COMPLAINT PURSUANT TO HELP AMERICA VOTE ACT

The Public Interest Legal Foundation, Inc. ("Foundation") files this complaint against the Michigan Secretary of State ("Secretary") alleging that a violation of Title III of the Help America Vote Act of 2002 ("HAVA") has occurred, is occurring, and will continue to occur absent relief. Specifically, the Secretary is not complying with the requirement to eliminate duplicate names from the official list of eligible voters, 52 U.S.C. § 21083(a)(2)(B)(iii).

HAVA Requires Elimination of Duplicated Registration Records

1. HAVA requires states receiving HAVA grant money to implement "a single, uniform, 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." 52 U.S.C. § 21083(a)(1)(A).

2. This "computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State." 52 U.S.C. § 21083(a)(1)(A)(i). The computerized voter registration list further serves as the "official voter registration list for the conduct of all elections for Federal office in the State." 52 U.S.C. § 21083(a)(1)(A)(viii).

3. Pursuant to HAVA, the authorized officials must maintain the state voter registration system so that "voter registration records in the State are accurate and are updated regularly." 52 U.S.C. § 21083(a)(4).

4. HAVA further specifies that the list maintenance performed should ensure that: "(i) the name of each registered voter appears in the computerized list; (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and (iii)

duplicate names are *eliminated* from the computerized list." 52 U.S.C. § 21083(a)(2)(B) (emphasis added).

5. HAVA imposes its voter list maintenance requirements on the "appropriate State or local election official." 52 U.S.C. § 21083(a)(2)(A).

6. In Michigan, "[t]he secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file." Mich. Comp. Laws § 168.509o.

7. "The secretary of state is responsible for the coordination of the requirements imposed under…the help America vote act of 2002." Mich. Comp. Laws § 168.509n.

8. According to Michigan law, "(1) The purposes of this section and sections 509n to 509ii are all of the following: (a) To establish a statewide qualified voter file that consists of all qualified electors who wish to be registered to vote in local, state, and federal elections….(d) To increase the integrity of the voting process by creating a single qualified voter file that will permit the name of each citizen of this state *to appear only once* and that is compiled from other state files that require citizens to verify their identity and residence." Mich. Comp. Laws § 168.509m (emphasis added).

9. Michigan is subject to HAVA and must comply with its voter list maintenance requirements, including the requirement to eliminate duplicate names from the statewide qualified voter file.

10. The Foundation's Research Director, Logan Churchwell, obtained an official copy of the statewide qualified voter file from the Secretary's office and reviewed it for duplicated records on October 16, 2026. The Foundation identified 1,972 instances of apparent duplicated registration records where variations in name spelling, nicknames, phonetic variants, first name

diminutives, and truncations have generated duplications with matching residential addresses and years of birth. *See* Exhibit 1.

11. Mr. Churchwell identified the 1,972 apparent duplicated records statewide by implementing the following six different queries: (1) identification of all records that share the exact same address information, and also have the exact same last name, first name, and year of birth; (2) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record fully incorporated into the last name of the other record; (3) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record be 2 characters or fewer different than the last name of the other record; (4) all records that share the exact same address information and also have the exact same last name and year of birth and have the first name of one record be 2 characters or fewer different than the first name of the other record; (5) all records that share the exact same address information, date of birth, and last names but have common nickname, diminutive, phonetic, or punctuation conflicts in name fields (*e.g.*, William versus Bill, Jacqueline versus Jackie, Bedingfield versus Bedingfiled, O'Donnell versus Odonnell, respectively); and, (6) all records that share matching names and address fields, yet contain apparent typographical errors in year of birth fields demonstrating year-shift errors (e.g. 1991 versus 1992).

12. The Secretary is not eliminating duplicate names from the statewide qualified voter file as HAVA requires. 52 U.S.C. § 21083(a)(2)(B)(iii).

13. The Secretary is therefore violating Title III of HAVA.

14. Absent relief, the November 3, 2026, General Election in Michigan will be conducted using an inaccurate statewide qualified voter file.

15. As a state subject to HAVA, Michigan must establish an administrative complaint procedure to remedy violations of HAVA's Title III. 52 U.S.C. § 21112(a)(1). Michigan has established such an administrative complaint procedure. *See* Complaint Process, *available at* https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/HAVAComplaintProc.pdf?rev=60a614f69cc3454b87728ce7ff6d263e&hash=6A308875C76176B37A4267D87D65B351.

16. This complaint is filed against the Secretary pursuant to HAVA and Michigan's HAVA complaint procedure.

17. The Foundation does not request a hearing.

Supplemental Findings During Duplicates Study

18. During his review of the statewide qualified voter file, Mr. Churchwell encountered concerns that inhibited his ability to ascertain whether certain voter registrations were duplicated.

19. First, Mr. Churchwell identified suspiciously old years of birth on the statewide qualified voter file. Mr. Churchwell isolated 2,461 registrants who, if their respective years of birth are accurate, are at least 110 years of age.

20. Within this finding, Mr. Churchwell identified 47 registrants with a year of birth from the 19th Century. One such registrant has a year of birth from 1823. The Foundation alerted both the Secretary and the local election officials for the City of Detroit about this registrant in the past. In 2020, the City of Detroit submitted a declaration from its Director of Elections George Azzouz in litigation brought by the Foundation regarding Detroit's list maintenance activities. According to Mr. Azzouz, "it appears that [the registrant] was born *in 1983, not 1823*, but that when she registered to vote in 2008, whoever typed in her year of birth made a

typographical error." Declaration of George Azzouz, *Public Interest Legal Foundation v. Winfrey*, Case No. 19-13638 (Filed on Feb. 10, 2020) (emphasis in original). Yet, more than six years later, the registrant's year of birth remains listed as 1823 on the statewide qualified voter file.

21. Second, Mr. Churchwell encountered 486 registrants that appear to have a "placeholder" year of birth listed. These registrants are listed with a year of birth of 1850 or 1900.

22. Mr. Churchwell's analysis followed an exact and a one-year deviation match rule on the year of birth. Therefore, any errors in the listed year of birth mean that duplicate registrations were not identified and may exist.

23. Deliberately maintaining registration records with incorrect data will likely prevent Michigan election officials from effectively conducting list maintenance activities that similarly depend on matching data between two records, such as two voter registration records or a voter registration record and a death record.

Prayer for Relief

24. The Foundation respectfully requests an order:

A. Declaring that the Secretary is violating Title III of HAVA by not eliminating duplicate names from the official list of eligible voters;

B. Ordering the Secretary to review the data submitted with this Complaint and take all corrective action consistent with HAVA as is necessary to eliminate duplicate names from the official list of eligible voters;

C. Ordering the Secretary to develop and implement a remedial plan to bring the State into compliance with HAVA now and in the future, including, but not

limited to, a procedure for verifying correct registration data when a registrant with duplicated registration records appears to vote in person; and,

D. Granting the Foundation all further relief deemed just and proper.

I, Logan Churchwell, under penalty of perjury, do hereby swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.

I possess first-hand knowledge of the apparent duplicated registrations on the statewide qualified voter file as set forth in the attached complaint.

Signature

Sworn to and subscribed before me on this 29th day of Oct., 2026.

Notary Public

JESSICA THOMAS NOTARY # 25007146 EXP. 06/14/29 PUBLIC STATE OF OKLAHOMA

6-14-29

My Commission Expires