

MINNESOTA SECRETARY OF STATE OFFICE

Mark Ritchie, Secretary of State

November 9, 2007

VIA HAND DELIVERY

The Honorable Laura Brod
Representative, District 25A
321 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
Saint Paul, MN 55155

The Honorable Tom Emmer
Representative, District 19B
261 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
Saint Paul, MN 55155

Dear Representatives Brod and Emmer,

I am the Data Practices Compliance Officer for the Office of the Secretary of State and have had that responsibility since the year 2000.

In that capacity, I am in receipt of your letter of October 31, 2007 to Secretary of State Mark Ritchie, requesting various items and asking a number of questions.

This letter responds to those matters in the possession or within the knowledge of the Office of the Secretary of State, but cannot respond to matters outside the knowledge of the Office.

In that letter there are eleven (11) requests or questions. The numbered responses below correlate to the numbers in your October 31, 2007 letter.

1. A copy of the signup sheet from the April 2, 2007 Civic Education meeting is enclosed. There was not a sign-up sheet from the other meeting, held on June 22, 2007.
2. Copies of all communications distributed to participants in the Civic Education meetings that the Office of the Secretary has in its possession are also enclosed. It is certainly possible that other communications between participants exist, but the Office would have no record of those communications.
3. You have asked for copies of the data information request for these signup sheets. To the best of my knowledge and belief, no data information request has been made to the Office of the Secretary of State. Any such data request would have been directed to me, as the Data Practices Compliance Officer. I have received no such request and it is my understanding that no other staff person in this office has received such a request.

4. You have asked for copies of authorization/approval for these signup sheets to be released. The Office of the Secretary of State would not have issued an "authorization" for release of this data. Rather, the data would simply have been sent to the requesting person, especially as this was public data. In cases where there were costs to be properly charged for the data under chapter 13, there would have been a request for funds. However, since no data practices request was made, no responding document of any kind was generated or sent.
5. You have asked, "Who entered the data into the Mark Ritchie campaign database?" The answer to this question is not known to the Office of the Secretary of State.
6. You have asked, "Was the information entered using a state computer?" According to those employees of the Office of the Secretary of State who worked with the Civic Engagement participant lists, no entry into any campaign database was made by them.
7. You have asked, "Was the information entered on state time?" According to those employees of the Office of the Secretary of State who worked with the Civic Engagement participant lists, no entry into any campaign database was made by them.
8. You have asked, "Who developed the campaign email distributed to Jack Tomczak and Mark Giga on October 22, 2007?" The answer to this question is not known to the Office of the Secretary of State.
9. You have asked for copies of invoices and receipts for any printing/ mailing/ design expenses to participants in the Civic Education meetings. There were certain expenses connected with the creation and distribution of materials provided to the participants at the Civic Education meetings, however, the expenses were all in-house and so invoices and receipts do not exist.

The expenses were for the:

- creation of documents and materials for consideration at the meetings;
- photocopying of these documents including the Directory of Civic Education and Engagement Groups for distribution at the meetings themselves.

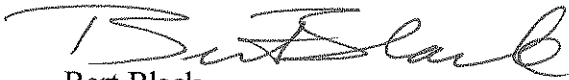
No documents were mailed by United States Postal Service, and thus no postage expense was incurred. Minutes of meetings, notices and the Directory were distributed in hard copy at the meetings and via email. Approximately 400 people received these materials. The Directory, including the contact list, was also distributed, upon request, by Secretary Ritchie to an unknown number of citizens at the Minnesota State Fair.

As the expenses noted above are undifferentiated from other internal expenses of the Office, there are no invoices or receipts because no outside vendor was used for this project, and there is no way to determine the specific expenses for the project.

10. You have asked for copies of the email addresses that received the October 22, 2007 email in question. As this email was not from the Office of the Secretary of State, this data is not in the possession of the Office of the Secretary of State.
11. You have asked for copies of all campaign finance board filings by the Mark Ritchie for Secretary Campaign, including all expenses related to the development and distribution of the email distributed to Jack Tomczak and Mark Giga on October 22, 2007. Since these filings are not made with the Office of the Secretary of State, this data is not in the possession of the Office of the Secretary of State.

Please contact me if you need further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Bert Black". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Bert Black
Legal Advisor
Office of the Secretary of State

cc: The Honorable Gene Pelowski