

July 2, 2026

Jermery Washington
City Clerk
235 W 10th Street.
Sioux Falls, SD 57104
Jermery.Washington@siouxfalls.gov

RE: Open Records Request – June Municipal Runoff Election

Dear Records Custodian,



P.O. Box 91952
Sioux Falls, SD 57109
605-332-2508
southdakota@aclu.org
aclusd.org

Under the South Dakota Sunshine Law, § 1-27-1 et seq., I am requesting an opportunity to inspect or obtain copies of public records related to the management of the June 23, 2026 Sioux Falls Municipal Runoff Election (“the Runoff Election”).

Accordingly, please provide the following documents:

- All records related to the decision to make ballots available on June 15, 2026, for in-person absentee voting pursuant to S.D.C.L. §§ 9-13-21 and 12-19-2.1 for the Runoff Election. *See* <https://www.siouxfalls.gov/news/2026/06/15/20260615-absentee-voting>.
- All records related to whether any ballots for the Runoff Election were made available to absentee voters pursuant to S.D.C.L. § 9-13-21 prior to June 15, 2026.
- All records demonstrating when absentee ballots for the Runoff Election were physically surrendered to the U.S. Post Office to be sent via first class mail to those who had requested them. *See* S.D.C.L. § 12-19-5.
- All records showing the number of applications received by the City of Sioux Falls and/or Minnehaha County from voters desiring to vote absentee by mail in the Runoff Election pursuant to S.D.C.L. § 12-19-2.
- All records showing the number of completed absentee ballots returned to the City of Sioux Falls and/or Minnehaha County via mail pursuant to S.D.C.L. § 12-19-7 before the Runoff Election concluded.
- All records showing the number of absentee ballots returned to the City of Sioux Falls and/or Minnehaha County after polls were closed

for the Runoff Election and that were subsequently not counted. *See* S.D.C.L. § 12-19-12.

- All records showing the number of ballots each voting precinct was provided prior to polls opening for the Runoff Election on June 23, 2026 and all records related to how this number was determined.
- All records related to whether any voting precinct requested additional ballots on June 23, 2026—including the number of ballots requested.
- All records related to whether any voting precinct was provided with additional ballots on June 23, 2026—including the number of ballots provided.
- All policies, standards, guidelines, training materials, internal memorandum, or other documents related to poll workers being able to request additional ballots on Election Day.
- All policies, standards, guidelines, training materials, internal memorandum, or other documents related to election officials providing additional ballots to poll workers on Election Day—including the number of staff responsible for responding to these requests.
- All records showing the precise time each polling location recorded its final vote on June 23, 2026.
- All records showing the precise time each polling location closed on June 23, 2026.



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If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the Runoff Election. This information is not being sought for commercial purposes.

If access to the records I am requesting will take longer than a 'reasonable' amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. My contact information is amalone@aclu.org.

Sincerely,

Andrew Malone, Senior Staff Attorney
American Civil Liberties Union of South Dakota



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