have been redacted from the lists.

Thanks,
Jamie Heinz, MMC
MOA Elections
907-343-4320

From: emerald1 <emerald1@alaska.net>
Sent: Tuesday, April 11, 2023 3:48 PM
To: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Cc: emerald1@alaska.net
Subject: Delivery of information schedule

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Thank you,
Dan Smith
907-244-1811

2022 MOA ELECTION

DAN SMITH

DATE	DROPBOX	VOTE CENTER AVC	MAIL	DAILY	CUMULATIVE	UNDELIVERED LASTED DAY/TOTAL
3-10	X	X	X	X	X	
3-17	1	0	5	6	6	
3-18	9	0	3	12	18	
3-21	68	40	83	191	209	
3-22	733	1	78	812	1021	
3-23	1743	0	1577	3320	4341	7600
3-24	2062	0	1712	3774	8115	19250
3-25	1790	0	1552	3342	11,457	0
3-28	5005	17	2330	7352	18,809	64 1700
3-29	2355	141	1994	4349	23,158	16,000
3-30	2256	160	1529	3845	27,144	0
3-31	1992	150	1267	3412	30,556	3,000
4-1	2200	104	1330	3694	34,250	2,000
4-4	8425	TBD	2418	10843	45,093	250
4-5	8807 (6873)	475 528	0 1490	11788 (13597)	40030 (54637)	17,000
4-6	1499	0	3000	10,923	64553	
4-7	(2367)	-	3057	(5414)	(61,967)	
4-8	8000		3057	11,803	(61,416)	
4/8			362		71,270	

0 - MORE

AVC

3/29

7) CITY HALL

AVC'S DID NOT BALANCE
UNDELIVERED BALANCE

- ELECTRONIC & QUESTIONED



CITY HALL

400'S REMITS

250

64
57
3 290
207
1750

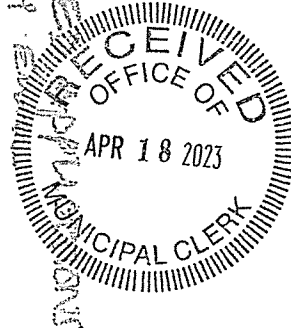
1
114250

290
00
200

4/10
4/15
4/13/10
4/10/10

2009

EMULE & SONS



E

The Election Coordinator

Thanks,
Jamie Heinz, MMC
MOA Elections
907-343-4320



From: Brenda Hastie <brenda.hastie@hotmail.com>
Sent: Friday, April 14, 2023 1:18 PM
To: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Subject: Voters Receiving Ballots List

[EXTERNAL EMAIL]

Jamie,

Within the MOA Election Department which position is assigned the duty of preparing the List of Voters Receiving Ballots list?

Blessings,
Brenda

Brenda Hastie
brenda.hastie@hotmail.com
907-227-9926

brenda.hastie@hotmail.com
907-227-9926



From: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Sent: Monday, April 17, 2023 2:10 PM
To: Brenda Hastie <brenda.hastie@hotmail.com>
Cc: Jones, Barbara A. <barbara.jones@anchorageak.gov>
Subject: RE: Voters Receiving Ballots List

Brenda,

There is not one manual for all tasks and duties assigned to that position. While that position is primarily responsible for certain tasks and duties, others may be asked to perform the duties and tasks (i.e. if the person is out sick or otherwise unable to come to work). There are procedures for each task which would be followed by the person(s) filling in.

The procedure used to generate the Voters Receiving Ballots list is information pertaining to critical infrastructure (elections information technology systems) in the municipality and not disclosable under AMC 3.90.040R.

Thanks,
Jamie Heinz, MMC
MOA Elections
907-343-4320

From: Brenda Hastie <brenda.hastie@hotmail.com>
Sent: Friday, April 14, 2023 2:06 PM
To: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Subject: Re: Voters Receiving Ballots List

[EXTERNAL EMAIL]

Thank you, Jamie.

Is there a procedure manual for all of the tasks and duties assigned to that position?
May I have a copy of the Election Coordinator's procedure used to generate the Voters Receiving Ballots list that adheres to Municipal Code 28.40.020 C.?

