

JEFFERSON COUNTY PROSECUTING ATTORNEY
Courthouse - P.O. Box 1220
Port Townsend, Washington 98368
Telephone (360) 385-9180 -- FAX (360) 385-9186

David W. Alvarez, Deputy Prosecutor
John Raymond, Deputy Prosecutor
Shane R. Seaman, Deputy Prosecutor
Cheryl L. Potebnya, Deputy Prosecutor
Lianne Perron-Kossow, Victim Services



INTERDEPARTMENTAL REQUEST FOR LEGAL OPINION

Date of Request: February 21, 2007

Department Making Request: Jefferson County Auditor/Elections

Synopsis of Request: During the canvassing of the February 6, 2007 Special Election, our office determined that one voter may have attempted to vote twice. Please see RCW 29A.84.650. For some background, on February 2, 2007 our office received a returned ballot. The signature on the ballot envelope did not match the voter's signature in our voter registration file, so we challenged the signature and sent the voter a letter. On that same date, February 2, 2007, our office received a returned ballot from the spouse. Both of these ballots had been returned to our office directly, not through the postal system. The spouse's ballot went through the process of signature verification, pre-inspection, and tabulation. On February 15, 2007 the challenged voter called this office and said she didn't vote this ballot, she was out of the country for 2 - 5 months. She also said her husband was with her. At that time Karen Cartmel, Chief Deputy Auditor/Elections Coordinator asked the voter to send us a letter explaining the situation. Karen also requested that the voter come into our office to examine the challenged signature. On February 20, 2007 a note was dropped off at our office. It said, "As I said last week on the phone I could not have voted in the Feb. 6, 2007 Election as I was out of the country. Thank you for your attention to this." This office believes that the spouse forged the wife's signature on her affidavit envelope. This challenged signature was sent to the Canvassing Board for rejection. Upon review and discussion, the Canvassing Board directed our office to send this matter to you.

For Use by Prosecuting Attorney

Form of Request: Written Telephone In Person

Recommendation/Opinion: _____

By: _____ Date Completed: _____



Donna M. Eldridge
JEFFERSON COUNTY AUDITOR
PO Box 563, Port Townsend WA 98368
E-MAIL: deldridge@co.jefferson.wa.us

(360) 385-9118

Donna M. Eldridge

Rebekah M McGuire
504 V St
Port Townsend WA 98368

2/15/07

She called today & said she didn't vote the ballot she was out of the country for 2.5 months. Also said husband was w/ her.

February 5, 2007

Your ballot for the Special Election Feb 6 2007 was received in this office but we were not able to process it for one of the following reasons:

- 1) No signature on the affidavit;
- 2) Questionable signature on the affidavit;
- 3) Affidavit signed by Power of Attorney; or
- 4) Affidavit signed by someone else.

Refer to the reason you are receiving this letter and follow the applicable instructions listed below.

Reason for this letter: Questionable Signature

NO SIGNATURE:

Sign, date and return the attached Affidavit.

QUESTIONABLE SIGNATURE:

It appears your signature has changed significantly. Sign and date the attached Affidavit. If you feel it still will not match the one we have on file you may either enclose a photocopy of a valid government or tribal issued identification document that includes your current signature (which needs to match the signature on the affidavit), or you must appear in person to update your signature.

SIGNED BY POWER OF ATTORNEY:

Power of Attorney cannot be used for taking an oath for voting. If you are unable to sign, you may sign the enclosed affidavit with an "X", or any other mark, and have it witnessed by two people. These witnesses need to sign next to your "X", or mark on the affidavit.

SIGNED BY SOMEONE ELSE:

Sign, date and return the attached Affidavit.

IMPORTANT NOTE: In order for your ballot to be counted, you need to resolve the issue no later than February 20, 2007. You may return the required information in person to our office at 1820 Jefferson St in Port Townsend, or mail it to: Jefferson County Auditor, ATTN: Elections, PO Box 563, Port Townsend WA 98368. Our regular office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. Election day hours are 7:00a.m. to 8:00p.m. Please call if you have any questions.

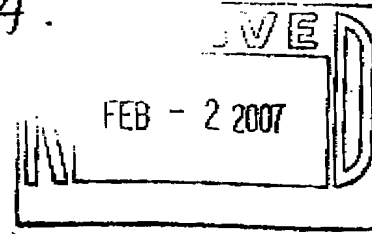
Sincerely:

Betty Johnson

Betty Johnson
Election Specialist, Jefferson County WA

(A) send to P.A.

Quest Sea



**DATE
HERE**

I am entitled to vote in this election;
I have not already voted in this election;
It is illegal to vote if I am not a United States citizen;
It is illegal to vote if I have been convicted of a felony and have not
It is illegal to cast a ballot or sign an absentee envelope on behalf of
otherwise provided by law; and
Attempting to vote when not entitled, attempting to vote more than
once is a felony punishable by a maximum imprisonment of five years
or a maximum fine of \$10,000, or both.



