



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

May 14, 2021

VIA E-MAIL

Ms. Catherine Engelbrecht
True The Vote
P.O. Box 3109
Houston, TX 77253
Email: research@truethevote.org

Public Records Act Request

Dear Ms. Engelbrecht,

This letter further responds to your Public Records Act request, received April 22, 2021. Specifically, you requested the following information regarding any Konnech products or services (including but not limited to Pollchief, iPetitioner, and ABVoting):

- "1. Access to and a copy of any and all documents related to the acquisition, utilization, specifications, security, and maintenance of the Pollchief by Konnech Election Management System or any other Konnech product or system. Specifically, any related Request For Proposal, Request for Proposal Responses, solicitation materials, contracts, sole source certifications, amendments, purchase orders, invoices, technical specifications, user manuals, training collateral, and security certifications.*
- 2. All documents specified by statute to be retained in relation to the Pollchief system and network, either connected directly or indirectly, to Pollchief and Konnech at large.*
- 3. Any and all invoices, correspondence (including emails, memos, and advisories with any Konnech representative including but not limited to Eugene Wu) regarding the acquisition, utilization, specifications, security, and maintenance of the Pollchief or any other Konnech product or service.*
- 4. All relevant and responsive documents specifically related to how California/Los Angeles County.*

Under the Public Records Act, the County has a duty to disclose records to the public to the extent the County understands the request, responsive records exist and can be located, and the information contained in the responsive records are not subject to, in whole or in part, legal exemptions from disclosure. However, the Public Records Act does not require the County to

answer questions or to create a record that does not exist at the time of the request. (See Gov. Code, § 6252(e); *Haymie v. Superior Court* (2001) 26 Cal.4th 1061, 1075.)

Item No. 1. With respect to the first part of the request, “any and all documents related to the acquisition, utilization, specifications, security, and maintenance of the Pollchief by Konnech Election Management System or any other Konnech product or system” is vague, overbroad, unduly burdensome, and without any limitation as to time or scope.

With respect to the second part of the request, “Request For Proposal, Request for Proposal Responses, solicitation materials, contracts, sole source certifications, amendments, purchase orders, invoices, technical specifications, user manuals, training collateral, and security certifications,” the County has located records responsive to your request. At this time, the County can provide you with a link to the contract located at <http://file.lacounty.gov/SDSInter/bos/supdocs/149373.pdf#search=%22Konnech%22>. For all other records requested, the County is continuing to review records potentially responsive to your request.

Item No. 2. With respect to the request for, “[a]ll documents specified by statute to be retained in relation to the Pollchief system and network, either connected directly or indirectly, to Pollchief and Konnech at large” is overbroad without any limitation as to time or scope and unduly burdensome. Your request is also vague, ambiguous, uncertain and unintelligible as to the intended meaning of the phrase “all documents specified by statute to be retained in relation to the Pollchief system and network.”

Item No. 3. With respect to the request, “any and all invoices, correspondence (including emails, memos, and advisories with any Konnech representative including but not limited to Eugene Wu) regarding the acquisition, utilization, specifications, security, and maintenance of the Pollchief or any other Konnech product or service” is overbroad, unduly burdensome, and without any limitation as to time or scope.

Item No. 4. With respect to the request for “[a]ll relevant and responsive documents specifically related to how California/Los Angeles County uses Pollchief and Konnech and the implementation of the election software system” is overbroad, unduly burdensome and without any limitation as to time or scope. Your request is also vague, ambiguous, uncertain and unintelligible as to the intended meaning of the words “relevant” and “election software system”. However, the County is continuing to search for and review records potentially responsive to your request.

Government Code section 6253(b) requires a public record request to reasonably describe an identifiable record or records. Based on the broad language of your request, there are more than tens of thousands of responsive records. A search for potentially responsive records will require both review and identification of voluminous records, and possible redaction of exempt information. Please provide clarification or further specification as to the records requested so that the County may conduct a search for records and respond accordingly. When presented with the foregoing requests seeking such a broad category of records, it is clearly against the public interest to require a public agency and its employees to expend countless hours combing through a myriad of documents to determine the nature and the context of the documents, and to ultimately determine whether such documents are exempt from disclosure or whether exempt information may need to be redacted. (Gov. Code § 6255(a).) If you need assistance in crafting

Ms. Catherine Engelbrecht
May 14, 2021
Page 2

a narrower and less burdensome request that reasonably describes identifiable records, please do not hesitate to contact us.

In light of the foregoing and due to the voluminous nature of this request, the County is continuing to search for and attempting to locate any responsive non-exempt records. The County expects to provide you with the next batch of any responsive non-exempt records, in electronic format when available, by May 28, 2021, and on a rolling basis thereafter. The County reserves its right to assert all applicable privileges/doctrines and exemptions.

Respectfully,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

A handwritten signature in dark ink, appearing to read "Julane Whalen". The signature is fluid and cursive, with the first name "Julane" and last name "Whalen" clearly distinguishable.

JULANE WHALEN
Registrar-Recorder/County Clerk
Executive Office