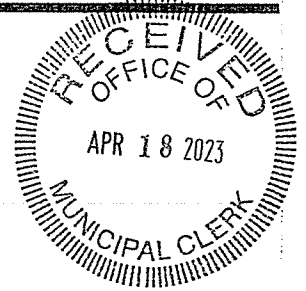
Thank you and blessings,
Brenda

Brenda Hastie
brenda.hastie@hotmail.com
907-227-9926

From: Heinz, Jamie L. <jamie.heinz@anchorageak.gov>
Sent: Friday, April 14, 2023 2:51 PM
To: Brenda Hastie <brenda.hastie@hotmail.com>
Cc: Jones, Barbara A. <barbara.jones@anchorageak.gov>
Subject: RE: Voters Receiving Ballots List

Daniel Smith

From: Brenda Hastie <brenda.hastie@hotmail.com>
Sent: Tuesday, April 18, 2023 5:42 AM
To: Daniel Smith
Subject: FW: Voters Receiving Ballots List



----- Original message -----

From: Brenda Hastie <brenda.hastie@hotmail.com>
Date: 4/17/23 17:06 (GMT-09:00)
To: "Heinz, Jamie L." <jamie.heinz@anchorageak.gov>
Cc: Dan Smith <emerald1@alaska.net>
Subject: Re: Voters Receiving Ballots List

Jamie,

Help me understand how being added to a list which REMOVES a voter from receiving a ballot by mail pertains to critical infrastructure and undisclosable under AMC 3.90.040R.

R.
Records or information pertaining to security and critical infrastructure in the municipality.

1.
Records or information pertaining to a plan, program, or procedures for establishing, maintaining, or restoring security and critical infrastructure in the municipality, or to a detailed description or evaluation of systems, facilities, or critical infrastructure in the municipality, shall be kept confidential, but only to the extent that the production of the records or information:

a.
Could reasonably be expected to interfere with the implementation or enforcement of the security plan, program, critical infrastructure, or procedures;

b.
Would disclose confidential guidelines for investigations or enforcement and the disclosure could reasonably be expected to risk circumvention of the law; or

c.
Could reasonably be expected to endanger the life or physical safety of an individual or to present a real and substantial risk to the public health and welfare.

I am hereby respectfully requesting once again, to know the formula used and/or to receive the procedure used to create the Voter's Receiving Ballots List in adherence to Municipal code 28.040.20C.

Kind regards and blessings,
Brenda

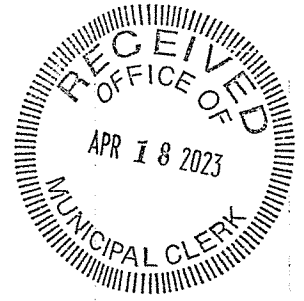
Brenda Hastie

Voters Not Originally Mailed a Ballot on March 14, 2023

Applied for a Replacement Ballot

LVRB?	23	Vote	Last Name	First Name	Middle Name	Ballot ID	Contact type	Time stamp	Condition	Comment	Old Ballot Style	New Ballot Style	Mailing Address Line1	Mailing Zip	Date Mailed	Notes
N	Y		BEBEY	FRANCIS	A	231245612	Request New Ballot	3/21/23	UN	Never Received	3069_3070	3069_3070	4825 HILLDALE AVE	99516	3/21/2023	
N	Y		STEWART	JEFFERY	B	231245616	Request New Ballot	3/21/23	UN	Did not receive ballot	3187_3188	3187_3188	7481 FOXRIDGE WY	99518	3/21/2023	#8
N	N		MIKO	STEPHEN	W	231245618	Request New Ballot	3/21/23	UN	Never Received Ballot	3225_3226	3225_3226	2234 JASPER LN	99504	3/21/2023	
N	Y		HIGGINS	MARY	ANN	231245648	Request New Ballot	3/22/23	UN	Did not receive ballot	3225_3226	3225_3226	5626 E 40TH AVE UNIT E104	99504	3/22/2023	
N	Y		BRANDON	TERRI	SUE	231245650	Request New Ballot	3/22/23	UN	Did not receive ballot	3239_3240	3239_3240	6850 QUEENS VIEW CIR	99504	3/22/2023	
N	Y		POHL	CHRISTINA	HOPESTILL MAY	231245659	Request New Ballot	3/23/23	UN	Voter ID. Did not receive ballot.	3017_3018	3017_3018	6601 ASPEN RIDGE CIR	99516	3/23/2023	
N	N		WALKER	JONAS	MORGAN	231245660	Request New Ballot	3/23/23	UN	Voter ID. Did not receive ballot.	3139_3140	3139_3140	2112 ESQUIRE DR	99517	3/23/2023	
N	Y		HART	MELISSA	JANE	231245690	Request New Ballot	3/23/23	UN	Voter ID. Did not receive ballot.	3045_3046	3045_3046	9200 INDEPENDENCE DR #306	99507	3/27/2023	
N	N		TRAVIS	BARBARA	VIALE	231245685	Request New Ballot	3/27/23	UN	Voter ID. Did not receive ballot.	3177_3178	3177_3178	8220 KIP CT	99507	3/27/2023	
N	Y		MCKAY	DEAN	P	231245687	Request New Ballot	3/27/23	UN	Voter ID. Did not receive ballot.	3205_3206	3205_3206	4221 LAUREL ST	99508	3/27/2023	APT 309
N	Y		KENWORTHY	JAMES	N	231245730	Request New Ballot	3/26/23	UN	Voter ID. Did not receive ballot.	3009_3010	3009_3010	4550 E 135TH AVE	99516	3/28/2023	
N	Y		ROSS	SCOTT	ALAN	231245729	Request New Ballot	3/28/23	UN	Voter ID. Did not receive ballot.	3117_3118	3117_3118	7707 BLACKBERRY ST	99502	3/28/2023	
N	Y		SEGALEVICH	BORIS		231245722	Request New Ballot	3/28/23	UN	Voter ID. Did not receive ballot.	3129_3130	3129_3130	3510 SCARLET PL	99517	3/28/2023	
N	Y		BEATTY	MARIE	FRANCES	231245715	Request New Ballot	3/28/23	UN	Voter ID. Did not receive ballot.	3191_3192	3191_3192	2128 E 56TH AVE APT C109	99507	3/28/2023	
N	Y		ELSENBAST	DENISE	A	231245721	Request New Ballot	3/28/23	UN	Voter ID. Did not receive ballot.	3261_3262	3261_3262	1405 NORTHBLUFF DR	99501	3/28/2023	