(X)

Rebekah M McGuire 11

SIGNATURE OF VOTER

TOD

Official Candidate Name Number



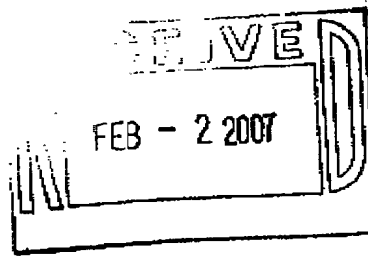
011-0035-0183-1 02/05/2007 Pct: 702

51074

004

REBEKAH M MCGUIRE
504 V ST
PORT TOWNSEND WA 98368

POSTMASTER: DO NOT DELIVER TO THIS ADDRESS (SEE OTHER SIDE)



**SIGN &
DATE
HERE**

With a legal residence in the State of Washington,
I am entitled to vote in this election;
I have not already voted in this election;
It is illegal to vote if I am not a United States citizen;
It is illegal to vote if I have been convicted of a felony and have not
It is illegal to cast a ballot or sign an absentee envelope on behalf of
otherwise provided by law; and
Attempting to vote when not entitled, attempting to vote more than
oath is a felony punishable by a maximum imprisonment of five year
a maximum fine of \$10,000, or both.



(X) Todd S. McGuire TOD
SIGNATURE OF VOTER



53202

011-0038-0164-1 02/06/2007 Pct: 702

004

**TODD S MCGUIRE
504 V ST
PORT TOWNSEND WA 98368**

POSTMASTER: DO NOT DELIVER TO THIS ADDRESS (SEE OTHER SIDE)

IMPORTANT: SIGN, DATE & RETURN THE AFFIDAVIT BELOW

IN ORDER TO VOTE THIS BALLOT: You must have lived in the state, county, and precinct within Jefferson County 30 days immediately preceding the election. Should you have any questions about your qualifications to vote, contact the Auditor's Office: **1820 Jefferson St.
Port Townsend, Wa 98368
(360) 385-9119**

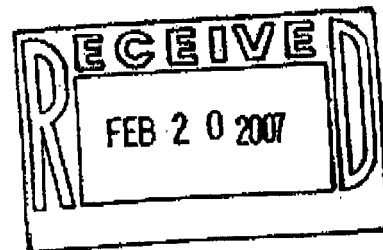
I do solemnly swear or affirm under penalty of perjury that: I am a legal resident of the State of Washington; I am entitled to vote in this election; I have not already voted in this election; it is illegal to vote if I am not a United States citizen; it is illegal to vote if I have been convicted of a felony and have not had my voting rights restored; it is illegal to cast a ballot or sign a mail ballot envelope on behalf of another voter, except as otherwise provided by law; and Attempting to vote when not entitled, attempting to vote more than once, or falsely signing this oath is a felony punishable by a maximum imprisonment of five years, a maximum fine of \$10,000, or both.

(X) _____ / _____
SIGNATURE OF VOTER DATE



Rebekah M McGuire
504 V St
Port Townsend WA 98368

Date of Election: 2/6/2007
Reason: Questionable Signature
011-0036-0183-1



Dear Betty Johnson ;
Donna Eldridge ; Karen Cartmel
As I said last week on the phone
I could not have voted in the
Feb. 6, 2007 election as I was out
of the country.

Thank you for your attention to
this.

Sincerely
Rebekah McGuire
2/20/07



Return Date: 02/05/2007

Return Method: Mail

Signature Verification Auto Save

Verify Only

Ballot ID: 011-0036-0183-1

011-0036-0183-1 011-0036-0183-1 011-0036-0183-1 011-0036-0183-1

Ballot Name: McGuire, Rebekah M

011-0036-0183-1 011-0036-0183-1 011-0036-0183-1 011-0036-0183-1

Mailing Address:
504 V St
Port Townsend WA 98368

504 V St
Port Townsend, WA 98368

ID Received

Return Information

Condition: Good

Time:

Phone Number:

Handwritten signature: Rebekah McGuire

Messages

Warning icon and message text

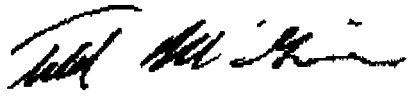
Large empty rectangular area

011-0036-0183-1	004	1/5/2007							
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Application Information

Search

Application Number	77971957	Issue Date	11/5/2007
Issue Date		Issue Date	11/5/2007
Issue Date		Issue Date	
Issue Date		Issue Date	
Issue Date		Issue Date	
Issue Date		Issue Date	

	Auto Generated - M	004	UNRECORDED

Issue Date	Issue Type	Issue Status	Issue Method	Ltr Sent	Call Date

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Issue Type	Issue ID	Issue Type
Issue Type	ISS-1112-005	Issue Type
Issue Type	Issue Group	Ballot Remarks:
Issue Type	1112	Auto Generated - M
Issue Type	Issue District	
Issue Type	1111712	