



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
ON SENATE BILL NO. 2240, SD 2
RELATING TO ELECTIONS

March 15, 2024

Chair Tarnas and members of the House Committee on Judiciary and Hawaiian Affairs, thank you for the opportunity to testify in support of Senate Bill No. 2240, SD 2. This bill requires the Office of Elections to file an application with Electronic Registration Information Center, Inc. (ERIC), by June 30, 2025, for the State to be admitted as a member of the organization; requires the Office of Elections to share with each county the information and services made available by ERIC pursuant to the State's membership agreement with the organization; requires the Office of Elections and each county office that administers elections to use information and services made available by ERIC to verify their respective voter registration rolls; and makes an appropriation.

Joining ERIC would provide another tool for election officials to maintain the accuracy and integrity of the voter registration rolls by allowing us to compare our voter registration file and driver license/identification card file with other member states. This will permit election officials to determine if a voter has moved out of state, as they register to vote or obtain a driver license in another jurisdiction. Additionally, ERIC membership requires all driver license/identification card holders who are eligible to register to vote, but are not currently registered, to be sent a mailer encouraging them to register.

Since our previous testimony on measures related to joining ERIC, we have received updated information on costs. We estimate that it will cost \$149,000 in FY 2024-25 to join ERIC based on the \$25,000 application fee, \$42,500 annual membership fee, and approximately \$81,500 to conduct the initial mailing to driver license and state identification card holders who are not

Testimony on SB 2240, SD 2 – Relating to Elections

March 15, 2024

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registered to vote as required for membership in ERIC, along with mailings to address in-state movers and cross-state movers. The recurring costs, which we would submit as part of our annual budget request starting with FY 2025-26, would be approximately \$45,000 for the annual membership fee, which is recalculated each year by ERIC.

Thank you for the opportunity to testify in support of Senate Bill No. 2240, SD 2.

TESTIMONY
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
SB2240_SD2 RELATING TO ELECTIONS
Friday, March 15, 2024, at 2:00 PM
State Capitol Conference Room 325 via Videoconference

Submitted in OPPOSITION by Mrs. Jamie Detwiler, President, Hawai'i Federation of Republican Women

Honorable Chair Tarnas, Vice Chair Takayama, and Committee Members,

INTRODUCTION: Electronic Registration Information Center (ERIC), Incorporated is a private, non-profit, non-partisan organization. ERIC is used to manipulate and inflate voter rolls.

I oppose HB2240 for the following reasons:

1. Privacy issues: Violation of federal statutes such as the Help America Vote Act, National Voter Registration Act, and Driver's Privacy Protection Act. The first statute provides states the authority and obligation to create and maintain electronic voter registration files but includes no provision that authorizes any state to outsource these obligations to a third party like ERIC. The outsourcing of voter registration list maintenance to ERIC may also violate the National Voter Registration Act, which protects from disclosure the identities of individuals who decline to register to vote. Finally, the Driver's Privacy Protection Act specifically shields from disclosure the kind of data provided to ERIC by member states to conduct list maintenance. Additionally, personal identifiers such as name, birth date, and last 4 of SSN are shared with this private third-party organization.
2. Funding: the burden to fund the program is on the taxpayers. Per ERIC website, states who choose to participate are required to pay a fee. Some states are paying \$175,000 or more in annual dues. The Hawaii State Elections Office could use that money to improve the integrity of their election process such as cleaning the voter rolls, conducting hand counted paper ballot audits, and improved chain of custody procedures.
3. Does not prevent illegal voting: Per ERIC's website, it is a tool available to help election officials maintain more accurate voter rolls and detect possible illegal voting. There are no public records showing ERIC detected illegal voting. Furthermore, there is currently no citizen verification check. According to the City Clerk, individuals registering to vote sign a self-attestation statement that they are eligible voters even though it is not verified by an official election employee.

Please do not pass SB2240_SD2. Please vote NO.

Thank you for the opportunity to testify.

Respectfully Submitted,
Jamie Detwiler, President
Hawaii Federation of Republican Women



Committee on JUDICIARY AND HAWAIIAN AFFAIRS

Rep. David Tarnas, Chair

Rep. Gregg Takayama, Vice Chair

Friday, March 15, 2024

Conference Room 325 and VIA VIDEOCONFERENCE

SB2240 SD2 – Relating to Elections

Requires the Office of Elections to file an application with Electronic Registration Information Center, (ERIC) by 6/30/2025, for the State to be admitted as a member of that organization.

TESTIMONY

Holly Plackett, Legislative Committee, League of Women Voters

The League of Women Voters of Hawaii **strongly supports SB2240 SD2** which requires the Office of Elections to join the Electronic Registration Information Center (ERIC) and share information with counties to encourage voter participation and ensure integrity of voter registration rolls. **SB2240 SD2** further requires the Office of Elections and each county office that administers elections to use information and services made available by ERIC to verify their respective voter registration rolls as well as makes a more accurate appropriation to fund this measure. The League of Women Voters of Hawaii strongly supports these measures as well.