↑ NO CHANGE



Voters Not Originally Mailed a Ballot on March 14, 2023
Applied for a Replacement Ballot

NOTES	UNI	PARTY	REG DATE	ORG REG DATE	DIST DATE	RESIDENCE ZIP	MAILING ADDRESS	MAILING CITY	MAILING ZIP	VH1	VH2	VH3	VH4	VH5	VH6	VH7	VH8	VH9	VH10	VH11	VH12	VH13	VH14	VH15	VH16	MINORS
		U	5/29/2022	8/31/1978	12/7/2001	99516	4825 HILLDALE AVE	ANCHORAGE	99516-4148	22GENR P	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR P	20PRIM E	20MOA M	19MOA M	18GENR P	18PRIM E	17MOA P	17MOA P	16GENR P	16PRIM E	MINORS
		H	3/10/2023	2/16/2020	2/16/2020	99518	7481 FOXRIDGE WY	ANCHORAGE	99518	22GENR P	22SPE A	22MOA M	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC06
		R	5/29/2022	8/5/1999	5/10/2022	99504	1234 JASPER LN	ANCHORAGE	99504-6004	22GENR E	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC03
		U	9/14/2022	9/12/2018	9/12/2018	99504	5526 E 40TH AVE UNIT E104	ANCHORAGE	99504	22GENR E	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC03
		H	5/19/2022	7/7/2021	7/7/2021	99504	6850 QUEENS VIEW CIR	ANCHORAGE	99504	22GENR E	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC03
		U	5/29/2022	7/15/2001	3/9/2021	99516	6601 ASPEN RIDGE CIR	ANCHORAGE	99516-4414	22GENR P	22SPE A	22MOA M	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC06
		H	5/31/2022	9/3/2004	6/15/2009	99517	1112 ESQUIRE DR	ANCHORAGE	99517-1383	22GENR A	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC03
		H	10/11/2022	7/14/1990	3/16/2022	99507	9100 INDEPENDENCE DR #303	ANCHORAGE	99507	22GENR A	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC06
		D	6/2/2022	9/27/1976	8/7/2008	99507	8220 KIPCT	ANCHORAGE	99507-1245	22GENR P	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC04
		H	12/24/2022	9/14/1999	3/18/2008	99508	4221 LAUREL ST	ANCHORAGE	99508	22GENR A	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC04
		U	10/7/2022	10/13/1995	10/13/1995	99516	4550 E 135TH AVE	ANCHORAGE	99516-1673	22GENR A	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR A	20MOA M	19MOA M								ASEC06
		H	5/29/2022	10/4/1992	3/13/2001	99502	7707 BLACKBERRY ST	ANCHORAGE	99502-4473	22GENR P	22SPE A	22MOA M	22MOA M	22MOA M	22MOA M	20GENR P	20MOA M	19MOA M								ASEC03
		D	5/19/2022	2/12/2000	7/13/2004	99517	3510 SCARLET PL	ANCHORAGE	99517-1567	22GENR P	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR P	20MOA M	19MOA M								ASEC03
		U	8/18/2022	11/5/1969	6/18/2022	99507	2128 E 58TH AVE APT C109	ANCHORAGE	99507	22GENR P	22PRIM P	22SPE A	22MOA M	22MOA M	22MOA M	20GENR P	20MOA M	19MOA M								ASEC02
		H	3/28/2023	9/16/1992	7/13/2021	99501	1405 NORTHBUFF DR	ANCHORAGE	99501-1305	22GENR E	22PRIM P	22SPE E	22MOA M	22MOA M	22MOA M	20GENR A	20PRIM P	19MOA M								ASEC01

