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October 27, 2016

Via Email

Cara Hendrickson
Chief, Public Interest Division
Office of the Illinois Attorney General
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Ms. Hendrickson:

I am following up on your letter sent yesterday at 5:22 CST and our telephone conversation yesterday afternoon. In your letter you request quite a bit of information and ask that it be supplied by noon CST today. To date, my client has voluntarily provided you with information and assurances, but I am sure you can appreciate the fact that my client is focused on getting the applications promptly delivered to the clerks' offices, in addition to the demands of its other programs and day-to-day business.

During our initial phone conversation on October 26, you expressed the specific concern that applications were sitting in post office boxes (you specifically mentioned Rock Island) and were not being distributed. To assuage your concern, the Illinois Opportunity Project has voluntarily complied with requests I have received from your office and has provided specific information and assurances that the vote-by-mail applications are being delivered to the clerks' offices. I have repeatedly explained that mail pieces which were sitting in several of the post office boxes were the result of: being held by the postal inspector; being held until return postal payment was made (Rock Island); or being held for a determination that the mail pieces were not political mail. To the best of my knowledge, mail pieces are no longer being held by the various post offices, and applications within the held mail pieces have already been turned in to the clerks or are to be turned in today. You have also been assured that post office boxes are being checked daily, and in most cases, more than once a day.

I want to again reiterate that the program of the Illinois Opportunity Project is to inform citizens that they may submit applications to vote-by-mail and assist them in the process, if they so choose, by turning in their application to vote-by-mail to their county clerk so that they are able to vote. Thus, the goal is to ensure vote-by-mail applications are promptly turned in and voters receive a vote-by-mail ballot so they ultimately vote. To achieve this goal, Illinois Opportunity Project continues to promptly turn in the applications they are receiving.

Given that the Illinois Opportunity Project has provided assurances that applications are being promptly submitted to the clerks' offices and is trying to be reasonable¹, I am perplexed that you are continuing to ask for information and documents. The requests and extremely short time frames are intruding on this voluntary program undertaken by the Illinois Opportunity Project. It is becoming burdensome and is interrupting the program. My client has provided reassurances addressing your concern about applications sitting in post office boxes.

My client is doing everything to get these applications to the clerks timely and has provided reassurances of this. It would be helpful to me if you could shed light on any additional concerns you have or explain why these requests are necessary to address your stated concern. You have not told me that my client has done anything wrong, or that you are making these requests on the numerous other organizations conducting similar programs, so you can see why a reasonable person would view this as designed to intrude upon and distract a political opponent of your boss.

Apart from your concern that mail pieces were initially sitting in post office boxes, please let me know what my client is doing wrong in its conduct of this program. I don't understand why my client is being asked to provide this information and these documents,² which takes time and effort to gather and provide, especially on such a compressed time frame when you've received the assurances addressing your concern.

¹ Illinois Opportunity Project is trying to voluntarily comply with your request to deliver applications within one business day of being received, although I am not aware of any legal requirement to do so.

² For example, I do not understand how your request to provide a list of the citizens who were sent the letter assuages any concern about mail pieces sitting in post office boxes.

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I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Heidi K. Abegg". The signature is fluid and cursive, with the first name "Heidi" and last name "Abegg" being more prominent than the middle initial "K".

Heidi K. Abegg