The League of Women Voters understands that the Electronic Registration Information Center, Inc., or ERIC, is a nonprofit organization that was formed in 2012 to help states improve the accuracy of voter registration rolls by using secure data-matching tools. Twenty-Four (24) states and the District of Columbia participate in ERIC. As a member of this organization, Hawaii will receive reports that show voters who have moved within the respective states, voters who have moved out of the state, voters with duplicate registrations with the state, voters who have passed away, and individuals who are potentially eligible to vote and have not registered to vote. Being a part of ERIC, the state of Hawaii will further ensure the integrity of voter registration rolls in the State by modernizing the State's voting system of verifying voter registration data.

We agree with your committee in that providing another tool for election officials to maintain the accuracy of voter registration rolls is necessary to protect democracy in the State. ERIC may help to resolve unintentional errors in a voter's Hawaii registration while preventing voter registration in more than one State. This is important for Hawaii, since we regularly have many people moving into and out of the State. We know registration officials are diligent in trying to maintain the integrity of our registration rolls; this modest investment with ERIC would be helpful.

Thank you for the opportunity to submit testimony.

SB-2240-SD-2

Submitted on: 3/12/2024 3:17:44 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ralph Cushnie	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose this Bill.

There is too much risk of exposing our information to a private company. There is no reward for the risk.

SB-2240-SD-2

Submitted on: 3/13/2024 7:13:19 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
April Handog	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 7:47:23 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing me to submit testimony opposing this bill.

SB2240 should be withdrawn and no funds appropriated.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

SB-2240-SD-2

Submitted on: 3/13/2024 7:51:19 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andy Crossland	Individual	Oppose	Remotely Via Zoom

Comments:

I **oppose** this Bill and I urge all committee members to **VOTE NO**.

SB-2240-SD-2

Submitted on: 3/13/2024 7:57:08 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Maldonado	Individual	Oppose	Remotely Via Zoom

Comments:

This manipulates voter rolls. Keep us OUT OF THE ERIC SYSTEMS!

SB-2240-SD-2

Submitted on: 3/13/2024 8:00:42 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Kaawa	Individual	Oppose	Written Testimony Only

Comments:

Opens up the possibilities of manipulation to the voter rolls to cheat in our elections

SB-2240-SD-2

Submitted on: 3/13/2024 8:05:56 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brendan Ajolo	Individual	Oppose	Written Testimony Only

Comments:

oppose bill

SB-2240-SD-2

Submitted on: 3/13/2024 8:08:52 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawnie Campbell	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2240-SD-2

Submitted on: 3/13/2024 8:12:57 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy Ashton	Individual	Oppose	Written Testimony Only

Comments:

The ERIC system is not trustworthy. I oppose.

SB-2240-SD-2

Submitted on: 3/13/2024 8:14:10 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David E Shormann	Individual	Oppose	Written Testimony Only

Comments:

Opposed.

SB-2240-SD-2

Submitted on: 3/13/2024 8:56:43 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill because it will manipulate voter rolls and cheat in the elections

SB-2240-SD-2

Submitted on: 3/13/2024 9:11:57 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 9:16:36 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

Do not pass this bill. I oppose using ERIC as a voter database. Local control of our database is essential. The Office of Elections has done a poor job of maintaining our voter rolls, but that doesn't mean "outsourcing" the responsibility to a centralized location will do any better. It is time to hold our Election Officer accountable for his responsibilities. I attended a meeting where our Election Officer indicated that election rolls may be up to 18 years out of date. He thought that was acceptable. With all the automation tools available today, there should be at least monthly update and validation of our voter rolls.

Hawaii has no control or authority over the ERIC system. According to this bill the process is run by an unelected Non-profit organization. Why should I trust them to do the job when we can't get it done by someone who works in Hawaii and is under local supervision?

ERIC is a waste of our funds and is even more untrustworthy than our local Office of Elections.

Don't waste our tax dollars and don't give up local control of our voter rolls.

Vote no.

SB-2240-SD-2

Submitted on: 3/13/2024 9:20:19 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 9:34:42 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 10:02:38 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill, leave the elections alone.

SB-2240-SD-2

Submitted on: 3/13/2024 11:50:43 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joy Dillon	Individual	Oppose	Written Testimony Only

Comments:

Aloha, member of the JHA Committee.

I am writing in strong opposition to this bill and urge you to vote NO on SB2240.

We do not need to open the door to possible election manipulation. Voter rolls, counting of votes, and the opportunity for voter fraud is fragile right now. We do not need any outside databases that can manipulate the voter roles in our state.

Please vote NO to this unneeded and potentially disastrous bill.

Joy Dillon

Hilo Resident

SB-2240-SD-2

Submitted on: 3/13/2024 12:04:30 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Williams	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 12:23:02 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Ruiz	Individual	Oppose	Written Testimony Only

Comments:

No to ERIC!

SB-2240-SD-2

Submitted on: 3/13/2024 1:13:00 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Luis Ma	Individual	Oppose	Written Testimony Only

Comments:

I am strong oppose this bill, bc ERIC system is not a safe system for elections voting and cyber experts proven ERIC can easy can be hack.

