



**Testimony of
Logan C. Churchwell**

**Before the Alaska Senate Committee on Finance –
Judiciary Subcommittee**

**RE SB 39 – Ballot Custody/Tampering; Voter
Registration; Mail**

May 3, 2022

Logan C. Churchwell
Research Director
Public Interest Legal Foundation
32 E. Washington Street, Suite 1675
Indianapolis, Indiana
lchurchwell@publicinterestlegal.org

Chairman Wielechowski, Members of the Committee, thank you for the invitation to participate in today's hearing.

My name is Logan Churchwell. I am the Research Director for the Public Interest Legal Foundation ("PILF"), a non-partisan, nonprofit law firm dedicated to election integrity.

In 2011, a man I'll call "John" registered to vote despite being a foreign national in the state of Alaska.¹ He did so using a standard paper application and checked the box for "Yes, I am a citizen of the United States." Later in 2014, a comparison of the state's voter registration roll against the Permanent Fund Dividend ("PFD") database revealed that he admitted to being a foreign national at that time. John then received a letter from the Alaska Division of Elections telling him that if he is indeed a foreign national, he must unregister himself immediately since it "is a crime to be a registered voter if you are not a United States citizen." John confirmed his foreign nationality 10 days later, and was removed from the voter roll.

John's case serves as a proof of concept that when Alaska engages in best practices in maintaining its voter roll on a permanent and comprehensive basis, the roll can become more accurate. It is for this reason that PILF rises in support of SB 39.

The heart of SB 39, from PILF's perspective, requires the development of annual practices to assess faulty or outdated voter registration records such as those who are deceased, convicted of felonies, registered subsequently out of state, are foreign nationals, or other cases where eligibility can be questioned. The Division of Elections will also need to regularly supply disclosures involving data breaches and voter registration totals relative to eligible population. These are common-sense measures regularly seen in the lower 48 states. Alaska is part of a slim

minority of states which have held more registered voters than adults of eligible voting age, per the U.S. Census stretching nearly a decade now.

SB 39 follows a clear roadmap for voter roll maintenance updates while also envisioning necessary guard rails to make certain that unforced errors and bad data matches do not complicate the process. SB 39 outlines the controls needed to snuff out false positives in the maintenance process.

If any lawmaker wants to see that these best practices can work, they should take a good look at Kentucky. That state had strikingly similar problems in the past decade, but they have since set themselves on a path toward reasonable correction.

I'll leave you with this concern: given Alaska's recent experiences with cyber intrusions and history of unkempt voter rolls, if the time came where another attack sought to do damage to voter data, how could you tell the difference between prior negligence versus fresh sabotage without these best practices already working for you?

Alaska needs SB 39 now. Thank you for the invitation to testify.

Respectfully submitted,

Logan C. Churchwell

¹ If any member of the Alaska Legislature wishes to see the supporting documentation for this example and others, please feel free to email lchurchwell at publicinterestlegal dot org.