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2021-2023**

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Virginia State Board of Elections
John O'Bannon, Director
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219
May 30, 2023

Via Public Comment

Dear Director O'Bannon and Board Members,

The League of Women Voters of Virginia is a nonpartisan organization that does not support or oppose political parties but works on behalf of our members and voters in Virginia and has done so for over 100 years. We are deeply concerned that Virginia has withdrawn from the Electronic Registration Information Center (ERIC). ERIC has been considered the most effective tool for states to maintain clean voter lists, and even recently our Attorney General cited the effectiveness of this organization. With this withdrawal, Virginia has undermined its laudable efforts to clean up its voter lists in preparation for the introduction of a new voter registration system.

On May 12, we sent a letter to the Commissioner with a copy to the Governor, urging the administration to reconsider this counterproductive action. Failing that, we asked for more information concerning how ERIC would be replaced. We also criticized some of the justifications for withdrawal Commissioner Beals offered in her May 11 letter to Shane Hamlin, Executive Director of ERIC: namely, that Virginia would have to bear the cost of resources on its own or have to rely on a less comprehensive resource; that it would be more burdensome to obtain information from each neighboring state; and that exiting ERIC weakens Virginia's ability to assure voters and the general public our process has integrity and is secure.

LWV-VA.ORG

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"The League of Women Voters of Virginia, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy."

I am sharing a copy of a [May 26 article](#) which ran in the *Kansas Reflector*, detailing other failed attempts to replicate what ERIC provides:

- ERIC was conceived in 2009 but wasn't operational until 2012 because of the complexities of constructing such a system and making it secure, even though the data scientist who built it is acknowledged to be one of the best in the world; its leadership is bipartisan and its board is composed of the officials responsible for elections in the member-states.
- Other states have tried and failed:
 - The Interstate Voter Registration Crosscheck, known as Crosscheck, was started by Kansas, Iowa, Nebraska, and Missouri in 2005. It expanded to include 25 more states by 2014. Its data matching was inadequate, causing thousands of legitimate voters to be purged, including US Senator Rick Scott in 2006. In 2018, Crosscheck lost a lawsuit relating to privacy concerns with how it handled voter data. It disbanded as part of the settlement.
 - In 2020, Indiana sought to form a data-sharing consortium with neighboring states Illinois, Kentucky, Ohio, and Michigan but those states were already members of ERIC. Indiana decided to go it alone but was sued because the state did not give voters adequate notice before removing them from voting rolls. Indiana lost the lawsuit and abandoned the plan..
 - Due to the transience of its population, New Hampshire sought to enter into a data-sharing agreement with neighbors Maine and Massachusetts in 2019. The program never got off the ground. Maine joined ERIC in 2021. Massachusetts joined ERIC in 2022.

These are cautionary tales about how difficult it has been for other states to band together to create something that approaches what ERIC achieves. It will be difficult if not impossible for Virginia to launch a system that is as cost-effective, supplies the same volume and fields of data, and manages the data in an accurate manner. A replacement for our current voter list management, VERIS, is long-overdue—and also behind schedule. It would be sage to wait until the new system is running and to have a plan in place for replacing ERIC before leaving. Given the track record of other states to come anywhere close to the quality and reliability of ERIC, we strongly urge the administration to reconsider its decision.

Sincerely,



Deb Wake, President
League of Women Voters of Virginia

cc: Commissioner Beals

Governor Glenn Youngkin