SB-2240-SD-2

Submitted on: 3/13/2024 1:38:25 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlies Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose ERIC being used in Hawaii

SB-2240-SD-2

Submitted on: 3/13/2024 2:17:28 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

This is a no go. We do not need to be a part of ERIC. It just sets the stage for more voting interference.

SB-2240-SD-2

Submitted on: 3/13/2024 3:26:09 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivek Pathela	Individual	Oppose	Written Testimony Only

Comments:

Vehemently OPPOSE Soros-funded organization that is used is used to manipulate voter rolls and RIG our Elections!

SB-2240-SD-2

Submitted on: 3/13/2024 4:04:11 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
THOMAS KENT	Individual	Oppose	Written Testimony Only

Comments:

ERIC is not a bi-partisan organization, Hawaii should not enroll in ERIC. ERIC is not effective in cleaning up voter registration, and has questionable information sharing practices. I oppose this bill.

SB-2240-SD-2

Submitted on: 3/13/2024 7:56:30 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James R Cabodol Jr	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE,OPPOSE,OPPOSE VOTER ID IS A MUST FOR EVERY US CITIZEN

SB-2240-SD-2

Submitted on: 3/13/2024 8:26:56 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharron VanDeusen	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB2240 SD2.

SB-2240-SD-2

Submitted on: 3/13/2024 9:11:53 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Mountain	Individual	Oppose	Written Testimony Only

Comments:

If the ensuring the integrity of Hawaii's voter registration rolls, then should we find out why states like Florida, Missouri and West Virginia announced they're pulling out of the Electronic Registration Information Center, or ERIC? Before we "buy" into this "idea" of moderization, shouldn't this be discussed further? I ask that we take a pause and dig further into the integrity of ERIC.

SB-2240-SD-2

Submitted on: 3/13/2024 11:26:00 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill. Keep Hawaii voter database safe please

SB-2240-SD-2

Submitted on: 3/13/2024 11:52:36 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paula Russo	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

ERIC being a SOROS funded organization that is being used to manipulate the voter rolls and to cheat in our elections especially Democrats who have done so over the past few years which they seem desperate to cheat again in the 2024 election has been called out and needs to be taken out. PAPER BALLOTS PLEASE!

Mahalo

Paula Russo

SB-2240-SD-2

Submitted on: 3/14/2024 3:27:43 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. Vote no.

SB-2240-SD-2

Submitted on: 3/14/2024 4:10:59 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose this bill and will give oral testimony.

SB-2240-SD-2

Submitted on: 3/14/2024 4:49:11 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	In Person

Comments:

I oppose SB2240. That is a Soros funded database that cheats. We already have a voter rig system in which Republicans get destroyed. I mean how did sleep Joe Biden wipe out Trump?. I mean talking about the rig system.

SB-2240-SD-2

Submitted on: 3/14/2024 5:45:42 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
julie schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb 2240 sd2

hawaii is the most corrupt state in the USA

enrolling in ERIC allows for rampant fraud

most states have withdrawn from ERIC for this reason

SB-2240-SD-2

Submitted on: 3/14/2024 5:57:06 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose so 2240 sd2

Eric is a corrupt foreign funded agency.

this Will only further make our elections fraudulent

hawaii is the most corrupt state in the USA

SB-2240-SD-2

Submitted on: 3/14/2024 6:13:21 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sam schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose Sb 2240 sd2

states are withdrawing from this foreign funded corrupt agency.

March 14, 2024

Aloha House Judiciary Committee Chair Tarnas and Committee Members,

I oppose SB2240 SD2.

The Electronic Registration Info Center (ERIC) is problematic, so much so that in recent years nine states have terminated their ERIC contracts.

The current [ERIC state membership count](#) is 24 states plus Washington DC.

The Missouri Secretary of State cited one of the reasons for leaving ERIC as, *“ERIC's benefits to Missouri are limited as only three of the eight states that border [sic] Missouri are members”*.

The Office of Elections written testimony from the January 30, 2024 Senate Judiciary Committee hearing on SB2240 reads that joining ERIC

“would provide yet another tool for election officials to maintain the accuracy of the voter registration rolls by allowing us to compare our voter registration file and driver license/identification card file with other member states”.

The [2022 State of Hawaii Databook](#), which is the most current population data available, shows the states to which Hawai'i residents are moving (out-migration) and the states where people are leaving to move to Hawai'i (in-migration).

Which are the top out-migration states and are they members of ERIC?

The top 3 out-migration states are Texas, California, and Florida, none of which are ERIC member states. Total Hawai'i population out-migration to ERIC non-member states is 65%.

