



Indivisible Chicago
July 26, 2017

Steve Sandvoss
Executive Director, Illinois State Board of Elections
2329 S. MacArthur Blvd., Springfield IL, 62704

Executive Director Sandvoss:

On behalf of the membership of Indivisible Chicago, the elected officials signing this letter, and in partnership with the ACLU of Illinois, Lawyers for Good Government, Action for a Better Tomorrow, and Pantsuit Nation Illinois, we want to express our deep concern regarding the participation of the Illinois State Board of Elections (SBE) in the Interstate Voter Registration Crosscheck System.

We first want to thank the SBE for refusing to comply with the Presidential Advisory Commission on Election Integrity's request for Illinois voter information. We hope that the SBE continues to hold this position, even if the Presidential Commission alters its stance on a public release of any data it collects. Considering past statements by Kris Kobach, the Commission's Vice Chair and current Kansas Secretary of State, we believe the Commission's intent is to misrepresent legitimate voter registration data to promote policies that disproportionately disenfranchise the poor and people of color and to further perpetuate the false narrative that millions of people illegally voted in the 2016 Presidential Election.

Following the Presidential Commission's request, we have learned more about Illinois' participation in the Interstate Crosscheck program, also promoted and administered by Kris Kobach. We have serious concerns about Illinois' continued participation in Crosscheck and urge the SBE to immediately discontinue any further participation in the program. Our concerns about lax security, data privacy, and voter suppression are detailed below.

Data Privacy and Identity Theft

Every year since 2010, the SBE has transmitted over 8 million registered voters' full name, mailing address, date of birth, last four digits of their social security number, and the date they last voted, directly to the Secretary of State in Arkansas, which was then shared, in full, with the Secretary of State in Kansas. Each year, this information was then shared with any of the other states participating in the program when any individual records matched their data based simply on first name, last name, and date of birth.

While the data files are reportedly encrypted, the Crosscheck instructions indicate that passwords to the files are exchanged via unencrypted emails. The files are all stored on a file server hosted by Arkansas' Secretary of State. At a minimum, this server is a high-value target for identity thieves, given that it stores over 90 million records containing all the key data elements required for identity theft, protected only by the Arkansas IT Department. With reported hacking of voter registration systems in over 30 states, this raises many questions about whether this server was targeted, the general level of security and integrity of the Arkansas file server, how the data is backed-up and retained in both Arkansas and Kansas, who within each state has access to the data, how the encryption passwords are shared, what encryption algorithms are used, and the security of each state's email system.

We do not support sharing private voter information with a questionably secured third party organization, the manner in which it is shared, or the underlying goals of that third party. In light of the clear vulnerabilities of voter registration information in our state and several others, as demonstrated by the hacking that occurred during the 2016 election, it is clear to us that sharing sensitive voter data with the Interstate Crosscheck program is not in the best interests of the citizens of the State of Illinois.

Voter Suppression

While we do not currently have cause for concern that Illinois election officials have misused the data returned by the Crosscheck program, we are concerned about how other states apply and interpret this data. In states where they may misinterpret matches or they do not spend the time properly validating potentially false matches, voters may be incorrectly purged or inactivated. For example, in 2013, Illinois sent 8.6 million voter records to Crosscheck and received approximately 423,000 records in return of potential matches, based solely on first name, last name and date of birth. It's doubtful that most states have the resources to properly assess each of these matches, meaning that either massive amounts of data are ultimately ignored or voters may incorrectly be purged from the voter rolls. At best this is a waste of resources and at worst it disenfranchises legitimate voters.

In unrelated communications this past November to the Trump transition team, Kris Kobach stated that he wishes to amend the National Voter Registration Act to require proof of citizenship for all voter registrants. This is further evidence that Kobach is not acting in good faith, that his general motivations are to suppress votes, and that the SBE should not participate in programs that serve to legitimize his efforts.

A Better Program

In 2014, the Illinois Legislature passed SB 172, which was signed into law in January 2015. This law mandated that, by June 2016, Illinois join the Electronic Registration Information Center (ERIC) program, currently used by 19 other states.

This program, originally a collaboration of Pew Charitable Trusts and IBM, is the result of years of work devising a secure system, implementing safeguards to protect voters' personally identifiable information, uses multiple sources to identify potential duplicates, and has the benefit of identifying residents who are eligible to vote, yet are missing in the voter rolls. The ERIC program requires that participating states contact at least 95 percent of eligible voters to prompt them to register to vote.

It is our understanding that Illinois has signed the contracts to join ERIC; however, due to the lack of a budget, Illinois was unable to participate in the program last year. We trust that with a budget finally passed, Illinois will be able to fully participate in ERIC in 2017 and beyond.

Conclusion

Considering the foregoing, we are officially requesting that this matter be added to the agenda for the August 22, 2017 meeting of the State Board of Elections in Chicago, to allow testimony and a vote. We call on the SBE to publicly terminate any further dealings with the Interstate Crosscheck system. Additionally, we strongly urge the SBE to be diligent in its stewardship of all voter registration information particularly in light of the security concerns demonstrated in the 2016 elections, as well as the highly questionable motives of the so-called Commission for Election Integrity.

It is our strong belief that, given the documented history of its members, this Commission does not have America's best interests in mind when it comes to their actions and we believe that systems like

Crosscheck could potentially be utilized by the Commission to expand efforts to disenfranchise legal voters across the nation. We ask that the Board give this matter full consideration and we thank them for their time and efforts.

Most Sincerely,



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Senator Bill Cunningham
Illinois 18th District



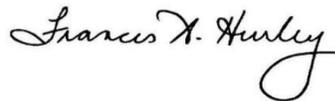
Senator Heather A. Steans
Illinois 7th District



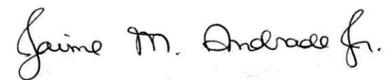
Representative Kelly M. Cassidy
Illinois 14th District



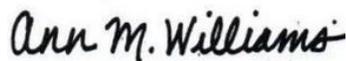
Representative Sara Feigenholtz
Illinois 12th District
Assistant Majority Leader



Representative Frances Ann Hurley
Illinois 35th District



Representative Jaime M. Andrade Jr.
Illinois 40th District



Representative Ann M. Williams
Illinois 11th District



Ken Edwards
Provisional Co-Chair- Illinois Chapter
Lawyers for Good Government