← VOTER HISTORY

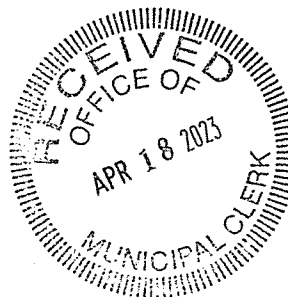


ELECTRONIC VOTER LIST

STATE OF ALASKA - DIVISION OF ELECTIONS

IMPORTANT, PLEASE READ: Voter lists may not be used for the purpose of intimidation. State and federal law prohibit threats and intimidation directed at voters. See AS 15.56.030(a)(1); Department of Justice (July 28, 2021) <https://www.justice.gov/opa/press-release/file/1417796/download> (citing 52 USC 10101(b), 10307(b), and 20511(1)(A)).

Column	Column Heading	Description
Y.- AN.	VH1 – VH16	<p>Voter history columns indicate the elections a voter has participated.</p> <p style="text-align: center;">18GENR P 18PRIM P 17KTNB Q</p> <p>This is represented by an election ID that consists of five to six characters with the first two digits being the year of the election followed by a three to four lettered election name code. The second set of data is the method that the voter voted:</p> <p style="margin-left: 40px;">P Voted in person at the polls E Voted an Early Vote ballot A Voted an Absentee ballot Q Voted a Questioned ballot</p> <p>Statewide primary and general elections are consistently named with the year and election codes of PRIM and GENR:</p> <p style="margin-left: 40px;">18PRIM 2018 Primary Election 18GENR 2018 General Election</p> <p>Statewide special elections are reflected as:</p> <p style="margin-left: 40px;">07SPEC 2007 Statewide Special Election</p> <p>State conducted Regional Educational Attendance Area elections (school board elections in unorganized boroughs of Alaska) are reflected as REAA, RE## or R###:</p> <p style="margin-left: 40px;">18REAA 2018 Regional Educational Attendance Area elections 18RE17 2018 Regional Educational Attendance Area election in REAA 17 18R123 2018 Regional Education Attendance Area election in REAA 12 Section 3</p> <p>Local and special city and borough elections from 2016 forward, the election ID will show the two-digit year and three to four alpha characters that represents the city/borough name or geographic region name:</p> <p style="margin-left: 40px;">18VALD 2018 local election for the City of Valdez 18MOA 2018 local election for the Municipality of Anchorage 18WASI 2018 local election for the City of Wasilla 18FNSB 2018 local election for the Fairbanks North Star Borough 18NSLB 2018 local election for the North Slope Borough</p> <p>At times, city and boroughs will conduct special or run-off elections. The last character of the election ID will reflect either a 'S' or 'R' for special or runoff.</p> <p>Prior to 2016, local and special city and borough elections were:</p> <p style="margin-left: 40px;">12REGL 2012 Regular Local Election 12SPEL 2012 Special Local Election</p> <p>For a list of city and/or boroughs within the State of Alaska, visit the division Research webpage below and locate the Alaska Community List selections:</p> <p>http://www.elections.alaska.gov/Core/electionresources.php</p>



I 1 of 3

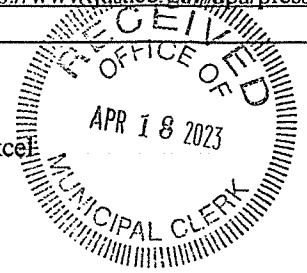
ELECTRONIC VOTER LIST

STATE OF ALASKA - DIVISION OF ELECTIONS

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Electronic Voter Lists Are:

- Comma Separated Value (CSV) and includes a header row. The .csv will open in Excel.
- Available by EMAIL.
- If sent via email, the file may be an executable (.exe) zipped file.