Table 1.63-- TOP DOMESTIC OUT-MIGRATION STATES: 2021

[Ranked by largest estimate. Population 1 year and over. State of residence in 2020 was Hawaii, but different state of residence in 2021. Based on a sample and subject to sampling variability]

Rank	State	Estimate	Percent
	Total out-migrants 1/	59,236	100.0
1	Texas	7,668	12.9
2	California	7,544	12.7
3	Florida	4,179	7.1
4	Washington	3,770	6.4
5	Arizona	3,249	5.5
6	Tennessee	2,939	5.0
7	Nevada	2,894	4.9
8	Colorado	2,679	4.5
9	Georgia	2,321	3.9
10	Virginia	2,193	3.7
11	Oregon	1,794	3.0
12	North Carolina	1,591	2.7
13	Oklahoma	1,386	2.3
14	Alabama	1,349	2.3
15	Alaska	1,316	2.2
16	Maryland	1,110	1.9
17	Pennsylvania	1,001	1.7
18	Utah	995	1.7
19	New York	962	1.6
20	Idaho	827	1.4
21	Kentucky	807	1.4
22	Ohio	715	1.2
23	Louisiana	710	1.2
24	Indiana	622	1.1
25	Illinois	576	1.0

1/ Total includes out-migrants from Hawaii leaving for any of the 50 states and the District of Columbia. Only states comprising 1 percent or more of the total out-migrant population are listed in this table.

Source: U. S. Census Bureau, 2021 American Community Survey 1-Year Estimates, "Table 1. State-to-State Migration Flows: 2021" <<https://www.census.gov/data/tables/time-series/demo/geographic-mobility/state-to-state-migration.html>> accessed June 13, 2023; and calculations by the Hawaii State Department of Business, Economic Development & Tourism.

Which are the top in-migration states and are they members of ERIC?

The top 3 in-migration states are California, Texas, and Washington. Only Washington is an ERIC member state. Total population in-migration from ERIC non-member states is 66.2%.

Table 1.62-- TOP DOMESTIC IN-MIGRATION STATES: 2021

[Ranked by largest estimate. Population 1 year and over. State of residence in 2021 was Hawaii, but different state of residence in 2020. Based on a sample and subject to sampling variability]

Rank	State	Estimate	Percent
	Total in-migrants 1/	71,626	100.0
1	California	16,116	22.5
2	Texas	6,849	9.6
3	Washington	6,655	9.3
4	Virginia	5,691	7.9
5	Georgia	3,835	5.4
6	New York	2,696	3.8
7	Colorado	2,544	3.6
8	Florida	2,527	3.5
9	Alabama	2,192	3.1
10	New Jersey	2,046	2.9
11	Maryland	1,710	2.4
12	Idaho	1,638	2.3
13	Arizona	1,517	2.1
14	Oregon	1,396	1.9
15	Indiana	1,251	1.7
16	Nevada	1,057	1.5
17	Mississippi	1,048	1.5
18	Pennsylvania	904	1.3
19	Michigan	891	1.2
20	Massachusetts	868	1.2
21	Minnesota	695	1.0
22	Montana	681	1.0

1/ Total includes in-migrants to Hawaii coming from any of the 50 states and the District of Columbia.

Only states comprising 1 percent or more of the total in-migrant population are listed in this table.

Source: U. S. Census Bureau, 2021 American Community Survey 1-Year Estimates, "Table 1. State-to-State Migration Flows: 2021" <<http://www.census.gov/data/tables/time-series/demo/geographic-mobility/state-to-state-migration.html>> accessed June 13, 2023; and calculations by the Hawaii State Department of Business, Economic Development & Tourism.

Joining ERIC will only data capture approximately 35% of in- and out-migration to and from Hawai'i, as the majority of population shifts are to and from states that do not contract with ERIC.

Additional concerns with ERIC:

Voter Registration Duplications:

In a voter registration comparative analysis of ERIC-member states to nonmember states, data analysis in 27 states revealed nearly 700,000 duplicate registrations.

Jeffrey Young, Certified Analytics Professional (CAP®) with a master's degree in business analytics, assessed the permanent address changes in the National Change of Address

database, (NCOA) against 27 states' voter registration databases over a four-month period prior to the 2022 General Election.

Using the NCOA database, Young flagged all the voters who filed permanent mailing address changes between September 2022 and December 2022, which uncovered a staggering number of duplications.

Specifically, 693,686 duplications were discovered among voter registrations across 27 states analyzed, which represents only approximately 28% of the total possible combinations of the states.

An in-depth comparison of ERIC member states and non-member states showed that the **ERIC member states had approximately 50% higher rate per capita of duplicate registrants**. In other words, states that pay to belong to the ERIC system, which promises to help state election officials maintain clean voter rolls by cross-checking duplicate registrations, have significantly more duplications than states that are not ERIC members (full study available upon request).

Privacy Concerns:

Hawai'i residents' data, including name, address, DOB, drivers license number, last 4 digits of SSN, phone and email address when available, will be shared across state lines.

ERIC provides each member state a targeted list of people that are not registered to vote. The membership bylaws require the state to contact at least 95% of these people within 90 days, soliciting them to register.

Instead of spending taxpayer's money on contracting with ERIC, a better use of resources would be to have the county clerks run the NCOA data more frequently, i.e., every 4-6 months, and crosscheck the data against the voter rolls to identify movers, as opposed to utilizing NCOA only in election years. When someone files a NCOA form it is only active for 6 months.

