Virginia State Board of Elections

Annual Report on
Voter Registration List Maintenance Activities

Report to the House and Senate Committees on Privileges and Elections

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Executive Summary:

The Virginia State Board of Elections (SBE) is pleased to report to the members of the Privileges and Elections Committees of the Virginia General Assembly on its annual Voter Registration List Maintenance activities. This report focuses specifically on SBE's efforts to share voter registration and voter history data with neighboring states and the District of Columbia (DC)[1] and also presents you with a brief summary of all of Virginia's voter registration list maintenance activities.

In 2012, the Pew Center on the States (Election Initiatives) released a study titled "Inaccurate, Costly, and Inefficient - Evidence That America's Voter Registration System Needs an Upgrade." The study found the lack of communication and data-sharing between states was causing the voter registration lists to remain significantly outdated and plagued with errors. The study found that approximately 24 million—one out of every eight—voter registrations in the United States were no longer valid or were significantly incorrect. More than 1.8 million deceased individuals were erroneously listed as voters and approximately 2.75 million people had registrations in more than one state. Further, the researchers estimate at least 51 million eligible U.S. citizens were unregistered, or more than 24 % of the eligible population. SBE's own research confirms the negative impacts that inaccurate voter registration data has on the electoral system. In a survey conducted following the 2012 General Election, general registrars and electoral board members reported voter registration problems and inactive voter registrations as the second and third biggest problems encountered at the polls during the 2012 General Election.

Virginia is a nationwide leader and pioneer in working with other states to improve and keep its voter registration records accurate and current. Virginia is one of only two states (Colorado being the other) that has participated in both of the two major interstate voter registration data sharing programs: The Electronic Registration Information Center (ERIC) and the Interstate Voter Registration Crosscheck Program (Crosscheck). The State Board of Elections was a founding member of ERIC and the first state on the Eastern Seaboard to join Crosscheck. Virginia enacted legislation enabling these important activities well in advance of most other states and continues to be a leader in modernizing and upgrading its voter registration system, particularly its list maintenance activities, to protect the integrity of its voter rolls.

SBE is pleased to announce that as of January 1, 2014, Virginia is engaged in formal voter registration list sharing agreements with all of Virginia's neighboring states.

Legislative History and Overview:

In 2013, the General Assembly unanimously passed legislation (HB2022, Rush) that required SBE to share voter registration and voter history data with neighboring states, conduct list maintenance on that data and report back to the House and Senate Privileges and Elections Committee annually on its progress.[2] This bill followed other related legislation, including bills

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[1] The District of Columbia is included as a state for purposes of references to the numbers of states participating in various activities discussed int his report..

[2] **§ 24.2-404.4. Exchange of registered voter lists with other states.**

introduced and enacted in 2007 by Delegate Brink, in 2011 by Senator Obenshain, and in 2013 by Delegate Robert Bell.[3] Collectively, these bills expanded the authority of SBE and the localities to share registration data with other states and mandated that SBE and the localities engage in interstate voter registration list maintenance efforts. Specifically, Senator Obenshain's 2011 bill, SB1196, gave Virginia the authority to share the data necessary to participate in the two data-sharing agreements most pivotal to Virginia's efforts: ERIC and Crosscheck. Delegate Rush's 2013 bill was the first state law aimed directly at sharing data with Virginia's neighboring states.

Prior to this series of bills, Virginia did share registration data with other states; however, it was done in an ad hoc and piecemeal manner. The main data source was based on previous address information self-reported by voters who registered to vote in a new state after leaving Virginia. The Virginia Voter Registration Application has required applicants to provide their previous voter registration address on the application since at least 1993 (and likely much earlier) when this requirement was added to the Code of Virginia when Title 24.1 was recodified into Title 24.2.[4] This change required the Virginia general registrar to send that previous registration information to the registration official in the state where the applicant was previously registered so the election official in that state could cancel that record. Later, legislation was enacted to require the general registrar to keep a copy of the previous registration information on file.[5] While this process is helpful for list maintenance, relying on voters to self-report and for local election officials to communicate this information to officials in other states is not a substitute for organized multistate data-sharing agreements.

