



VIA CERTIFIED MAIL AND EMAIL

April 11, 2022

ATTN: Elections Division
The Hon. Tahesha Way
New Jersey Secretary of State
Division of Elections
33 West State Street
PO Box 304
Trenton, NJ 08625-0304

RE: Introduction of Voter Registration Data Study Findings and Request to Meet

Dear Secretary Way:

We write your offices with the goal of initiating a conversation and eventually setting a meeting to discuss our recent review of New Jersey's voter registration list. We would like to bring to your attention apparent list maintenance errors, defects, and discrepancies, so that they can be addressed prior to November's General Election.

The Public Interest Legal Foundation (PILF) is a nonprofit law firm dedicated to election and voting issues, including study and analysis of our nation's voter rolls.

This letter serves to describe PILF's findings in summary detail and, hopefully, initiate a collaborative process to resolve underlying issues and causes.

Data Sourcing and Handling Notes

The sole data source used to arrive at PILF's findings is a March 8, 2022 copy of New Jersey's voter registration list, which was obtained via an online OPRA request.

PILF's findings do not account for voter list maintenance updates occurring between March 8, 2022, and the date of this letter.

Summary of Findings

I. Duplicated Registration Records at Same Address (8,239 sets)

PILF utilized an internal list-matching process to identify apparently duplicated (or more) registration records that meet all of the following underlying criteria: matching date of birth, matching full address, and unique voter identification numbers. PILF then categorized each positive match according to the potential cause for the error. PILF's system is based on official systems employed in other states to identify and remove duplicated registration records. PILF is unaware what systems, if any, are employed in New Jersey because New Jersey is currently denying PILF access to records showing processes used to evaluate potential duplicated registration records. PILF is therefore applying generalized categories for purposes of this report.¹

PILF's review adopts the following categories of causation, based on the issues presented in the New Jersey voter roll:

- *Duplicate (simple)* – a duplicate set revealed overwhelmingly similar matches between full name, date of birth, and complete address yet with unique voter identification numbers. On the face, there appears to be no reason for a duplication to occur. However, PILF does consider it is within the realm of possibility that a duplicate can be caused by one registration application containing personally identifying information (“PII”) like Social Security number, while the other does not.

Example: Judith Abrams vs. Judith Abrams²

- *Clerical/Typographical Error* – a duplication likely triggered by a simple typographical or other unintentional error, such as transposed letters

Example: Julia Rose Zollner vs. Juila Rose Zollner

- *Married/Maiden Name Conflict* – a duplication caused by the decision to change a last name following marriage. These can appear in a variety of forms involving hyphenation or a surname migrating to a middle name with a subsequent surname provided.

Example: Dina J. Sweifach vs. Dina Roher-Sweifach

- *Middle Name/Initial Conflict* – a duplication is caused by a complete middle name in one record and either a middle initial or none are given in the second record.

Example: Gary L. Hartman vs. Gary Hartman

¹ See April 4, 2022, NVRA notice correspondence with PILF. <https://publicinterestlegal.org/wp-content/uploads/2022/04/4.4.22-NJSOS-NVRA-Violation.pdf>

² All examples provided in the duplicates section of this letter are directly sourced from the PILF study without further identifying information such as address or birthdate.

- *Multiple Issues* – a duplication caused by any combination of the above-described scenarios.

Example: Johanna Guzman vs. Joanna D. Guzman

- *Triplicate* –a registrant uniquely appearing three times at the same full address with matching birthdates.

Example: Michaelah Smith vs. Michaelah H. Smith vs. Mi-Chaelah H. Smith

Findings also include quadruplicates (4x), pentuplicates (5x), and a sextuplicate (6x). With these definitions in mind, the findings per category are laid out in the following table.

Type	Sets
Clerical/Typographical Error	3,011
Simple Duplicate	2,247
Married/Maiden Name Conflict	1,323
Multiple Issues	898
Middle Name/Initial Conflict	688
Triplicate	61
Quadruplicate	7
Pentuplicate	3
Sextuplicate	1
TOTAL	8,239

Two common first names were standouts, indicating a potential recurring, systematic error. Repeatedly, “Christopher” and “Jaqueline” were stored in duplicate with obvious clerical entry errors across the state. The pairings appeared as Christopher vs. Christoph and Jaqueline vs. Jacquelin. While the cause may be unknown at this time, this issue must be examined and addressed.

II. Potential Duplicate Vote Credits

Finally, a subset within these duplicate findings evidences the possibility of duplicate vote credits assigned to some registrants during the 2020 General Election. Due to the aforementioned lack of disclosure regarding documents, PILF cannot reach a conclusion as to what the duplicate vote credits mean. The available data specify which registrants in question are affected and can be made available for further review upon your office’s request.