The Honolulu City Clerk's office only uses NCOA data to cross check the voter rolls before bulk mailings before elections. This means that the majority of people who moved away from Hawai'i and filed a NCOA form would never have received the election mailer to verify their address, and the counties would not receive the NCOA bounce back indicating that the voter has moved.

Despite claiming otherwise, ERIC's priority focus is identifying and contacting unregistered voters.

ERIC recently provided a list of unregistered voters to the Colorado Secretary of State, who then mailed out voter registration applications to 31,000 people. The problem is that these applicants were sent to noncitizens.

Hawai'i does not verify citizenship upon voter registration, it is merely a self-attestation.

Hawai'i makes it very easy for people to register to vote. There is an online voter registration portal. We have preregistration for teenagers, automatic voter registration through the DMV, and same day registration.

On February 20, 2024 the Hawai'i Elections Commission passed a motion to OPPOSE the state of Hawai'i joining ERIC.

Considering all the issues explained above, and the Election Commission's motion to oppose Hawai'i joining ERIC, I strongly urge you to oppose this bill.

Respectfully submitted,

Corinne Solomon
HD20 resident

SB-2240-SD-2

Submitted on: 3/14/2024 9:49:15 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alex Akui	Individual	Oppose	Written Testimony Only

Comments:

Opposed

SB-2240-SD-2

Submitted on: 3/14/2024 9:53:33 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2240 SD2

Thank you,

Teri Kia Savaiinaea

SB-2240-SD-2

Submitted on: 3/14/2024 9:58:30 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie A Carter	Individual	Oppose	Written Testimony Only

Comments:

Our elections are becoming more and more fraudulent with the inception of electronic voting systems. You can look all over the news and see ongoing investigations into election interference and manipulation via electronic means. All voting should only be done with valid ID and hand counted paper ballots. I oppose any other method of voting.

Mahalo

SB-2240-SD-2

Submitted on: 3/14/2024 10:02:37 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vincent r Golio	Individual	Oppose	Written Testimony Only

Comments:

We don't want some shady NGO involved in our elections. If we did, we'd just let you reappoint The Chief Election Moron Scott Nago to the position. We do not want that corrupt meatbag of abject stupidity anymore than we want this bill that will do more to fill the voter rolls with even more bogus people. OPPOSE. Just like we should OPPOSE and all incumbent politicians and start over. ESPECIALLY Scott Nago.



VIRGINIA BLOCKED ‘NON-CITIZENS, DECEASED, FELONS’ FROM ERIC’S ‘ELIGIBLE BUT UNREGISTERED’ VOTER OUTREACH

ERIC Claimed at Least 168K Deceased, Relocated, Ineligible People as ‘Eligible’ for Taxpayer-Funded Outreach in Virginia

MARCH 2024 – During Virginia’s membership period with the Electronic Registration Information Center (ERIC), commonwealth officials had to block ineligible persons selected by ERIC from receiving voter registration instructions. Records disclosed to PILF demonstrated efforts to stop foreign nationals, felons, deceased, and others from receiving taxpayer-funded voter education materials. Public records reviewed in other ERIC member states show similar efforts – or none.

Virginia’s Exit & Potential Re-Entry into ERIC

When Virginia exited the interstate nonprofit in May 2023, Elections Commissioner Susan Beals wrote that ERIC “expanded beyond that of its initial intent – to improve the accuracy of voter rolls.”¹ Documents disclosed in response to a records request from the Public Interest Legal Foundation show some of the sophisticated lengths Virginia had to go to address that alleged overreach.

The Virginia Legislature advanced a bill to Governor Glenn Youngkin’s desk which would ultimately require the Commonwealth’s re-entry into ERIC.^{2 3}

Crash Course: ERIC’s Mandatory ‘Eligible But Unregistered’ Process

To be a member in good standing with ERIC, a state must submit its voter registration and driver’s license customer data to ERIC for comparison. ERIC’s goal is to find a licensed driver who is not registered to vote. ERIC would consider that person Eligible But Unregistered or “EBU.” Often, someone who meets those criteria either *do not want* to be registered or *cannot legally register*. Remember, the National Voter Registration Act of 1993 (NVRA), aka “Motor Voter,” mandates that states like Virginia offer voter registration at DMVs. Meaning, every EBU fed back to Virginia has already said “NO” to a voter registration offer. Everyone meeting these EBU criteria was

Quick Takes
ERIC is an interstate collection of governments designed to collaborate on voter roll list maintenance. Members are also required to perform outreach to unregistered persons identified by ERIC.
Virginia built a system to filter out foreign nationals, deceased residents, and other ineligible individuals from voter registration postcards.
Not all ERIC states do similar work.