Federal legislative efforts have also addressed states' voter registration list maintenance with the passage in 1993 of the National Voter Registration Act (NVRA) and in 2003 with the Help America Vote Act (HAVA). The NVRA addresses voter registration list maintenance for cross-state movers, requiring states to systematically take steps to remove ineligible voters from the voter rolls in a reasonable time frame. In the past, SBE has identified voters who have moved to another state chiefly through the United States Postal Service's National Change of Address (NCOA) registry and election-related mail returned undeliverable from former residences of registered voters. (Additional information on the NCOA process is explained in detail below.) In addition, HAVA in its requirement that states adopt "a single, uniform, official, centralized, interactive computerized statewide voter list" requires states to "perform list maintenance with respect to the computerized list on a regular basis."[6] The HAVA requirement for this

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Pursuant to its authority under subsection A of § 24.2-405 and subsections B and C of § 24.2-406, the State Board shall request voter registration information and lists of persons voting at primaries and elections, if available, from the states bordering the Commonwealth to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain the overall accuracy of the voter registration system. Upon receipt of this data, the State Board shall compare it with the state voter registration list and initiate list maintenance procedures under applicable state and federal law. The State Board shall report to the House and Senate Committees on Privileges and Elections annually on the progress of activities conducted under this section, including the number of duplicate registrations found to exist and the procedures that the State Board and general registrars are following to eliminate duplicate registrations from the Virginia registered voter lists.

[3] 2007: HB2141 (Brink); 2011: SB1196 (Obenshain); and 2013: HB1764 (Bell)
[4] 1993 Va. SB 649; 1993 Va. ALS 641; 1993 Va. Acts 641; 1993 Va. Ch. 641
[5] 2010 Va. SB 309 (Martin)
[6] 42 USC § 15483

computerized statewide database makes SBE's current efforts with multistate data sharing on a large scale possible.

ERIC and Interstate Crosscheck:

Two major interstate voter registration data sharing partnerships exist and Virginia is a participant in both. This section provides a summary of both ERIC and Crosscheck and provides a comparison between the two. Appendix B below provides an overview of what states participate in the two programs.

The Electronic Registration Information Center (ERIC):

In early 2010, Virginia took a major step in its efforts to broaden voter registration data sharing when Virginia became involved in a project titled the Electronic Registration Information Center (ERIC). ERIC was originally an initiative of the Pew Charitable Trusts Center on the States, who after evaluating states' performances in the 2008 General Election, identified the long-standing problem of how inaccurate and outdated voter registration data, particularly the lack of interstate cooperation in sharing data, negatively impacted the electoral system. Pew worked to bring together experts from the Information Technology (IT) industry, election officials from around the country, and other stakeholders in the elections' community with the goal of establishing an interstate cooperative where states would securely share and compare their voter registration, voter history, and Department of Motor Vehicles (DMV) data to increase the accuracy of their voter rolls.

Pew worked with IBM and other leaders in the data and IT industries to develop a data sharing center where states would upload their anonymized[7] DMV and voter registration information on a regular, recurring schedule. The data-matching software compares the data and reports back to the states identifying voters who are deceased, have moved residence addresses within Virginia, or moved out of state. In addition, ERIC identifies those who moved to Virginia from another state but who have not registered to vote here. A key component of the ERIC data is the inclusion of activity dates for individuals' voting history, voter registration transactions, and transactions at DMV. This allows the data-matching software to provide a more accurate match and precisely identifies which state should take action on the duplicate voter registration record. A diagram illustrating this process is included in Appendix A.[8]

ERIC was officially born in June of 2012 after two years of preparations that included obtaining legislative changes in charter member states, the building of the IT and business process infrastructure needed for participation, navigating through various complex legal and policy issues for the list maintenance processes, and the negotiation of bylaws and a membership agreement. In addition to Virginia, the charter members of ERIC were Colorado, Delaware,

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[7] Anonymization is a process where any data submitted to ERIC is first run through a software application that takes the social security number and Driver's License Number for each record and converts them into a one-way hashed string of data. Each state performs this process on their data before submission to ERIC using the same hashing method. ERIC can then perform matches on this hashed data instead of having access to individual's actual Social Security Numbers and Driver's License Numbers. This ensures the privacy and security of any shared data.
[8] A video explaining the dataflow and matching process is available at ERIC's website: www.ERICStates.org.

Maryland, Nevada, Utah, and Washington. In addition, the District of Columbia has announced that it will join ERIC effective January 1, 2014.