III. Placeholder/Fictitious Dates of Birth (33,572 affected registration records)

The largest finding in terms of volume of affected voter registration records involves placeholder or fictitious dates of birth. Although Article II, Section 1, paragraph 3 of the New Jersey Constitution requires that a prospective registrant be a U.S. citizen of at least 18 years-of-age, the voter roll purports to show an excess of 33,000 registrants without dates of birth indicating eligibility. To be clear, PILF *does not* conclude or suggest these are ineligible registrants, rather, PILF observes that these records simply do not demonstrate on their face to include an acceptable birthdate.

Time Period of Registration	Count
1800-1900 ³	16
1901-1920	898
1921-1940	166
1941-1960	4,271
1961-1980	14,541
1981-2000	12,946
2001-2022	734

The most common placeholder/fictitious date in the voter roll is January 1, 1800 (displayed as “1800-01-01” in the actual data file). There also appear to be variations of this date. PILF’s initial hypothesis suggested that the placeholder/fictitious issue could be due to the presence of old registration files lost to time and digitization in recent decades. The provided table shows counts of affected records and corresponding dates of registration. As suspected, the vast bulk of problem records predate federal requirements to digitally centralize voter registration records.

PILF’s concerns with the finding are two-fold. The shortcomings in the retention of critical information like date of birth can put the onus on poll workers to try to complete the record at check-in, which can risk a lengthening of queuing time in a high-turnout election (particularly impacting older registrants). The longer-term concern is that a lack of birthdate information could complicate future list maintenance efforts such as deceased removals when an election official cannot readily discern the difference between a junior and senior name-pairing while comparing registration records to the Social Security Death Master File.

County	Count
Essex	8,064
Middlesex	5,601
Passaic	4,285
Union	3,115
Morris	2,064

PILF wishes to discuss this finding set further with you and, where possible, find collaborative solutions.

IV. Placeholder/Fictitious Dates of Registration (6,863 affected registration records)

Thousands of registration records do not include an actual date of registration. The bulk of the flagged records distributed by birthdate across time are situated between 1941 and 1960 (67 percent of the total). Finally, the registrants are overwhelmingly placed in Middlesex County, which accounts for 95 percent of the dataset.

³ PILF presumes these dates are placeholders or fictitious as well.

V. Placeholder/Fictitious Dates of Birth and Registration (906 affected registration records)

There are 906 examples where the official voter roll extract cannot state when a registrant became registered, nor when they were born. These are almost exclusively in Middlesex County. Within the finding, 657 are in ACTIVE status while the remaining 249 are INACTIVE. None are listed in PENDING status.

VI. Apparently Incorrect Dates of Birth (56 affected registration records)

PILF also identified records containing what appear to be typographical errors within date-of-birth fields. The vast majority of these records show dates from longer than a century ago, but some even stretch back to the time of the Byzantine Empire. The earliest date of birth belonging to an ACTIVE registrant is 956 A.D. (“0956-11-17” in the voter roll).

Apart from examples stretching more than a millennia ago, the voter roll also includes registrants who claim to be born on a date in the future, such as January 14, 2028, and September 30, 2029.

VII. Registrants Aged 105+ in Years (2,398 registration records)

There are 2,398 registrants showing dates of birth in 1917 or before across New Jersey. They are not overwhelmingly clustered in one or a small grouping of counties. Given that the most recent average life expectancy data show to be 80.7 years in the state, the thousands of registrants aged well beyond 100 years deserve closer examination.⁴ Potential causes include, but should not be limited to, incorrect date of birth and overlooked list maintenance opportunities.

PILF has at its disposal resources capable of providing information that is missing from registration records. PILF wishes to discuss this finding set further with you and, where possible, find collaborative solutions.

Request for Meeting

PILF representatives would like to discuss these findings further at a mutually convenient time for a meeting. We are willing to travel to your offices to meet in person. Please contact me to arrange for secure transmission of the requested records and advise on preferred next steps. Please call me at 317.203.5599 or email me at [lchurchwell@publicinterestlegal.org](mailto:churchwell@publicinterestlegal.org).

Thank you for your attention on these matters.

⁴ https://www-doh.state.nj.us/doh-shad/indicator/complete_profile/LifeExpectancy.html

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Churchwell". The signature is fluid and cursive, with a prominent initial "L" and a long, sweeping underline.

Logan Churchwell
Research Director
Public Interest Legal Foundation