¹ Virginia ELECT Withdrawal Letter to ERIC (May 11, 2023), https://www.documentcloud.org/documents/23810805-file_0097-2

² Virginia’s LIS; HB 1177 (2024), <https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+HB1177>

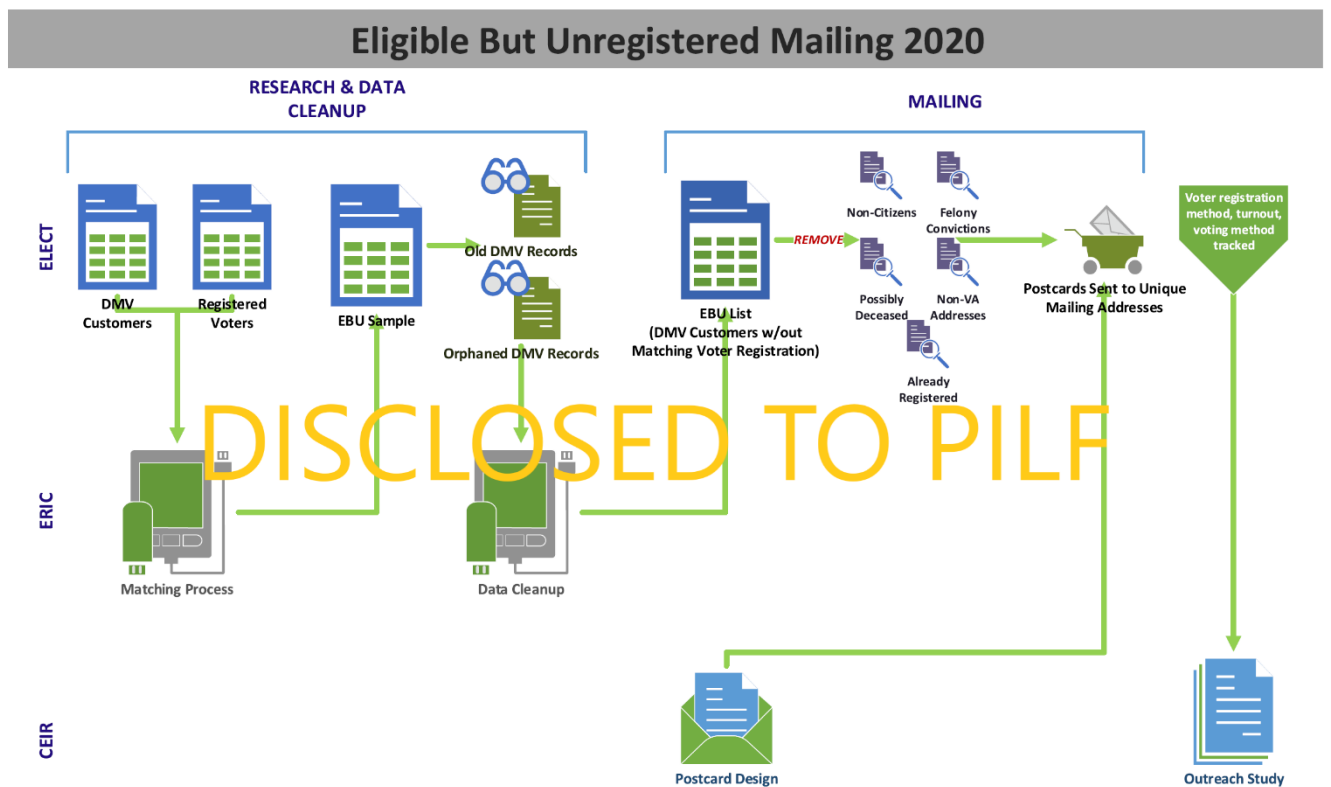
³ Virginia’s LIS SB 606 (2024), <https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+SB606>

submitted to Virginia officials for taxpayer-funded postcard outreach explaining how to register to vote.

Inside Virginia's EBU Filter

Records disclosed to PILF show that months before the 2020 General Election, then-Virginia Elections Commissioner Christopher Piper opted to engage in two rounds of EBU outreach. In June 2020, ERIC supplied a list of “approximately 360,000” for EBU postcards. Meeting notes between Virginia, ERIC, and the Center for Election Innovation and Research (CEIR) dated July 29, 2020, detailed plans for a second round of EBU mailings, dubbed a “refresh,” which would target “about 1.9 million” around Labor Day weekend. The notes also described and illustrated filtration protocols before the 1.9 million names and addresses were printed on postcards designed by CEIR. After the “refresh” mailing and Election Day, Virginia agreed to turn over voter registration and turnout data related to the EBUs to CEIR for its own research purposes and an “outreach study.”

Below is a flowchart shared between Virginia officials, ERIC, and CEIR outlining filtration and labor division.



The records disclosed to PILF show that of ERIC’s 1.9 million “Eligible But Unregistered” listing in Virginia, the following would not receive mail:

- “Approximately 100,000 deceased”
- “Approximately 68,000 no longer in [Virginia]”
- Other “Ineligible” (e.g., “felony, already registered”)

How Did Virginia Spot Foreign Nationals in the ERIC Data?

