TO**:** Anoka County Board of Commissioners and Staff

FROM: Anoka County Election Integrity Team (ACEIT)

DATE: March 14, 2023

SUBJECT**:** Voter Registration Rolls: A Key Component of the Election Process by Lori Mahowald

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**Introduction:**

* Accurate Voter Registration Rolls are critical to a fair and accurate election result. As in other areas across the country, we’ve identified data record issues allowing voting errors in Anoka County.
* We are requesting answers to how these Voting Registration data record issues can occur and ask for work product to be provided to show how statutes are being acted upon to actively and accurately manage Anoka County voter rolls.

**Considerations:**

* **Purpose of Voter Registration Rolls:** To maintain a list of who is eligible to vote so that only those eligible to vote are allowed to cast their vote according to Laws.
* **Eligibility Laws Drive Data Needs** 201.014 ELIGIBILITY TO VOTE.

Subdivision 1.**Requirements.**

Except as provided in subdivision 2, an individual who meets the following requirements at the time of an election is eligible to vote. The individual must:

(1) be 18 years of age or older; (2) be a citizen of the United States; and (3) maintain residence in Minnesota for 20 days immediately preceding the election.

## Subd. 2.Not eligible.

The following individuals are not eligible to vote. Any individual:

(1) convicted of treason or any felony whose civil rights have not been restored; (2) under a guardianship in which the court order revokes the ward's right to vote; or (3) found by a court of law to be legally incompetent.

## Subd. 3.Penalty.

Any individual who votes who knowingly is not eligible to vote is guilty of a felony.

* **Minnesota Voter Registration (SVRS)** 201.021 PERMANENT REGISTRATION SYSTEM.

A permanent system of voter registration by county is established, with a single, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state, and assigns a unique identifier to each legally registered voter in the state. The interactive computerized statewide voter registration list constitutes the official list of every legally registered voter in the state. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county. The secretary of state is responsible for defining, maintaining, and administering the centralized system.

* **Due to the Key Foundation of Voter Registration Practices, Multiple States Enacted Legislation Changes in 2022**
* Significant vulnerabilities identified with maintenance processes and resources/ownership to perform research, enter file updates, communicate with partnering counties/municipals and state to ensure a consistent and accurate record. Opportunities existed to develop policy, process, schedules, and controls to evaluate and ensure Voter Registration data is accurate, complete, and timely.
* Several States have concerns with ERIC providing accurate and timely data [to the State] as well as data exchange requirements in ERIC contract and the protection of the personal data. (Article links will be sent electronically.)
* 2022 Enacted legislation for many states, including Arizona, Idaho, Louisiana, Michigan, Mississippi, New Hampshire, New Jersey, Oklahoma, Tennessee, Utah, Virginia. (List will be sent electronically.)
* **Similar Vulnerabilities Are Being Discovered in Minnesota As Well, Including Anoka County**
* Duplicate records for individuals, incorrect addresses, deceased individuals on voter rolls, database latency issues preventing timely updates, and inadequate crosscheck mechanisms to identify incorrect data.

**Conclusions/Requests:**

* While the State is responsible to maintain the State Voter Registration System, it is the County that is responsible for the accuracy of the county’s data and the county’s election results.
* We have identified Voter Registration Roll accuracy issues in Anoka County. We know down-ballot election results are inaccurate due to voters voting in their former precincts. Due to issues with obtaining data, the full extent of inaccuracy is not yet fully known.
* We The Citizens of Anoka County request the following from our Anoka County Commissioners by 04/30/2023:
	1. A list of standard practices, including frequency, performed by County Auditor (and staff) to maintain Voter Registration records.
	2. The standard operating procedures supporting the standard practices indicated above.
	3. A report of the results from the performance of these procedures/practices for the past year.

***MN CURRENTLY USING ELECTION REGISTRATION INFORMATION CENTER (ERIC)***

Several states have concerns with ERIC regarding the protection of personal data, ERIC providing accurate data, and ERIC requiring from each state more than they offer in return.

* 1/2022 Louisiana quits ERIC voter registration system

<https://www.wdsu.com/article/louisiana-to-suspend-participation-in-electronic-voter-registration-service/38916773>

* 1/2023 Alabama quits ERIC voter registration system

<https://www.al.com/news/2023/01/alabama-withdraws-from-voter-registration-partnership-targeted-by-conservative-conspiracy-theories.html>

* 3/2023 Missouri, Florida, and West Virginia also quitting ERIC voter registration system

<https://www.sos.mo.gov/default.aspx?PageId=10296>

https://www.thegatewaypundit.com/2023/03/breaking-news-election-integrity-game-changer-three-more-states-pull-out-of-eric-system-democrats-in-a-complete-panic/

* ERIC – The Epicenter of Voter Fraud; Its Been Proven Again and Again

<https://americanpolicy.org/2022/08/29/eric-the-epicenter-of-voter-fraud/>

29 states remain participants as of 3/14/2023: Alaska, Arizona, Colorado, Connecticut, Delaware, Georgia, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, District of Columbia.

