

PUBLIC INTEREST

— LEGAL FOUNDATION —

January 23, 2020

Via Email

ATTN: Heather Kimmons
Steve Sandvoss, Executive Director
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, IL 62704
Email: hkimmons@elections.il.gov

RE: Request for records under the National Voter Registration Act

Dear Ms. Kimmons:

I request inspection or copies of records concerning your office's voter list maintenance activities, pursuant to the National Voter Registration Act of 1993 (NVRA), 52 U.S.C. § 20501 *et seq.*

The NVRA requires your office to make available for public inspection and reproduction "all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters." 52 U.S.C. § 20507(i). Therefore, I request the opportunity to inspect or receive the following records:

1. Documents regarding the 574 non-citizen registrants who became registered to vote prior to the 2018 Election due to an alleged programming error within Illinois' new automated Motor Voter system, as recently reported by local news media.¹ Responsive records are expected to include all documents pertaining to the registrant, including voting history, any communications to or from the registrant, and actions taken regarding the registrant's registration and the date of the action. This request extends to electronic records capable of compilation.
2. Documents regarding all other registrants who were identified as not satisfying the citizenship requirements for registration from any official information source, including information obtained from the various agencies within the U.S. Department of Homeland Security, the Illinois State Board of Elections, the Office of Illinois Attorney General, and any other government offices known to your office for providing such information since January 1, 2010. This request extends to all documents pertaining to the registrant, including voting history, any communications to or from the registrant, and actions taken regarding the registrant's registration (if any) and the date of the action. This request

¹ WCIA; State Board of Elections admits non-U.S. citizens may have voted illegally in 2018 (January 20, 2019), <https://www.wcia.com/illinois-capitol-news/state-board-of-elections-admits-non-u-s-citizens-may-have-voted-illegally-in-2018/>

extends to electronic records capable of compilation.

3. All documents and records of communication received by your office from registrants, legal counsel, claimed relatives, or other agents since January 1, 2010 requesting a removal or cancellation from the voter roll for any reason related to non-U.S. citizenship. Please include any official records indicating maintenance actions undertaken thereafter.
4. All documents and records of communication received by your office from jury selection officials—state and federal—since January 1, 2010 referencing individuals who claimed to be non-U.S. citizens when attempting to avoid serving on a jury. This request seeks copies of the official referrals and documents indicating where your office matched a claim of noncitizenship to an existing voter registration and extends to the communications and maintenance actions taken as a result that were memorialized in any written form.
5. Records or reports detailing the number of voter applicants without the requisite Social Security or driver's license numbers whom are instead assigned unique identifiers pursuant to 52 U.S.C. § 21083(5)(A)(ii) and related state statutes/rules for the years 2010 to date.
6. Records or reports detailing the number of voter applicants providing unverifiable or invalid Social Security or driver's license numbers identified pursuant to 52 U.S.C. § 21083(5)(A)(iii) and related state statutes/rules for the years 2010 to date. These records would ideally contain indications as to which identifiers given were flagged for validity (without disclosing the actual ID numbers) with corresponding records revealing actions taken thereafter by your Office to cure or resolve the discrepancies.
7. Any records indicating the use of citizenship or immigration status for list maintenance activities, including but not limited to the Systematic Alien Verification for Entitlements (SAVE) Program database. Any other records produced in reliance on other sources of citizenship verification data and all records related to the review or cancellation of potential noncitizens.

If you wish to dispense with a public inspection and provide digital copies of these records instead, please advise next steps in an email to lchurchwell@publicinterestlegal.org.

Thank you for your service on this matter.

Sincerely,



Logan Churchwell
Communications & Research Director
Public Interest Legal Foundation