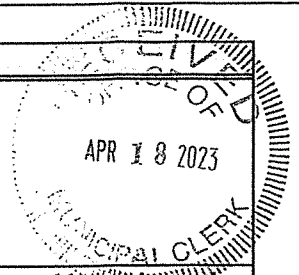
Record Layout Information:

Column	Column Heading	Description
A.	UN	<p>This column will indicate if the voter's mailing address is marked as undeliverable or if the voter has been flagged for list maintenance due to limited activity on the voter's record.</p> <p>* = The Division of Elections mailed information to the mailing address on the voter's record and the mail was returned to the Division by the USPS as undeliverable mail. The voter active status but the mailing address is not valid for this voter.</p> <p>? = The voter has not had activity or contact with the division for four years and has been flagged for list maintenance process.</p>
B.	Party	<p>Voter's political party affiliation.</p> <p>Recognized Political Parties: Are those parties that have gained recognized political party status under Alaska Statute 15.80.010(27) and voters appear on voter lists as follows:</p> <p style="text-align: center;"> A: Alaskan Independence Party D: Alaska Democratic Party R: Alaska Republican Party </p> <p>Political Groups: Are those groups that have applied for party status but have not met the qualifications to be a recognized political party under Alaska Statute 15.80.010(26) and voters appear on voter lists as follows:</p> <p style="text-align: center;"> C: Alaska Constitution Party L: Alaska Libertarian Party E: Moderate Party of Alaska O: Progressive Party of Alaska F: FreedomReform Party P: Patriot's Party of Alaska G: Green Party of Alaska V: Veterans Party of Alaska H: OWL Party W: UCES' Clowns Party K: Alliance Party of Alaska </p> <p>No Affiliation / Undeclared: Voters who chose not to declare an affiliation or who are unaffiliated appear on voter lists as follows:</p> <p style="text-align: center;"> N: Nonpartisan (no affiliation) U: Undeclared </p>
C.	D/P	The house district and precinct of the voter's residence address. The first two characters represent the house district number.
D.	Last Name	Voter's last name.
E.	First Name	Voter's first name.
F.	Middle Name	Voter's middle initial.
G.	Suffix Name	Voter's name suffix (Jr., Sr., etc.) if any.
H.	Ascension #	The ascension number is a random number assigned to the voter by the database.
I.	REG Date	Date of most recent registration (if included).
J.	CONDITION DATE	Date of most recent condition code change.
K.	ORG Date	Date when voter originally registered (if included).

ELECTRONIC VOTER LIST
STATE OF ALASKA - DIVISION OF ELECTIONS

IMPORTANT, PLEASE READ: Voter lists may not be used for the purpose of intimidation. State and federal law prohibit threats and intimidation directed at voters. See AS 15.56.030(a)(1); Department of Justice (July 28, 2021) <https://www.justice.gov/opa/press-release/file/1417796/download> (citing 52 USC 10101(b), 10307(b), and 20511(1)(A)).

Column	Column Heading	Description
L.	DIST Date	Date when voter registered in house district (if included).
M.	Residence Address	Voter's residence address. If voter has elected to keep residence address private, the word PRIVATE will be listed.
N.	Residence City	City of voter's residence address.
O.	Residence Zip	Zip code for voter's residence address.
P.	Mailing Address 1	First line of voter's mailing address.
Q.	Mailing Address 2	Second line of voter's mailing address.
R.	Mailing Address 3	Third line of voter's mailing address.
S.	Mailing City	City of voter's mailing address.
T.	Mailing State	State of voter's mailing address.
U.	Mailing Zip	Zip Code of voter's mailing address.
V.	Mailing Country	If voter's address is overseas, country of address.
W.	Gender	Voter's gender. Male or Female represented by a M or F. "U" means unidentified (voter did not declare sex).
X.	CC	Condition Codes. ID: ID Required LM: List Maintenance LU: List Maintenance Undeliverable PN: Purge Notice RG: Registered UN: Undeliverable Mailing Address





AFFIDAVIT

I, MARIE BEATTY, state upon oath or affirmation that the following facts are true to the best of my knowledge.

I vote in ALL Anchorage elections and have been for many years. About 2 weeks before the April election I had not received my mail-in ballot. I finally called the election office and they mailed me one. I was puzzled as they had my correct mailing address and I haven't had a problem with other mail. Luckily I called and got my ballot in.

Marie Beatty

Signature

2128 E 56th AVE #C109 ANCH, AK 99507

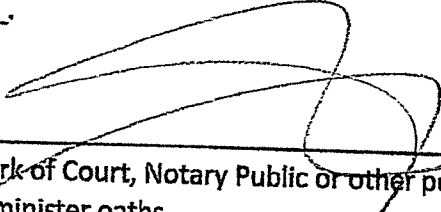
Mailing Address

City

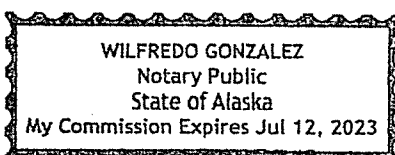
State ZIP

Subscribed and sworn to or affirmed before me at Anchorage, Alaska
on 4/17/2023

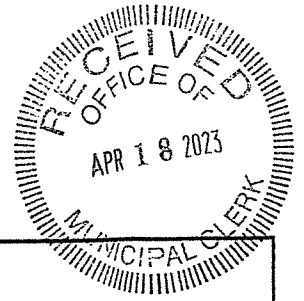
(SEAL)


Clerk of Court, Notary Public or other person authorized to administer oaths.