After ERIC handed off names and addresses, Virginia used its previous voter registration list maintenance work to inform who received EBU outreach postcards. This meant that Virginia had to fact-check the EBU prospect list for people known by the Commonwealth to already be deceased, convicted of a felony, or removed from the voter roll for other reasons. Because of a relatively unique Old Dominion law, Virginia could also use the same concept for “declared” foreign nationals.

‘Declared Non-Citizen’ Removals / Report Year	
2023	2,219
2022	2,771
2021	1,302
2020	802
2019	524
2018	566
2017	1,686
2016	404
2015	693
2014	434
TOTAL	11,401

When a DMV customer in Virginia claims in their paperwork to be a foreign national, their information is required to be shared with Commonwealth election officials so they can see if the person was already registered to vote. In the event of a match, the registrant is set on a pathway to removal from the voter roll if they do not affirm their citizenship status in a timely manner.⁴ The Virginia Department of Elections publishes annual totals of citizenship-related cancellations.⁵ The records disclosed to PILF do not show how many “non-citizens” were spotted in ERIC’s EBU list, but other public data do give a sense of scale for how many could have been prevented from receiving postcards, based on prior removals from the voter roll. Since 2014, Virginia reportedly removed **more than 11,000** registrants from the voter roll as “declared non-citizen[s].” However, some of those individuals may have subsequently naturalized and re-registered.

Addressing ERIC’s EBU Data Quality in Other States

PILF surveyed a collection of states for records indicating how they may perform similar EBU data filtration functions.

Colorado. Weeks before the 2022 Midterms, Colorado made national news after admitting a “data analytic error” resulted in more than 31,000 foreign nationals receiving postcards with instructions on how to register to vote. The ERIC Eligible But Unregistered program was ultimately determined to be the catalyst. PILF dug into the records of the case and saw where state officials were vague with county colleagues about the specific “error.”⁶ Colorado quickly built a system to block any foreign nationals who received the EBU cards from completing voter registration before the 2022 midterms. If they had a blocking mechanism for foreign residents, it malfunctioned in 2022.

⁴ Va. Code § 24.2-410.1.

⁵ VA ELECT; Voter Registration List Maintenance reports archive (accessed February 2024), <https://www.elections.virginia.gov/resultsreports/maintenance-reports/>

⁶ PILF; 31,000 Foreign Nationals in Colorado Sent Voter Registration Instructions by State Election Officials Before 2022 Midterms (January 5, 2023), <https://publicinterestlegal.org/reports/31000-foreign-nationals-in-colorado-sent-voter-registration-instructions-by-state-election-officials-before-2022-midterms/>

Illinois. Communication records disclosed to PILF from the Illinois State Board of Elections show internal conversations about how ERIC data needed to be vetted to prevent foreign nationals and adolescent drivers from receiving EBU postcards. Emails dated throughout 2022 show how green card/legal permanent residents and other visa holders were being flagged within the ERIC lists.

From: Sapochak, Dave [REDACTED]
Sent: Thursday, March 3, 2022 11:25 AM
To: D Schultz [REDACTED]; Glahn, Brenda L [REDACTED]; Bales, David S [REDACTED]
Cc: K Thomas [REDACTED]; Fawns, Blake [REDACTED]; Nicholson, Clayton [REDACTED]
Subject: RE: External: Review of criteria for creation of ERIC Eligible but Unregistered mailing

These changes have been made.....

DISCLOSED TO PILF

- We've added the removal of anyone that we know that is not a US Citizen to the best of our Knowledge
 - NC-TAG = 1 (Length of Stay) or a 3 – (Permanent Resident).
 - We were already filtering TVDL and UTVDL (Temporary Visitors)
- We added a check to compare birth date to the next general/consolidated election date to verify that they will be 18 on or before that date.

The test is currently running and a test file will be forth coming.

DISCLOSED TO PILF

Dave

New Mexico. The New Mexico Secretary of State takes a very different approach. Its website offers a frequently asked questions webpage about the EBU process. To the question, “*I am a non-citizen, why did I receive a voter registration outreach postcard?*”, the State is blunt: “*If you are a non-citizen and you are in the motor vehicle database, **it is likely you have received** a voter registration outreach postcard. However, given your non-citizen status, you are not eligible to vote and should not register. Registering to vote if you are not eligible is a felony.*”⁷ [emphasis added].

Maryland. The Maryland State Board of Elections confirmed to PILF in 2023 that it had no documents demonstrating any kind of effort describing the process to filter EBU lists for known ineligible persons.

What to Do About the EBU?

The ERIC Eligible But Unregistered concept pushes member states into risky territory. In principle, encouraging others to register to vote is a noble act; but too easily aliens, felons, and others who are not eligible to vote receive these targeted mailings can wrongly conclude that they are, in fact, eligible. If states are wise, they perform additional work to be good stewards of public resources while simultaneously shielding immigrants and others who are not eligible from receiving instructions about voter registration.

It does not have to be this way.

