

April 24, 2026

VIA EMAIL & CERTIFIED MAIL

Kristi Lahti-Johnson
Hennepin County – Compliance
300 South 6th Street
Minneapolis, MN 55487
hcdatarequest@hennepin.us
Kristi.Lahti-Johnson@hennepin.us

Hennepin County Elections
Ginny Gelms
300 South 6th Street MC 680
Minneapolis, MN 55487-0012
hc.vote@hennepin.us

Re: *In the Matter of the Data Practices Complaint of Restoring Integrity and Trust in Elections, J. Justin Riemer (Hennepin County Elections)*
CAH 28-0305-41678

Notice

The enclosed Data Practices Complaint (Complaint) was filed with the Court of Administrative Hearings on April 23, 2026. The Complaint alleges that Hennepin County Elections violated the Minnesota Government Data Practices Act (MGDPA)¹.

Minn. Stat. § 13.085 provides for an administrative process for reviewing alleged violations of the MGDPA. Pursuant to Minn. Stat. § 13.085, subd. 2(f), the Respondent must file a response to this Complaint within **15 business days** of receipt of this letter. For good cause shown, the Administrative Law Judge may extend the time for filing a response.

This case has been assigned to Administrative Law Judge Joseph C. Meyer for a probable cause review pursuant to Minn. Stat. § 13.085, subd. 3. Within **20 business days** following the filing of a response to the Complaint, the Administrative Law Judge will make a preliminary determination as to whether sufficient facts are alleged to proceed to a hearing on the matter, or whether the matter will be dismissed.

The complaint process is described in Minn. Stat. § 13.085, which can be found on the Court of Administrative Hearings website at <https://mn.gov/oah/self-help/administrative-law-overview/data-practices.jsp>

Enclosures: Complaint with attachments

cc: Complainant (letter only)
Department of Administration (MGDPA Notice Email)

¹ Minn. Stat. §§ 13.001-.991 (2024).

Check Received \$ 1,000.00

ADMINISTRATIVE HEARINGS

APR 23 2026

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
PO Box 64620
St. Paul, MN 55164-0620

REC'D AT LOBBY DESK

DATA PRACTICES COMPLAINT FORM

Information about Complaint Filer (Complainant)

Name of Complaint Filer Restoring Integrity and Trust in Elections, J. Justin Riemer	
Pronouns (e.g., he/him; she/her; they/them)	
Title (e.g., Mr.; Mrs.; Ms.; Mx.) President & CEO	
Address 421 Office Park Dr.	
City, State, Zip Code Mountain Brook, AL 35223	
Phone Number (612) 483-1507	
Email Address justinriemer@riteusa.org	
Name of Attorney (if you are represented, your attorney must file a Notice of Appearance) R. Reid LeBeau II	

Identify the Government Entity Involved (Respondent)

Name of Respondent Agency/Local Unit of Government Hennepin County Elections	
Name of agency staff person that you have directed your request to Ginny Gelms	
Address 300 South 6th St MC 680	
City, State, Zip Code Minneapolis, MN 55487-0012	Phone Number 612-348-5151
Email Address hc.vote@hennepin.us	

Is the Agency staff person listed above that agency's Responsible Authority under the Minnesota Government Data Practices Act?

Yes No X Don't Know

If not, please provide the name of the agency's Responsible Authority if known:

Kristi Lahti-Johnson
Hennepin County – Compliance

Provide the specific statute in Minnesota Statutes Chapter 13 (Minnesota Government Data Practices Act or MGDPA) that you allege has been violated:

Minn. Stat. § 13.03, subd. 2(a); Minn. Stat. § 13.03, subd. 3(a), (c), and (e); and related provisions requiring requests for government data to be received and complied with in an appropriate and prompt manner.

Date(s) of violation or date of discovery (if concealed):

January 27, 2026 through present.

Has an opinion been requested from the Commissioner of Administration (IPAD) regarding the data involved in this Complaint?

Yes No X Don't Know .

If yes, has an opinion been issued from IPAD regarding the data involved in this Complaint?

Yes No Don't Know .

