

ELECTIONS:
POLL BOOKS:
PUBLIC RECORDS:

A person inspecting a poll book as provided in Section 111.581, RSMo 1969, may make photostatic copies of the list of voters in the poll books.

OPINION NO. 451

September 4, 1970

Honorable Harold W. Barrick
Prosecuting Attorney
Ralls County
P. O. Box 276
New London, Missouri 63459



Dear Mr. Barrick:

This letter is in response to your request for an opinion of this office in which you request:

"Is it permissible for a citizen to obtain photostatic copies of the lists of voters from the poll books after the official canvass of an election is completed?"

Section 111.521, RSMo 1969, requires the keeping of poll books by the judges and clerks of election, and sets forth the form which said poll books are to take. Consistent with Section 111.581(1), RSMo 1969, one poll book from each election district or precinct is to be made available for public inspection. Such section provides in part as follows:

"1. The election commissioners, or county clerk, upon the receipt of a ballot box and key thereto, or a sack or container containing ballots cast at the election shall note the condition of seal or stamp on the box or container and enter a statement of its condition upon a book kept for this purpose together with the name of the judge who received ballot box, and the name of the judge who returned the key. The election commissioners or the county clerk, shall thereupon open the ballot box and other containers, remove the poll books containing the returns of the votes cast, and note upon the books their condition, and put them together with the voted ballots in a secure place, under lock and key, except that one of the poll

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books from each election district or precinct shall be available for public inspection."
(Emphasis added)

In light of the fact that Section 111.581(1), RSMo 1969, makes available for public inspection a poll book from each election district or precinct, Section 109.190, RSMo 1969, becomes relevant. By that section, any record for which a public inspection may be had may be photographed:

"In all cases where the public or any person interested has a right to inspect or take extracts or make copies from any public records, instruments or documents, any person has the right of access to the records, documents or instruments for the purpose of making photographs of them while in the possession, custody and control of the lawful custodian thereof or his authorized deputy. . . ."

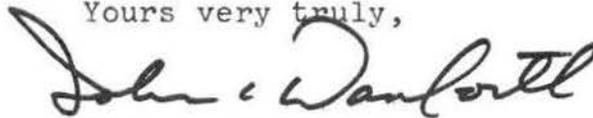
From the foregoing, it is the conclusion of this office that a person inspecting a poll book consistent with Section 111.581, RSMo 1969, may make photostatic copies of the list of voters in the poll books.

CONCLUSION

It is, therefore, the conclusion of this office that a person inspecting a poll book as provided in Section 111.581, RSMo 1969, may make photostatic copies of the list of voters in the poll books.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Kenneth Romines.

Yours very truly,



JOHN C. DANFORTH
Attorney General