My commission expires: July 12/23



Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Complaint Form



OBSERVER INFORMATION	<u>4-17-23</u>
	Date
	<u>DANIEL SMITH</u>
	Printed Name Of Observer
	<u>BRIAN FLYNN</u>
	Name Of Candidate Or Organization/Group Representing

COMPLAINT	SPECIFIC INFORMATION REGARDING ELECTION OFFICIAL CONDUCT OR MISCONDUCT:
	<p>- 1 BALLOT DEFINITION</p> <p>Ø BALLOT DEFINITION</p> <p>PLEASE PROVIDE DEFINITIONS FOR THE 2 BALLOT STYLES ABOVE.</p>

CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH CONSTITUTES MISCONDUCT:
	<u>CLARIFICATION</u>

SIGNATURES	<u><i>Daniel E Smith</i></u>	<u>4-17-23</u>
	Signature of Observer	Date Submitted
	<u><i>Janice Flynn</i></u>	<u>4-17-23</u>
	Signature of Municipal Clerk or Designee	Date Received

RESPONSE TO COMPLAINT FILED 4/17/23 BY
DANIEL SMITH

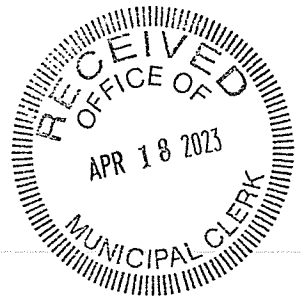
0: MOA GIS did not assign a handful of ballot style polygons for the first voter file run. It was caught during processing, and GIS went back and re-assigned the polygons with the correct ballot style ID. The voters with "0" ballot style were not printed by the vendor until the corrected information was provided. These voters were mailed their appropriate ballot style on 3/14 with the rest of the mail drop

Only happened this year due to re-districting. Was rectified

-1: MOA Addressing does not have a valid MOA address point for these voters. Therefore, they could not be assigned a ballot style, and were given the -1 designation. These voters could go to an AVC to vote in person, and would be given the proper ballot style by looking at the ipad or AVC maps. They could also call the voter hotline and we would look them up to see which ballot style to give to them with their replacement ballot package.