Virginia uses/will use ERIC data for five main purposes to identify:

1. Individuals who are registered Virginia and who moved out of Virginia into another state and registered in that state.
2. Virginia voters who moved residences within the Commonwealth of Virginia and did not update their registration address.
3. Mistakes, errors, outdated information, and other inaccuracies in Virginia registration records and to contact those voters to correct those mistakes. Comparing Virginia's voter registration data against its DMV data is especially helpful in this regard.[9]
4. Individuals who moved into Virginia, are eligible to vote, and who have remained unregistered for a certain period of time after establishing residency in the Commonwealth.
5. Registered voters who died and allow states to cancel these records from their voter rolls. ERIC utilizes data from the Social Security Death Index and provides reports to participating states of the death matches.[10]

ERIC will report to Virginia with each matched record, a "score" that will let SBE and the general registrar know the level of confidence in each match. For example, ERIC will report a 100% confidence match if two states share a record for an individual with the exact name, date of birth, last four digits of social security numbers in DMV and voter registration data. The 100% match will let officials know it is a certainty that two states have the same person registered to vote on their rolls.

Virginia uploads its applicable data every 60 days and receives reports after each upload. The data report is then reviewed by SBE staff for accuracy. The data from each report is then to be processed accordingly (e.g. – records identified on the deceased report will be provided to the locality where the individual is registered so that the voter record can be cancelled). To allow for a regular and routine process for list maintenance, Virginia must abide by specific mailing deadlines for list maintenance and registration outreach activities as outlined in the ERIC membership agreement.

The Interstate Voter Registration Crosscheck Program (Crosscheck):

Virginia joined the Interstate Voter Registration Crosscheck Program (Crosscheck) in December of 2012. The Crosscheck Program was founded in 2005 through a bipartisan effort by a number of Secretaries of State, including then-Kansas Secretary of State Ron Thornburg and then-Missouri Secretary of State Robin Carnahan. Crosscheck originally consisted of the

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[9] In the comparison of data of the seven ERIC states, the ERIC identified about 800,000 individuals among those states whose address on the voter file was not as up-to-date as the address on their motor vehicles record. The data center identified almost 100,000 persons who had moved from one of the ERIC states to another ERIC state and over 23,000 deceased and 14,000 duplicate voters erroneously remaining on the rolls. See transcript of Presidential Commission on Election Administration at page 32 available at:
https://www.supportthevoter.gov/files/2013/11/PCEA-Cincinnati-Public-Meeting-Transcript-Day-2.pdf

[10] Using the ERIC software with deceased data has provided an increase of 25% matches of deceased voters on the rolls. See transcript of Presidential Commission on Election Administration on page 31 at link cited in footnote 9.

Midwest states of Nebraska, Kansas, Iowa, and Illinois. Since 2005, the Interstate Crosscheck has steadily grown in numbers and out from its Midwest roots to include states from around the country. Kentucky and Tennessee both states neighboring Virginia, have also participated in the Crosscheck. In the 2013 Crosscheck a total of 21 states participated in the program sharing over 84 million voter registration records. Twenty-eight states are currently scheduled to participate in the January 2014 Crosscheck, including neighboring Kentucky, North Carolina, Tennessee, and recent addition West Virginia. Appendix B outlines the states that currently participate in Crosscheck.

Each January, participating states upload their data to a secure server. The data includes the participating states' entire list of registered voters, including fields for each voter's date of birth, last four digits of social security number (where allowed by law), current voter registration residence address, voter history from the most recent General Election, and applicable dates of registration activity. Kansas state election officials perform a match of this data and a report is provided to each state with a list of voters who are registered in more than one participating state with applicable dates of activity to identify whether someone was moving into or out of a particular state. States then work together to further research possible matches and potential instances of double-voting and take appropriate action based on their particular state laws. An analysis and statistics on Virginia's results from the 2013 Crosscheck are provided below.

