

PAUL D. PATE
SECRETARY OF STATE



LUCAS BUILDING
DES MOINES, IOWA 50319

OFFICE OF THE IOWA SECRETARY OF STATE

May 28, 2021

Patrick Gill
Commissioner of Elections
Woodbury County
620 Douglas St., Room 103
Sioux City IA 51101

Dear Commissioner Gill,

On Tuesday, February 9, 2021, Erica Tuttle with your office notified Dale Cole and Wes Hicok that there are seven voters (listed below) in your county that had two affidavit envelopes for the election in question.

Wyma Jean Henrichsen	#349561
Neil Lawrence Gross	#330998
Leonard Grant Ross	#341826
John Lewis Ege	#1435971
Barbara M Parker	#330348
Rosana Marie Rose	#353954
Ann Marie Clapp	#500642606

Based on your replies to our March 19, 2021 Letter of Inquiry, it appears that some (if not all) of the duplicate absentee ballots were counted by your Absentee and Special Voters Precinct Board and reported as a part of your canvass report.

Additionally, in your April 1, 2021, you state that you "rely on the [I-VOTERS] software to notify us that a ballot has been previously received for this voter." If you and your staff had correctly followed the procedures outlined in Absentee chapter of the Election Administrators Handbook regarding receiving returned absentee ballots into I-VOTERS, then these duplicate ballots would have been caught. A member of our staff, Wes Hicok, has reviewed this process with you thoroughly and discussed exactly how I-VOTERS is designed and programed to prevent the receipt of duplicate ballots.

The law recognizes that election officials and indeed all-public officials may occasionally err, but the process of properly entering returned absentee ballots is one that is clearly outline in guidance provided to all County Auditors and their staff.

For this reason, we regretfully issue to you this letter as an official **NOTICE OF TECHNICAL INFRACTION AND LETTER OF INSTRUCTION** pursuant to Iowa Code section 39A.6. Because the conduct in question occurred prior to the enactment of SF413 (2021), there is no fine associated with this technical infraction.

As a remedy to assure that these types of actions do not occur in the future, we would strongly encourage that you and your staff attend all trainings offered by the Iowa Secretary of State's Office. Additionally, we would ask that you specifically review the process of properly entering returned absentee ballots into IVOTERS with your staff.

We would welcome the opportunity to work with your office on reviewing training methods and materials used to educate the elections staff on election laws, best practices and IVOTERS procedures.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Ross", written in a cursive style.

Michael Ross
Deputy Secretary of State