If yes, provide a copy of the Commissioner's Opinion or provide the opinion number (e.g. 10-009): _____.

Other than you, are any other individuals or entities the subject of the data involved in this Complaint?

Yes No Don't Know X.

If yes, and you have this information, list these individuals or entities and their contact information

Nature of the Data Practices Complaint

On January 27, 2026, Complainant submitted a formal written request under the Minnesota Government Data Practices Act to Hennepin County Elections seeking public records relating to election administration and related communications. A copy of the request is attached as Exhibit 1.

Respondent did not acknowledge receipt of the request for over a month until Complainant contacted Respondent on March 2, 2026 seeking an update as to the status of the request and an estimated timeline for the expected production. Respondent replied on March 2, stating that the request "was received and is being processed." Respondent did not request clarification. Respondent did not claim that any responsive data were classified as nonpublic or otherwise exempt. Respondent did not provide a timeline for production. Respondent did not produce any responsive records.

Nearly three months have passed since the request was submitted.

Minnesota law requires government entities to establish procedures ensuring requests are received and complied with in an appropriate and prompt manner. Respondent's failure to substantively respond or produce records establishes probable cause that the Minnesota Government Data Practices Act has been violated, see Attachment A.

Complainant requests relief authorized under Minn. Stat. § 13.085, including a determination of violation, an order compelling compliance, civil penalties as appropriate, and reimbursement of allowable costs.

Oath:

I, J. Justin Riemer, under penalty of perjury, swear or affirm that the statements I have made in this complaint are true and correct to the best of my knowledge.

J. Justin Riemer
Signature of Person Filing Complaint

April 22, 2026
Date

NOTE: A COMPLAINT FORM LACKING THE COMPLAINANT'S SIGNATURE IS NOT COMPLETE AND WILL NOT BE ACCEPTED.

Send the completed form, any attached sheets and a check, cashier's check, or money order for the \$1,000 filing fee made payable to: Court of Administrative Hearings. The Complainant may utilize a bond to guarantee the payment of this fee. There is no refund of any bonding fee if that option is selected. There is no *in forma pauperis* option for those who are unable to pay the filing fee or post the appropriate bond.

Complaints may be submitted to the Court of Administrative Hearings by U.S. Mail to PO Box 64620, Saint Paul, MN 55164 or personal delivery to 600 North Robert Street, Saint Paul, MN 55101. Filing of a Complaint is effective when both the completed Complaint form and the \$1,000 filing fee (or bond) are received at the Court of Administrative Hearings. The agency closes at 4:30 p.m. Anything received after that time will be deemed received the following business day.

More information about this process is available on the CAH website at (mn.gov/oah.)

If you have questions, call a staff attorney at 651-361-7900.

This document is available in alternative formats to individuals with disabilities by calling 651-361-7834.

TENNESSEN WARNING

The data requested in this form will be used for the purpose of carrying out the responsibilities of the Court of Administrative Hearings in the expedited complaint process established by Minn. Stat. § 13.085. The information requested is needed to initiate the proceeding, provide required notice to other parties or persons and conduct the probable cause review. Failure to provide the requested information can result in the Complaint being rejected as incomplete, delayed in processing and/or dismissed as lacking probable cause.

The law governing this process makes all records relating to the hearing, including this Complaint, open to the public. If you believe that any data you are submitting is not public under law, you must identify which data is protected and why it is not public data under the Minnesota Government Data Practices Act.

OAH Docket Number: _____

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF APPEARANCE

[Insert matter title]

PLEASE TAKE NOTICE that:

1. The party/agency named below (Party/Agency) will appear at the prehearing conference and all subsequent proceedings in the above-entitled matter.

2. By providing its email address below, the Party/Agency chooses to opt into receiving electronic notice from the Office of Administrative Hearings in this matter. **Note: Provision of an email address DOES NOT constitute consent to electronic service from any opposing party or agency in this proceeding.**¹

3. The Party/Agency agrees to use best efforts to provide the Office of Administrative Hearings with the email address(es) for opposing parties and their legal counsel.