ERIC and Crosscheck Comparison:

ERIC and Crosscheck share many similarities and both are valuable tools for Virginia to perform voter registration list maintenance. They are both programs where participating states share their voter registration and voter history data, upload that information to one database and compare participating states' data, match records, and report back to the states take action on that data. Both ERIC and Crosscheck use many of the same data fields including first, middle and last names, any name suffix, date of birth, registration address, locality of registration, registration status (active or inactive), last four digits of the social security number, date of registration, and voter history dates. However, ERIC uses additional information not included in Crosscheck including Department of Motor Vehicles data, a key difference between the two programs, and the Social Security Deceased Index (SSDI) for matching death records. In the future, ERIC will add additional data sources to its list comparison, including United State Postal Service National Change of Address (NCOA) information and other data.

Generally speaking, ERIC is designed to be a much more extensive and comprehensive program than Crosscheck. As part of the ERIC membership agreement, each member is required to perform mailings on a particular schedule and upload data and receive reports of matches on a regular basis, whereas the Crosscheck is performed only once each year in January.

Finally, ERIC has an additional purpose and obligation for member states. ERIC also produces reports of individuals that have moved from one member state to another and who have not registered to vote in the new state (nor in many instances cancelled their registration in their old state). ERIC produces this data via a comparison of states' DMV records and voter data. For example, an individual moves from Colorado to Virginia, visits a DMV in Virginia to obtain a Virginia Driver's License, does not register to vote in Virginia, and does not cancel their

registration in Colorado. The report to Virginia will show that an individual moved into the state, is eligible to register but did not do so. Member states then send a mailing to these individuals informing them of their potential eligibility to register to vote in Virginia. Colorado can then take steps to cancel the registration of the voter no longer residing in the state. Now that Virginia has online voter registration, the mailing will provide the individual a link to the online voter registration portal with instructions on how to apply to register online. (Previous to online voter registration, SBE or the local registrar would be required to also mail a paper application or the recipient would have to take steps to obtain and mail in a paper application him or herself.) Since Crosscheck does not process the DMV data, it is impossible to use Crosscheck data to identify potential eligible voters who have moved into Virginia but have not registered.

SBE is pleased that there are two options for participation in interstate voter registration programs. Each program has its strengths and weaknesses. The Crosscheck data is an extremely valuable tool for the future in that the program involves over half of the states in the U.S. for a total of over 110 million registration records matched. Tens of thousands of former residents are identified as registered and voting in another state. On the whole, SBE is more invested in the ERIC program and has allocated more of its technical resources, time, and energy into getting ERIC launched including recruiting other states for participation. Overall, ERIC is a higher priority for the agency than is Crosscheck. ERIC, with currently eight member states, has a corresponding smaller pool of records that is amplified with additional DMV and social security records inserted into the matching process. ERIC will provide data reports on a more regular and real-time basis and provides more refined data with established upload and download data guidelines.

Because of its more comprehensive approach and its setup as each state having an equal share in ownership, the costs for participating in ERIC are higher than Crosscheck. Crosscheck data-matching is done by Kansas election officials free of charge while ERIC member states are obligated to pay an entrance fee, annual membership dues, and the expenses incurred for the required mailings.

SBE's Efforts in Outreach to Neighboring States:

SBE was aggressive in recruiting Virginia's neighbors and other states into ERIC and Crosscheck even prior to passage of Delegate Rush's legislation directing SBE to engage in such efforts. SBE has focused its efforts in recruiting other states ERIC and to a lesser extent the Crosscheck program. This is more effective than working out ad hoc agreements state-by-state. SBE is pleased to announce that Virginia is now engaged in formal list sharing with all of Virginia's neighboring states. Below is a summary of each neighboring state and its status:

1. **District of Columbia (DC):** The District of Columbia participated in some of the early stages of ERIC development but later pulled out of the program shortly prior to ERIC's launch. In November of 2013, DC announced they would join ERIC effective January 1, 2014.

   Following its departure from involvement in ERIC, SBE reestablished contact with the District of Columbia in the spring of 2013 about a one-on-one data-sharing agreement. SBE

conducted a test data match DC in May of 2013. SBE recently received an updated list from DC and has identified approximately 3,718 individuals registered in both Virginia and the District of Columbia. Due to the close proximity to the November 2013 General Election, SBE marked some of these records for a confirmation mailing rather than cancellation. Marking for confirmation required any of these voters who showed up to vote on Election Day to provide additional confirmation details and sign an Affirmation of Eligibility form before being able to cast a ballot. Additional research will now be performed on these records and SBE will provide the necessary information to the local general registrars to cancel the registrations of individuals who have moved from Virginia to the District of Columbia. Additional confirmation mailings will be performed for those records when it is unclear if the individual should still be registered in Virginia. However, DC's imminent participation in ERIC may result in SBE using the DC data received from ERIC to conduct list maintenance rather than the data received in the one-on-one data sharing agreement because the ERIC software and DMV data provided by DC will increase the accuracy of the matching process.

