



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 9, 2021

American Oversight
Sarah Colombo
1030 15th Street NW
Suite B255
Washington, DC 20005

Via Email

Dear American Oversight and Ms. Colombo:

The Michigan Department of State (Department) has finished processing your request for records received Tuesday, November 16, 2021, the business day following transmission, made pursuant to the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 *et seq.* A copy of your request is enclosed and incorporated herein.

Your request seeks the following:

Records sufficient to identify the information described in parts a–e (below) regarding ballots submitted during the 2020 general election by voters who signed affidavits confirming their identity (in lieu of directly presenting identification):

- a. The total number of ballots.
- b. The county and precinct in which each ballot was submitted.
- c. The final disposition (accepted or rejected) of each ballot.
- d. The grounds for any ballot rejection.
- e. The age, race, and political party affiliation of each voter who submitted a ballot.

Your request is granted in part as to existing, nonexempt public records determined to be responsive to your request and denied in part. Your request is denied as to letters c, d, and e listed above on the basis of my certification that the Department does not possess records responsive to your request. Ballots issued to a voter not in possession of id who signs an affidavit are processed as a regular ballot and are not separately tracked if they're rejected or processed. Finally, the Department does not track the age, race, and political party affiliation of ballot submissions (please note that Michigan does not have party registration). Letters a & b are granted, and the report is available on the Department's website:

https://www.michigan.gov/documents/sos/Nov_2020_No_ID_Affidavit_Report_743094_7.pdf.

With regard to the partial denial of your request, under FOIA (MCL 15.240) you may do one of the following:

1. Appeal this decision in writing to the Secretary of State's designated appeals officer at:

Secretary of State Jocelyn Benson
Attn: Michael J. Brady
Legal Services Administration
Michigan Department of State
P.O. Box 30204
Lansing, Michigan 48918

The writing must specifically state the word "appeal" and must identify the reason or reasons you believe the denial should be reversed. The Department must respond to your appeal within 10 business days of its receipt. Under unusual circumstances, the time for a response may be extended by 10 business days.

2. File an action in the appropriate court within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs and disbursement, and possible damages.

The Department's FOIA Procedures and Guidelines can be accessed at www.michigan.gov/sos, under the "FOIA" tab at the bottom of the page.

Sincerely,



Adam Fracassi, FOIA Coordinator
Bureau of Elections
Michigan Department of State