Party's/Agency's Name: Restroing Integrity and Trust in Elections

Email: justinriemer@riteuse.org

Telephone: 612-483-1507

Mailing Address: 421 Office Park Dr.

Mountain Brook, AL 35223

Party's/Agency's Attorney: R. Reid LeBeau II

Firm Name: Chalmers Adams Backer and Wallen

Email: rlebeau@chalmersadams.com Telephone: 612-483-1507

Mailing Address: 525 Park St. Suite 255, St. Paul MN 55103

Respondent's/Opposing Party's Name:

Email:

Telephone: _____

Mailing Address:

¹ In order to opt in to electronic notice, this form must be emailed to OAH.efiling.support@state.mn.us. If the party does not wish to opt in to electronic notice, this form may be filed with the Office of Administrative Hearings via facsimile, U.S. Mail, or personal service. See 2015 Minn. Laws Ch. 63, Minn. R. 1400.5550, subps. 2-5 (2017).

Note: This form must be served upon the opposing party/agency. Counsel may not withdraw from representation without written notice.



OFFICE OF
ADMINISTRATIVE
HEARINGS

Dated: 4/23/2026

A handwritten signature in black ink, appearing to read 'R. Cat...' followed by a flourish.

Signature of Party/Agency or Attorney

**ATTACHMENT A
FACTUAL BASIS AND PROBABLE CAUSE SHOWING**

On January 27, 2026, Complainant submitted a written request for public government data to Hennepin County Elections (“Respondent”). The request sought access to public data in electronic format and requested citation to any statutory basis for withholding, redacting, or otherwise denying responsive data.

The request identified specific categories of data with sufficient detail to permit Respondent to locate responsive materials, seek clarification if necessary, communicate regarding timing or scope, produce data on a rolling basis, or assert any applicable exception under the Minnesota Government Data Practices Act. Respondent did none of those things.

Respondent did not initially acknowledge receipt. Complainant contacted Respondent on March 2, 2026 seeking an update as to the status of the request and an estimated timeline for the expected production. Respondent replied on March 2, stating that the request “was received and is being processed.” Respondent produced no responsive data. Respondent issued no denial or request for clarification. Nor did Respondent provide an estimate for when it would produce the data or any explanation for the delay.

Minnesota law requires government entities to establish procedures to ensure that requests for government data are received and complied with in an appropriate and prompt manner. Minn. Stat. § 13.03, subd. 2(a).

Minnesota law further provides that if copies cannot be produced at the time of the request, they must be supplied as soon as reasonably possible. Minn. Stat. § 13.03, subd. 3(c).

The governing administrative rules impose an additional mandatory timing requirement: the responsible authority shall provide for a response to a request for access within a reasonable time. Minn. R. 1205.0300, subp. 3.

Nearly three months have elapsed since Complainant's request. Again, Respondent has provided no data, no denial, no clarification request, no production estimate, no explanation for the delay, and no substantive response of any kind. A failure to meaningfully respond for 85 days is not prompt, not as soon as reasonably possible, and not within a reasonable time.

Chapter 13 also requires government data to be maintained in such an arrangement and condition as to make them easily accessible for convenient use. Minn. Stat. § 13.03, subd. 1. A prolonged inability or refusal to process a straightforward public-data request raises substantial concerns regarding compliance with that statutory duty.

Although Chapter 13 does not define the word "prompt," the Commissioner of Administration has interpreted the term according to its ordinary meaning as requiring action without delay. In Advisory Opinion 95-042, the Commissioner stated that "prompt means on time; punctual; done without delay," and concluded that "[a] response five weeks later is neither prompt nor reasonable." In Advisory Opinion 96-003, the Commissioner likewise concluded that "a response to a request for data, delivered six weeks later, cannot be considered prompt."

While advisory opinions are not binding, they are persuasive authority interpreting Chapter 13's timing requirements. Those authorities make clear that delays measured in weeks may violate the statute depending on the circumstances. Here, Respondent has remained essentially unresponsive for 12 weeks and counting.

This is not a case involving partial production, active communication, a narrowed request, asserted exemptions, payment disputes, or logistical coordination. It is a case of Respondent substantively ignoring Complainant's request.