2. **Kentucky:** Kentucky participates in Crosscheck. SBE is unaware of any plans for Kentucky to participate in ERIC. SBE has discussed ERIC with Kentucky election officials at a National Association of State Election Directors (NASED) meeting and is unaware of any plans for Kentucky to participate. SBE plans on reaching out to Kentucky again about participating in ERIC in early 2014.

3. **Maryland:** Maryland was a charter member of ERIC and has participated in the program since its inception.

4. **North Carolina:** There have been several developments in North Carolina in recent months relating to the state's ability to share registration data with other states. Historically, North Carolina law was extremely restrictive in regards to sharing its voter registration activity with other states to the extent that it made participation in ERIC, Crosscheck, or even a one-on-one data sharing agreement impossible. However, legislation enacted during its 2013 legislative session opened up North Carolina's laws to participation in these efforts.

   SBE learned in late November, 2013 that North Carolina will participate in the 2014 Interstate Crosscheck Program. Prior to learning of its participation in Crosscheck SBE was negotiating a one-on-one data sharing agreement with North Carolina. Now that North Carolina will participate in Crosscheck such an ad hoc agreement is unnecessary.

   SBE believes there is a good chance that North Carolina will join ERIC in the near future. In August of 2013, North Carolina Governor Pat McCrory specifically referenced North Carolina's ability to join ERIC when signing into law the legislation opening up North Carolina to sharing data with Virginia and other states.[11]

5. **Tennessee:** Similar to Kentucky, Tennessee participates in Crosscheck but SBE is unaware of any plans for Tennessee to participate in ERIC. SBE plans on reaching out to Tennessee about participating in ERIC.

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[11] Governor Pat McCrory, "Why I signed the Voter ID/election reform bill." August 12, 2013; The News Observer; available at: http://www.newsobserver.com/2013/08/12/3102124/gov-pat-mccrory-why-i-signed-the.html

6. **West Virginia:** West Virginia was a participant in the early developmental stages of ERIC but, ultimately, the state had technical issues with its voter data and lack of legislative authority to share data that made participation in ERIC impossible. In the past year, SBE has reached out to the Director of Elections and Secretary of State on future participation in ERIC. West Virginia has recently enacted legislation that facilitates registration data sharing and SBE hopes they will be able to join ERIC in 2014. Shortly before submitting this report, SBE learned that West Virginia plans to participate in the 2014 Crosscheck. SBE had previously been in discussions with West Virginia about an ad hoc sharing data sharing agreement but their participation in Crosscheck makes such an agreement unnecessary.

It is impossible to predict what states will join ERIC and Crosscheck and when. However, SBE has been active in monitoring activity in other states, particularly Virginia's neighbors, as well as communicating with state election officials about the benefits of participating in these programs. Discussions with North Carolina and West Virginia have SBE hopeful that those states move toward participation in ERIC. As mentioned above, SBE's recruitment efforts have yielded success. The District of Columbia announced it will join ERIC effective January 1, 2014. SBE was aggressive in recruiting DC into ERIC and is pleased they are joining the partnership. SBE also plans on discussing ERIC participation further with Kentucky and Tennessee. In the meantime, SBE is pleased that every neighboring state is involved in either ERIC or Crosscheck.

While there is a strong likelihood that additional states will join ERIC and Crosscheck, various hurdles exist to participation in either program including state laws that restrict the sharing of voter registration, voter history, and Department of Motor Vehicles data with other states. In addition, a lack of financial resources, insufficient centralization of voter registration records, and initial refusal and reluctance from state DMVs to cooperate in sharing their data have also made expansion of ERIC and Crosscheck slower than SBE's preferences. ERIC, in particular, requires a significant investment of time and resources and with competing priorities many states have been slow to move towards participation.