Happen every year

Jamie Heim 4/17/23



Sheet 1

BALLOT_ID	DP	PRECINCT	LAST_NAME	FIRST_NAME	MIDDLE_NAME	SUFFIX	NAM	REG_DATE	ORIGINAL_RI_DATE	RESIDENCE_ADDRESS	RESIDENCE_CITY	RESIDENCE_STATE
11-230	11-230	HILLSIDE NO CAUDY	JAMIE	L				7/21/1980	6/15/2016	10101 GROVER ST	ANCHORAGE	AK
11-230	11-230	HILLSIDE NO CAUDY	LORI	ANN				6/5/1992	5/13/2018	10101 GROVER ST	ANCHORAGE	AK
17-530	17-530	DOWNTOWN CHISKOK	ELIZABETH	M				10/13/1993	6/2/2022	4348 JOYCE ST # A	ANCHORAGE	AK
20-870	20-870	UNIVERSITY CLARKSON	JESSE	EDWARD				6/17/2011	7/18/2019		ANCHORAGE	AK
09-105	09-105	GIRDWOOD CLAYTON	ALEXANDER	W				6/2/2021	3/28/2022		GIRDWOOD	AK
09-105	09-105	GIRDWOOD COATS	MELISSA					7/29/2012	7/29/2012		ANCHORAGE	AK
20-860	20-860	UNIVERSITY DAVIS	JADEN	PAIGE				6/2/2021	6/2/2021	SHARON GAGNON LN	ANCHORAGE	AK
20-870	20-870	UNIVERSITY ESTEBAN	ALEJANDRO	U				4/5/2001	3/11/2016	4348 JOYCE ST #B	ANCHORAGE	AK
20-870	20-870	UNIVERSITY ESTEBAN	ZYLAMAE	KALEIONALANI				7/18/2005	10/31/2016	4348 JOYCE ST UNIT B	ANCHORAGE	AK
23-805	23-805	CHUGACH PI GRUBER	JODY	ANN				10/11/2016	10/24/2018	4 EAGLE RIVER RD	EAGLE RIVER	AK
13-320	13-320	SOUTH MIDT HANSEN	KARL	EDWARD				8/3/1978	10/13/2004	5326 A ST STE 4	ANCHORAGE	AK
09-105	09-105	GIRDWOOD HICKS	ABIGALE	MISSOURI				5/15/2020	6/2/2021	SPROAT RD	GIRDWOOD	AK
20-850	20-850	UNIVERSITY LERCH	JOSEPH	W				1/28/2020	11/8/2022	203 SHARON GAGNON LN	ANCHORAGE	AK
16-470	16-470	WEST ANCH MCPHERSON	BRIAN	PATRICK				10/7/2012	5/20/2022	4337 CHEVIGNY ST	ANCHORAGE	AK
20-865	20-865	UNIVERSITY MEYERSON	GLENN	BRIAN				7/18/2019	6/2/2021	5301 SHIP CREEK DNU UNIT C	ANCHORAGE	AK
24-885	24-885	EKLUTNA MILLS	JAMES	N				10/4/2014	10/4/2014	28 GLENN HWY	CHUGIAK	AK
14-380	14-380	EKLUTNA OVERBY	JASON	CHARLES				8/11/2000	4/1/2022		ANCHORAGE	AK
09-105	09-105	NORTH MIDT PIERCE	SEAN	THOMAS				7/18/2019	10/3/2020	W 56TH AVE AND TAFT ST	GIRDWOOD	AK
09-105	09-105	GIRDWOOD SANCHEZ	DANIELLE	ELYSE				11/14/2013	11/14/2013	GLACIER VALLEY TRLR CT SPC 13	GIRDWOOD	AK
11-230	11-230	GIRDWOOD SIMONS	LEAH	K				4/29/2020	4/29/2020		ANCHORAGE	AK
11-230	11-230	HILLSIDE NO THOMAS	JOANNE	MARIE				7/7/1993	10/11/2012	10075 GROVER ST	ANCHORAGE	AK
17-505	17-505	HILLSIDE NO WHITE	DOUGLAS	S				7/28/1988	3/1/2013	10075 GROVER ST	ANCHORAGE	AK
23-805	23-805	DOWNTOWN WOODS	BONNIE	JANE				1/14/2020	5/20/2022	929 N ST ATE #233	ANCHORAGE	AK
		CHUGACH PI WOODS	JOHN	ROBERT				12/8/2022	12/8/2022			

REPLACEMENT BALLOT



Sheet1

RESIDENCE	RESIDENCE_MAILING	ADIMAILING	ADIMAILING_CIT	MAILING_ST	MAILING_CO	MAILING_ZIP	CONDITION	BALLOT_STY
AK	99507 10101 GROVER ST	ANCHORAGE AK				99507	RG	-1
AK	99507 10101 GROVER ST	ANCHORAGE AK				99507	RG	-1
AK	99501 PO BOX 200434	ANCHORAGE AK				99520-0434	RG	-1
AK	99504 4348 JOYCE ST # A	ANCHORAGE AK				99504-4320	RG	-1
	PO BOX 1341	GIRDWOOD AK				99587	RG	-1
AK	99587 PO BOX 1030	GIRDWOOD AK				99587-1030	RG	-1
AK	99508 5615 MUDRY CT	FORT POLK LA				71459-3448	RG	-1
AK	99504 4348 JOYCE ST #B	ANCHORAGE AK				99504	RG	-1
AK	99504 4348 JOYCE :UNIT B	ANCHORAGE AK				99504	RG	-1
AK	99577 2544 CORNWALL AVE APT 1	VANCOUVER BC		V6K 1C2	CANADA		RG	-1
AK	99503 APT 22 BLDG 47 BAYANZURKH	ULAANBAATAR		13343	mongolia		RG	-1
AK	99587 PO BOX 1268	GIRDWOOD AK				99587-1268	RG	-1
AK	99508 203 SHARON GAGNON LN	ANCHORAGE AK				99508	RG	-1
AK	99502 PO BOX 874565	WASILLA AK				99687-4565	RG	-1
AK	99508 5301 SHARON ST APT C	ANCHORAGE AK				99508-4979	RG	-1
AK	99567 27508 HARICOT DR	CHUGIAK AK				99567	RG	-1
	PO BOX 480	SUTTON AK				99674-0480	RG	-1
AK	99517 PO BOX 90616	ANCHORAGE AK				99509-0616	RG	-1
AK	99587 PO BOX 71	GIRDWOOD AK				99587-0071	RG	-1
AK	99587 10314 N 700 E	ACTON IN				46259	RG	-1
AK	99507 10075 GROVER DR	ANCHORAGE AK				99507-7033	RG	-1
AK	99507 10075 GROVER ST	ANCHORAGE AK				99507	RG	-1
AK	99501 7716 E 20TH AVE	ANCHORAGE AK				99504-3537	RG	-1
	12110 BUSINESS BLVD STE 6 # 175	EAGLE RIVER AK				99577	RG	-1