***2022 ENACTED LEGISLATION RE: VOTER REGISTRATION MAINTENANCE***

1. Arizona [AZ S 1477](http://custom.statenet.com/public/resources.cgi?id=ID:bill:AZ2022000S1477&ciq=ncsl15&client_md=5c6e8454013de3d9b2269891139b78cc&mode=current_text): EACH MONTH THE CLERK OF THE SUPERIOR COURT SHALL TRANSMIT TO THE SECRETARY OF STATE WITHOUT CHARGE A RECORD OF EVERY FELONY CONVICTION IN THAT COUNTY WITHIN THE PRECEDING MONTH. THIS RECORD SHALL INCLUDE ONLY THE NAME OF THE PERSON CONVICTED AND THE PERSON'S DATE OF BIRTH, SOCIAL SECURITY NUMBER, IF AVAILABLE, USUAL LEGAL RESIDENCE AND, IF AVAILABLE, FATHER'S NAME OR MOTHER'S MAIDEN NAME. THE SECRETARY OF STATE SHALL USE THE RECORD FOR THE SOLE PURPOSE OF CANCELING THE NAMES OF CONVICTED FELONS FROM THE STATEWIDE VOTER REGISTRATION DATABASE AND SHALL NOTIFY THE APPROPRIATE COUNTY RECORDER, AND THAT COUNTY RECORDER SHALL CANCEL THE VOTER REGISTRATION OF THE CONVICTED FELON.
2. Arizona [AZ S 1260](http://custom.statenet.com/public/resources.cgi?id=ID:bill:AZ2022000S1260&ciq=ncsl15&client_md=e035ee3d4014d518faddd22b556ea474&mode=current_text): 1) A PERSON WHO RECEIVES AN EARLY BALLOT AT AN ADDRESS AT WHICH ANOTHER PERSON FORMERLY RESIDED, WITHOUT VOTING THE BALLOT OR SIGNING THE ENVELOPE, SHALL WRITE "NOT AT THIS ADDRESS" ON THE ENVELOPE AND PLACE THE MAIL PIECE IN A UNITED STATES POSTAL SERVICE COLLECTION BOX OR OTHER MAIL RECEPTACLE. ON RECEIPT THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL PROCEED IN THE MANNER PRESCRIBED IN SUBSECTION E OF THIS SECTION. 2) WHEN THE COUNTY RECORDER RECEIVES CONFIRMATION FROM ANOTHER COUNTY THAT A PERSON REGISTERED HAS REGISTERED TO VOTE IN THAT OTHER COUNTY, THE COUNTY RECORDER SHALL REMOVE THAT PERSON FROM THE ACTIVE EARLY VOTING LIST. 3) IF THE COUNTY RECORDER RECEIVES CREDIBLE INFORMATION THAT A PERSON HAS REGISTERED TO VOTE IN A DIFFERENT COUNTY, THE COUNTY RECORDER SHALL CONFIRM THE PERSON'S VOTER REGISTRATION WITH THAT OTHER COUNTY AND, ON CONFIRMATION, SHALL REMOVE THAT PERSON FROM THE COUNTY'S ACTIVE EARLY VOTING LIST PURSUANT TO SUBSECTION Q OF THIS SECTION.
3. Idaho [ID S 1351](http://custom.statenet.com/public/resources.cgi?id=ID:bill:ID2022000S1351&ciq=ncsl15&client_md=64956d7b23625083629d2c4afcfd0e18&mode=current_text): The secretary of state, in conjunction with the county clerks, shall make an annual report to the legislature regarding voter registration maintenance actions performed by them.
4. Louisiana [LA H 646](http://custom.statenet.com/public/resources.cgi?id=ID:bill:LA2022000H646&ciq=ncsl15&client_md=259ee52df65ffcde8c3213e5e44db1ed&mode=current_text): The registrar shall preserve the envelope or container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.
5. Louisiana [HB 423](https://custom.statenet.com/public/resources.cgi?id=ID:bill:LA2022000H423&ciq=ncsl15&client_md=00deee7646dc9df069b45eaf47968478&mode=current_text): The absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be counted and the total number of absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be entered by the members of the board as the total number of votes on the final absentee by mail and early voting vote report, and the members of the board shall certify the results. A copy of the final absentee by mail and early voting vote report shall be posted by a member of the board after the polls close at the location where the tabulation and counting was conducted and the office of the registrar of voters.
6. Michigan [MI H 4491](http://custom.statenet.com/public/resources.cgi?id=ID:bill:MI2021000H4491&ciq=ncsl15&client_md=b447a47e16f3c84fea4ef5585194b0b8&mode=current_text): Created specific actions, and deadlines for those actions, to be taken by the Secretary of State and by the County Clerks to remove the names of those who have died in the state’s counties, cities, or townships. Additionally those changes must be communicated to the other entities: AND state office, counties, cities, or townships for their records/files to be updated according to deadlines prescribed.
7. Mississippi [MS H 1510](http://custom.statenet.com/public/resources.cgi?id=ID:bill:MS2022000H1510&ciq=ncsl15&client_md=b2d0f8d939efe45e17d549f910e3b195&mode=current_text): Requires the registrar upon receiving a completed voter registration application to enter an applicant into the Statewide Elections Management System, provides that the registration application shall be compared with the Department of Public Safety Driver's License and Identification Information, requires the Statewide Elections Management System to notify the registrar if such information reflects that the applicant is not a citizen of the united states.
8. New Hampshire [HB 1010](https://custom.statenet.com/public/resources.cgi?id=ID:bill:NH2021000H1010&ciq=ncsl15&client_md=39ca8f185c840a7b98850c9a01cfb6f2&mode=current_text): AN ACT requiring municipal voter history to be made accessible in the statewide centralized voter registration database.
9. New Jersey [NJ A 3823](http://custom.statenet.com/public/resources.cgi?id=ID:bill:NJ2022000A3823&ciq=ncsl15&client_md=452a149b65c5272b0ac167af112cfa74&mode=current_text): R.S.19:31-16 is amended to read as follows:

Data on eligible voters' deaths filed by health officer.

19:31-16. a. (1) Except as prescribed in paragraph (2) of this subsection, the health officer or other officer in charge of records of death in each municipality shall file with the commissioner of registration for the county in which the municipality is located once each month, during the first five days thereof, the age, date of death, and the names and addresses of all persons 18 years of age or older who have died within such municipality during the previous month. Within 30 days after the receipt of such list, the commissioner shall make and complete such investigation as is necessary to establish to his satisfaction that such deceased person is registered as a voter in the county. If such fact is so established, the commissioner shall cause the registration and record of voting forms of the deceased registrant to be transferred to the death file as soon as possible. If ….

1. Oklahoma [OK H 2974](http://custom.statenet.com/public/resources.cgi?id=ID:bill:OK2021000H2974&ciq=ncsl15&client_md=16a616073629ff517682ef97ab0baa74&mode=current_text): No later than June 1 of each year, the State Election Board shall perform a query of the entire voter registration database to determine how many individuals are registered at the same residential address.
2. Oklahoma [OK H 2976](http://custom.statenet.com/public/resources.cgi?id=ID:bill:OK2021000H2976&ciq=ncsl15&client_md=e67566f66147a8abe6d2b6cd8d8bb67f&mode=current_text): County election boards shall maintain a current list of all registered voters in each precinct, which will reflect the address and party affiliation of each voter. Said The list shall be public information; provided, the list shall only be shared with a court system if that court system agrees to regularly provide the names of persons convicted of a felony in that court system to the Secretary of the State Election Board and the appropriate secretary of a county election board.
3. Tennessee [TN H 2128](http://custom.statenet.com/public/resources.cgi?id=ID:bill:TN2021000H2128&ciq=ncsl15&client_md=cccfeaebdb1ad9d98d28e251c33d86cf&mode=current_text): Lists of registered voters may be provided to federal courts for purposes of selecting jurors on the condition that the jury coordinator provides notice pursuant to subsection (b) regarding ineligible or potentially ineligible voters. The jury coordinator shall prepare or cause to be prepared a list of each person disqualified or potentially disqualified as a prospective juror from jury service due to being a non-United States citizen, convicted of a felony, deceased, not a resident of this state, or not a resident of the county. The list must be prepared and sent to the coordinator of elections
4. Utah [UT H 67](http://custom.statenet.com/public/resources.cgi?id=ID:bill:UT2022000H67&ciq=ncsl15&client_md=6d00e6a1b761e12b267afef22ef1c988&mode=current_text): This bill requires the lieutenant governor and county clerks to take action to regularly update the official register of voters; and provides instructions on the outside of an envelope for returning a ballot mailed to the wrong address.
5. Utah [UT H 313](http://custom.statenet.com/public/resources.cgi?id=ID:bill:UT2022000H313&ciq=ncsl15&client_md=4fe6e0a4c943149322afff2f2bc33138&mode=current_text): This bill requires an election official to check available resources to determine whether an individual registers to vote, or votes, in more than one state or precinct;…
6. Virginia [VA H 55](http://custom.statenet.com/public/resources.cgi?id=ID:bill:VA2022000H55&ciq=ncsl15&client_md=06ed650a00cff244fd21ec9460f52e07&mode=current_text): The general registrar shall promptly cancel the registration of (i) all persons known by him to be deceased or ; (ii) all persons known by him to be disqualified to vote by reason of a felony conviction or adjudication of incapacity; (ii) (iii) all persons known by him not to be United States citizens by reason of reports from the Department of Motor Vehicles pursuant to Section 24.2-410.1 or from…
7. Virginia [VA S 698](http://custom.statenet.com/public/resources.cgi?id=ID:bill:VA2022000S698&ciq=ncsl15&client_md=94e3c1cc3e973645680bd75f5856abef&mode=current_text): No recipient of a list furnished under this section shall publish on the Internet any of the information contained in such list as a list, database, or other similar searchable format or provide information contained in a list furnished under this section to a third party for such purpose.