Other List Maintenance Activities Identifying Moving Voters:

National Change of Address (NCOA):

Pursuant to state and federal law, SBE conducts an annual address match of Virginia registered voters against records in the United States Postal Service's (USPS) National Change of Address (NCOA) registry.[12] The NCOA database consists of information reporting change of address requests submitted by individuals to USPS when moving. USPS records the change of address requests and shares that information with commercial vendors for a variety of purposes.

SBE annually submits the entire list of registered voters to a vendor to determine if any voters have submitted a change of address with the USPS. Voters who have a standing change

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[12] Code of Virginia § 24.2-428 and 42 USCS § 1973gg-6

of address with the USPS are then sent a confirmation mailing to the last known address asking the voter to verify their address or request cancellation of the voter's record. Voters are provided a postage prepaid envelope where the voter can respond confirming that his/her address did or did not change and requesting the general registrar to cancel his/her registration, if appropriate. Voters who do not respond to the notice within 30 days are moved to an inactive status. Those voters will then be removed from the rolls if they fail to vote over a period of two federal elections.

SBE conducted its most recent annual National Change of Address match between May and July 2013. Approximately, 287,733 voters were mailed a confirmation notice. As a result of this process, approximately 193,500 voters were moved from active to inactive status in August. As of December 26, 2013, registrars updated 138,516 records after voters who received the mailing returned the notice to the registrar confirming their residence address or providing a new registration address.

Following each federal election, SBE will cancel those individuals who have been on the inactive list without voting for a period of two federal elections. Following the 2012 General Election, SBE cancelled approximately 202,804 inactive records from the voter rolls.

Other Processes through the USPS System:

SBE engages in a similar confirmation process for official election mail sent to voters that USPS returns undeliverable. Over the past few years, state and local election officials have sent several statewide or near statewide mailings to voters. During the redistricting process, SBE mailed new voter registration cards to nearly every voter in the Commonwealth. Many voters received multiple cards depending on how many times their election districts or precincts changed.[13] Similarly, SBE mailed new registration cards with educational information to all voters when implementing new photo ID requirements in fall of 2012. Statewide election mailings to voters had not occurred in several years and these mailings revealed the many voters who no longer resided at their registration address. The USPS returned tens of thousands of undeliverable voter cards mailed to individuals, indicating that the voter had moved, died, or otherwise no longer resided at the address on record.

After USPS returns that piece of mail back as undeliverable, SBE returns that mailer to the local general registrar who then "flags" those records for a confirmation mailing. Those records are then caught up in the annual NCOA mailing process described above which results in many of the voters being moved to inactive status and eventual removal from the voter rolls. At the local level, the general registrars use the same process for returned mail from more routine mailings made to their voters.

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[13] Redistricting for state, congressional, and local lines was done in several stages and resulted in the requirement that some voters received a new voter card multiple times during the process.

Summary of Data Matches from Summer of 2012 to Present:

ERIC Activities:

SBE coordinated with partner ERIC states throughout 2011 and 2012 to refine the data-sharing process and ensure that all data integrity issues were resolved prior to taking any official action on ERIC data. SBE received its first official ERIC data report in the late summer of 2012. This first data report contained a list of those individuals residing in Virginia who were unregistered but eligible to register to vote (Known as the "Eligibility Report."). Virginia compared these records against the official list of prohibited voters, performed other integrity checks, and ultimately narrowed the list down to 1,322,306 individuals (living at 867,852 unique addresses). SBE then mailed these individuals a postcard that displayed information on how to register to vote with an extra note on the eligibility requirements for voting in Virginia. Approximately 62,667 of these individuals registered to vote by the registration deadline for the November 2012 General Election, with approximately 16,571 of these individuals registered to vote prior to receiving the mailing. It is likely that a very high percentage of the 46,096 remaining individuals registered in response to the ERIC mailing from SBE. In sum, approximately 7.2% of the households receiving the mailer registered to vote after receiving the notification before the November 2012 General Election registration deadline. A recent report by RTI International evaluated ERIC and found that the voter education mailings to identified non-registered voters had a positive impact on the overall registration process among participating states.[14] The ERIC states increased their new-voter registration rates by 1.14 percentage points, compared with just 0.27 points in non-ERIC states.