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RESPONSE TO APPEAL FILED APRIL 18, 2023, BY DANIEL SMITH

Observer Smith makes several allegations, summarized on pages 5 – 6 of his ELECTION COMMISSION – FAILURE TO COMPLY WITH LAW OR ALLEGED ILLEGAL ELECTION PRACTICES filed April 18, 2023 (“Appeal”). Essentially, he asks for:

1. A list of voters not mailed a ballot for the 2023 MOA regular election; and
2. Explanation for a perceived 1,948 discrepancy in the number of voters who were mailed ballot envelopes for the 2023 MOA regular election.

He suggests the Election Commission “request an electronic copy of the Complete Cast Vote Records (CVR’s) for the MOA 2023 Regular Election.”

RESPONSE:

1. Election Commission:

- a. Public Session of Canvass, AMC Ch. 28.85, has a limited agenda:
 - i. Required to “meet in public session to declare which ballots will be rejected and which shall be counted,” AMC 28.85.010A
 - ii. Observers may challenge a voter’s ballot or the rejection of a voter’s ballot, *see* AMC 28.85.010B.
 - iii. The Commission may either accept or reject challenges, *see* AMC 28.85.010C, then prepare the “results of the election for submission to the assembly,” AMC 28.85.030B.
- b. The Election Commission has various other duties, *see* AMC 28.120.060, other than certifying the election results under AMC Chapter 28.85.

2. Observer Smith alleges “To this day, the municipal clerk has not provided the list of voters not mailed a ballot.”

- a. 34,102 voters allegedly did not receive ballots.
 - i. MOA Election website: “Active Registered Voters through March 5, 2023: 235,564,” Attachment A. *See also* Election Summary Report (April 6, 2023), Attachment B.
 - ii. MOA Excel spread sheet provided March 17, 2023: “201,462 voters received ballots (by USPS mail).”
 - iii. $235,564 - 201,462 = 34,102$.

3. Response: In response to Observer Smith's request, a thumb drive with "2023 All Anchorage Eligible Voters" was delivered to him on April 13, 2023, designating the voters, by condition codes, who were not mailed ballots:

RG	Registered Voter	199,514	199,514
UN	Undeliverable	26,642	
LM	List Maintenance	9,257	
LU	List Maintenance Undeliverable	93	
ID	Identification Required	57	36,049
			235,563

a. According to Observer Smith's math:

i. Voters by condition codes UN, LM, LU and ID were not mailed ballots, *see* AMC 28.40.020C. Total 36,049.

ii. Voters with condition code RG were mailed ballots: 199,514.

iii. Observer Smith notes a discrepancy (between {1} the MOA Excel spread sheet provided March 17, 2023, and {2} the "2023 All Anchorage Eligible Voters" provided on April 13, 2023) of 1,948 ballots:

a. $201,462 - 199,514 = 1,948$

b. $36,049 - 34,102 = 1,947$

He requests explanation for the discrepancy.

b. Explanation:

i. Voters in condition code ID (57) were sent ballot envelopes.

ii. Voter lists (including those provided on March 17 and on April 13) are frequently updated with revised voter information.

iii. [Jamie to narrow the 1,948 "discrepancy."

4. Observer Smith claims an "under reporting . . . of about 1,690 undeliverable ballots for the 2022 MOA regular election."

a. MOA Elections reported 15,810 undelivered ballot envelopes for the 2022 Municipal regular election to the State of Alaska.

b. Observer Smith estimates there were 17,500 undeliverable envelopes, resulting in a discrepancy of 1,690 envelopes (17,500 – 15,810).

- c. Any “under reporting,” based on Observer Smith’s estimates, does not have any effect on the 2023 Municipal election (other than, possibly the Municipality could have saved the cost of mailing 1,690 envelopes).
5. Observer Smith suggests it would be “prudent for the Election Commission to request an electronic copy of the Complete Cast Vote Records (CVR’s) for the MOA 2023 Regular Election.”
- a. Observer Smith filed a records request on April 14, 2023, for a copy of “all cast vote records (CVR’s) for the 2023 MOA Regular Election.” That Cast Vote Record (“CVR”) will be prepared after Assembly confirmation of the election results on April 25, 2023.
 - b. Thereafter, MOA Elections will post the CVR on its website, tentatively on April 26, 2023.