Even where a request requires time to process, a government entity must acknowledge receipt, request clarification, provide a reasonable production estimate, produce data in installments, or issue a lawful denial. What Chapter 13 and its implementing rules do not permit is effective silence in response to a valid public data request.¹

Accordingly, Complainant respectfully requests that the Court find probable cause to believe Respondent violated Minn. Stat. § 13.03 and Minn. R. 1205.0300, permit this matter to proceed under Minn. Stat. § 13.085, and grant such other and further relief as the Court deems just and proper.

¹ By comparison, Complainant notes that it filed a substantively identical request to Ramsey County also on January 27, 2026. Ramsey County managed to provide a complete response and production of data on February 11, 2026.



Restoring Integrity and Trust in Elections

January 27, 2026

Ginny Gelms
Hennepin County Elections
300 South 6th St MC 680
Minneapolis, MN 55487-0012

Dear Ms. Gelms:

On behalf of Restoring Integrity and Trust in Elections (RITE), a nonprofit organization whose mission is to protect the rule of law in elections throughout the United States, this is a formal request for access to government data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. I am writing to you as the responsible authority of the Hennepin County Elections Office. If you are not the appropriate designee, please let me know to whom RITE should direct this request.

I seek access to any and all government data (including, but not limited to, email and attachments, text messages, memoranda, and other written correspondence) from January 1, 2024 to the present related to the following:

1. Correspondence between your office and the Minnesota Secretary of State's office regarding the processes outlined in Minnesota Statutes, § 201.145, subd. 5.
2. Correspondence between your office and the Minnesota Secretary of State's office or Minnesota Department of Public Safety regarding the processes for verifying the citizenship of individuals registered to vote pursuant to Minnesota Statutes, § 201.161. This would include correspondence reflecting any complaints from your office or other counties regarding process deficiencies.
3. Any correspondence concerning any individuals who were registered to vote pursuant to § 201.161 indicating that such individual(s) were ineligible for voter registration on the basis they were noncitizens.
4. Correspondence between your office and the Minnesota Secretary of State's office concerning the Electronic Registration Information Center (ERIC), including, but not limited to, Eligible but Unregistered (or "EBU") mailings.
5. Correspondence between your office and any individuals who received Eligible but Unregistered mailings who indicated they were ineligible to register to vote.
6. Any other policies, processes, or written practices for rejecting the registration of or canceling the registration of voters identified as noncitizens.
7. All correspondence, records, or forms created, maintained, or received pursuant to Minnesota Rule § 8200.9940, including the "Precinct List of Persons Vouching," and

any equivalent forms, lists, worksheets, or records used by election judges to record vouching activity at the precinct level. This request includes, but is not limited to, records identifying the individual who vouched, the number of registrants vouched for by that individual, the associated precinct, and any notations or designations reflecting vouching by residential facility employees or other persons authorized to vouch under an exception to the ordinary numerical limits.

8. All correspondence, records, or forms created, maintained, or received pursuant to § 8200.5100(1)(A)(D)-(E), including the “oath” form provided in § 8200.9939, and any correspondence, forms or records reflecting an individual’s execution of a vouching oath in connection with Election Day registration.

I am requesting production of this data in electronic format under Minnesota Statutes, § 13.03, subd. 3(c). To the extent any responsive data are not maintained in electronic form, please identify the format in which the data are maintained and provide access in the most cost-effective and reasonable manner consistent with § 13.03, subd. 3(e).

If you determine that you will redact or withhold any otherwise responsive data, please inform me in writing of the specific statutory basis for your denial.

If there are any fees for searching or producing/copying these records, please inform me if the cost will exceed \$500. However, RITE requests that you waive any fees because the disclosure of the requested information furthers a significant public interest and will contribute to the public’s understanding of Minnesota’s efforts to ensure free and fair elections. RITE is not seeking the records for commercial purposes.

If you have any questions or need clarification, please contact me. I can be reached at justinriemer@riteusa.org.

Sincerely,

/s/

J. Justin Riemer
President & CEO
Restoring Integrity and Trust in Elections