SBE received additional data from ERIC in late summer and fall of 2013. Review and processing of the reports is currently underway. These reports have the following information:
1. In-State Updates: This reports on records where DMV has a more up to date record of an individual than does SBE. Information that may differ includes: Residential address, mailing address, phone, or email.
2. In-State Duplicates: This report shows potentially duplicate voter records within Virginia.
3. Cross-State Matches: This report shows matches of Virginia voters to voters or DMV records in other states
4. Possibly Deceased: The Social Security Death Master (SSDM) file records are included in the data-comparison.
5. Eligible but Unregistered: This report shows DMV records where a match was not made to a voter record indicating a potentially eligible voter has moved into Virginia and not registered to vote.

While SBE has not taken official action on the additional data due to its arrival immediately prior to the November 2013 General Election, SBE will do so in early 2014. Preliminary and unofficial results from this data are included below in Table 1 (based on an 80% confidence match or higher).

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[14] Report available at: http://www.pewstates.org/research/analysis/data-show-improvements-in-election-administration-in-states-using-eric-85899526497.

Table 1: Preliminary ERIC Data		
In-State Update Matches:	78,386	Individuals who have moved from one address to Virginia to another in Virginia and have not updated their registration address.
In-State Duplicates:	640	Potential duplicate registrations within Virginia.
Possibly Deceased:	646	Potential registrations of deceased within Virginia.
Cross-State Matches		Preliminary data with number of voters registered in Virginia and the following states.
Colorado	3,049	
Delaware	1,058	
Maryland	14,014	
Nevada	925	
Oregon	826	
Utah	333	
Washington	2,739	
Total State Matches:	**22,944**	

Summary of 2013 Crosscheck Activities:

Twenty-two states participated in the 2013 Crosscheck matching program. Approximately 84,877,703 records were compared among participating states. Following the matching process in early 2013, Virginia received approximately 308,579 potential duplicate registration records from the other 21 participating states. Following receipt of the data, SBE was tasked with performing additional quality checks and going state-by-state to identify potential peculiarities that may impact SBE and the general registrars' ability to act on the records.

Ultimately, SBE was able to identify approximately 80,000 records with an extremely high probability of an exact match of an individual's registration in multiple states. These 80,000 records exactly matched a record in another state (or in some instances records in multiple states) with the same first and last names, date of birth, and last four digits of a social security number. Of those matches, general registrars removed approximately 23,222 from the list of registered voters in Virginia through normal cancellation procedures in between when Virginia received the Crosscheck data, processed the data, and provided it to the localities. These cancellations could have happened through a variety of processes, including:

1. A direct notification from a local registration official in another state to a registrar in Virginia that the individual had registered in their jurisdiction and should be removed;
2. The voter him/herself writing the Virginia registrar with a request to cancel;
3. The NCOA mailing process that is described above, or another scenario.

SBE then provided a list of the remaining 57,293 registered voters to the general registrars with instructions to review the list and take action based on the information available to them from the data report. Approximately 30,251 of the registered voters identified in the report were already inactive voters on the list of registered voters in Virginia, meaning the general registrar already scheduled them for cancellation if they failed to vote in two consecutive

federal elections. By Election Day, the general registrars had removed approximately 38,870 of the total records from the list of registered voters. As of December 26, 2013, registrars had cancelled a total of 41,637 registrations.

SBE's steps for quality control for verifying the data matches were extensive and are the primary reasons why only 57,000 of the 308,579 were identified for possible cancellation. The first step in this vetting process was to forgo taking action on records from states that failed to provide social security number data. These states included Florida, Michigan, Missouri, and South Dakota and represented over one-quarter of all records. The lack of social security number data took out one important identifier in the matching process. Second, SBE performed additional analysis on the remaining records, reviewing for additional voter registration or voter history activity date in Virginia *after* activity in another state, an indication that the registered voter still resided in Virginia (or moved back to Virginia after leaving), despite their registration in another state. Of note, the Crosscheck data enabled SBE to identify two voters registered in seven different states, ten voters registered in six different states, 113 voters registered in five different states, 1,123 voters registered in four different states and 16,361 voters registered in three different states. A summary of the records cancelled by state is provided below in Table 2.

Work on the remaining records will now resume in the wake of the 2013 General Election and subsequent Attorney General Election Recount. In addition, SBE will continue its review of the additional records not identified for cancellation to determine what steps are appropriate. SBE's approach was to first take out the "low-hanging fruit" and then move on to the records that required further research and potential follow-up with individual states. This process will take place in early 2014. In the meantime, SBE continues to refine and develop additional procedures and policies for local election officials to utilize when taking action on this data.