Prior to Ohio’s exit from ERIC in 2023, Secretary of State Frank LaRose floated a reform: make the EBU and other ERIC programs optional or “a la carte.”⁸ PILF and even some leading left-leaning voices⁹ lauded the concept as opposed to abandoning the project altogether. Hardliners in ERIC leadership did not budge, and Alabama, Florida, Iowa, Louisiana, Missouri, Ohio, Texas, Virginia,

⁷ NMSOS; ERIC Project FAQs (accessed February 2024), <https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/eric-project-faqs/>

⁸ *The Washington Post*; Florida, Two Other States Quit ERIC (March 6, 2023), <https://www.washingtonpost.com/politics/2023/03/06/election-deniers-voter-rolls/>

⁹ Election Law Blog; Some thoughts on L’affaire ERIC (March 20, 2023), <https://electionlawblog.org/?p=135203>

and West Virginia ultimately made their exits. This meant that ERIC remainers like Michigan and Wisconsin could not easily catch when their former voters moved to Texas and Florida. Election officials around the Mid-Atlantic region have blind spots with Virginia gone. ERIC's return on investment rests on a diverse member portfolio.

If ERIC leaders were serious about rebuilding their coalition, they would return to discussions about these reasonable reforms.

PILF President, J. Christian Adams

"States should work collaboratively to maintain voter rolls and should reach for every available tool," said PILF President J. Christian Adams. "ERIC must be receptive to state solutions that improve list maintenance. States that are a part of ERIC should enact safeguards to ensure they are not sending voter registration postcards to aliens, deceased, felons, and other people ineligible to vote."

SB-2240-SD-2

Submitted on: 3/14/2024 10:07:45 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurie Anne Bell	Individual	Oppose	Written Testimony Only

Comments:

The only way for honest and fair elections is same day voting and voter ID. Eric has proven ineffective.

SB-2240-SD-2

Submitted on: 3/14/2024 10:07:50 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Parmenter	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2240

SB-2240-SD-2

Submitted on: 3/14/2024 10:09:49 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bruce Javellana	Individual	Oppose	Written Testimony Only

Comments:

This does not make elections safe. It can create discrepancy and voter fraud.

SB-2240-SD-2

Submitted on: 3/14/2024 10:21:57 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin Gusich-Batara	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2240. Voter rolls must be maintained at the county level. Voter's personal information should not be accessible outside our state at risk of being compromised and manipulated. Doing so will surrender our control over our own state's voter rolls. A large behemoth database makes it easier to exploit and harder to correct. Hawai'i must maintain our state's individual sovereignty. Please do not surrender the control of our voter rolls.

Thank you

SB-2240-SD-2

Submitted on: 3/14/2024 10:26:54 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenny Wusstig	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it clearly contradicts the election process that were set forth in law. ERIC is a wolf in sheep's clothing that can be very deceitful in the election process. Instead of documenting unregistered voters. Registered voters are more important to view as they're the key to a successful, fair election process. We will not have fair elections if this is passed.

SB-2240-SD-2

Submitted on: 3/14/2024 11:12:48 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dalene McCormick	Individual	Oppose	Written Testimony Only

Comments:

I oppose all things related to Eric. Please look at the facts, most states who have previously used eric are now fleeing from this company. Hawaii does not need this.

SB-2240-SD-2

Submitted on: 3/14/2024 11:41:51 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yvonne Alvarado	Individual	Oppose	Written Testimony Only

Comments:

I Yvonne Alvarado Strongly Oppose to the Bill SB2240 SD2.

SB-2240-SD-2

Submitted on: 3/14/2024 11:53:26 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael EKM Olderr	Individual	Support	Written Testimony Only

Comments:

I support this bill. It promotes election security in all the right ways. Please pass this bill and note that most controversy from ERIC stems from conspiracy theories and is not primarily based on reality. Our elections in the past have been secure, but things can always be better. Please pass this bill.

SB-2240-SD-2

Submitted on: 3/14/2024 12:24:59 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
L Toriki	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

I do not consent for my private information to be submitted to an NGO database which has proven to have nefarious ties to foreign governments.

Why does our State need to belong to this organization? Especially when a google search will show the problems other states have had with this organization and are cutting ties.

ERIC does not clean voter rolls. We are being misled. It is basically a storage dumb (data base) which contains voter registrants personal, private information of which this information could be used for who knows what.

I do not consent for the sharing of my personal data to this organization.

SB-2240-SD-2

Submitted on: 3/14/2024 12:31:28 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa A. Aiona	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill 100%. It is disusting and should not be passed...

SB-2240-SD-2

Submitted on: 3/14/2024 1:49:47 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Luke	Individual	Oppose	Written Testimony Only

Comments:

There is a clear lack of checks to eric which create potential personal information privacy violations

SB-2240-SD-2

Submitted on: 3/14/2024 1:54:40 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Nichols	Individual	Oppose	Written Testimony Only

Comments:

There's personal information violation issues and only helps targets unregistered voters. This makes it easier for voter fraud.

SB-2240-SD-2

Submitted on: 3/14/2024 2:06:39 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB2240 SD2

SB-2240-SD-2

Submitted on: 3/14/2024 2:10:54 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB2240 SD2

SB-2240-SD-2

Submitted on: 3/14/2024 7:30:37 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Manulani Garcia	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.