Table 2: Voters Identified by Crosscheck Cancelled as of 12/26/2013	
State	**Number of Voters Cancelled**
Alaska	554
Arizona	4,350
Arkansas	679
Colorado	3,683
Illinois	4,034
Iowa	377
Kansas	930
Kentucky	3,407
Louisiana	1,681
Mississippi	895
Nebraska	85
Ohio	5,501
Oklahoma	681
Oregon	520
South Carolina	9,520
Tennessee	4,740
Total:	**41,637**

Summary of Other List Maintenance Processes:

Deceased Voters:

Annual Death Verification Check – In August of 2013, SBE submitted the entire list of registered voters to a vendor with expertise in processing death records to determine if any individuals on the list of registered voters had become deceased and one of our other death record sources had not identified. The verification resulted in SBE providing a list of 2,981 voters who needed to be reviewed further to determine if they should remain registered to vote or not.

National Technical Information Service (NTIS) – SBE receives a monthly update to the master Death Index from the Social Security Administration. SBE processes this file and the records of those voters who are matched to this file are provided to the general registrars on a monthly basis for them to make a registration decision.

Virginia Department of Health (VDH) – SBE receives a monthly file from the Bureau of Vital Statistics listing all of the deaths in the Commonwealth. SBE processes this file and the records of those voters who are matched to this file are provided to the general registrars on a monthly basis for them to make a registration decision.

Ineligible Felon and Mentally Incapacitated Data:

Virginia State Police – SBE receives a monthly file from the Virginia State Police listing all of the felony convictions in the Commonwealth for the previous month. SBE processes this file and the records of those voters who are matched to this file are provided to the general registrars on a monthly basis for them to make a registration decision. In addition, these individuals are added to our prohibited voter list so that they cannot register to vote in the future. Additionally, SBE received the entire list of felony convictions for the previous year from the VSP in August 2013. This list included over 18 million records. SBE identified 789 voter records and provided the information to the general registrars for them to make a registration decision.

Courts – SBE receives paper reports by electronic mail from federal and Virginia state courts notifying SBE of felony convictions. SBE adds these records to our prohibited list manually as they are provided. SBE provides any matches to currently registered voters to appropriate general registrar so that the registrar can make a registration decision. The Circuit Court clerks also provide SBE paper reports of those adjudicated mentally incapacitated. Those records are also added to the prohibited list and sent to the general registrars for processing.

Non-Citizen Data:

DMV Non-Citizens – SBE receives a monthly file from the Department of Motor Vehicles listing all individuals who indicated to DMV that they were not a citizen. SBE processes this file and provides the records of those voters who are matched to this file to the general registrars on a monthly basis for them to make a registration decision. In addition, SBE adds these individuals to the prohibited voter list so that they cannot register to vote in the future.

Social Security Number Audit – SBE received information from the August 2013 death verification check that the Social Security Numbers of 5,100 voters were potentially incorrect. SBE provided this information to the general registrars so that they could review the original source documentation for keystroke errors, review other records available to them for verification, or contact the voter for final verification of the accuracy of the provided Social Security Number.

Conclusion:

The State Board of Elections (SBE) thanks the members of the Privileges and Elections Committees for the opportunity to provide this report. Virginia is a leader in developing and participating in interstate partnerships for sharing voter registration data. There are many tools available to ensure that Virginia's voter rolls only contain eligible voters and that official state election officials can reach unregistered but eligible individuals. SBE spearheaded participation in ERIC and will now be participating in Crosscheck for the second time—one of only two states to have participated in both programs. SBE's recruitment efforts have yielded success with now every state neighboring Virginia slated to participate in either ERIC or Crosscheck. As demonstrated by the data reports referenced above from both Crosscheck and ERIC—these programs are yielding important dividends in Virginia's list maintenance efforts. As more states sign up for participation in these interstate programs, Virginia will continue to increase its efforts to identify and remove all existing "deadwood" on its rolls and to keep the rolls accurate moving forward.

Contact Information:

Please do not hesitate to contact SBE with any questions or comments about this report. We welcome your advice and suggestions.
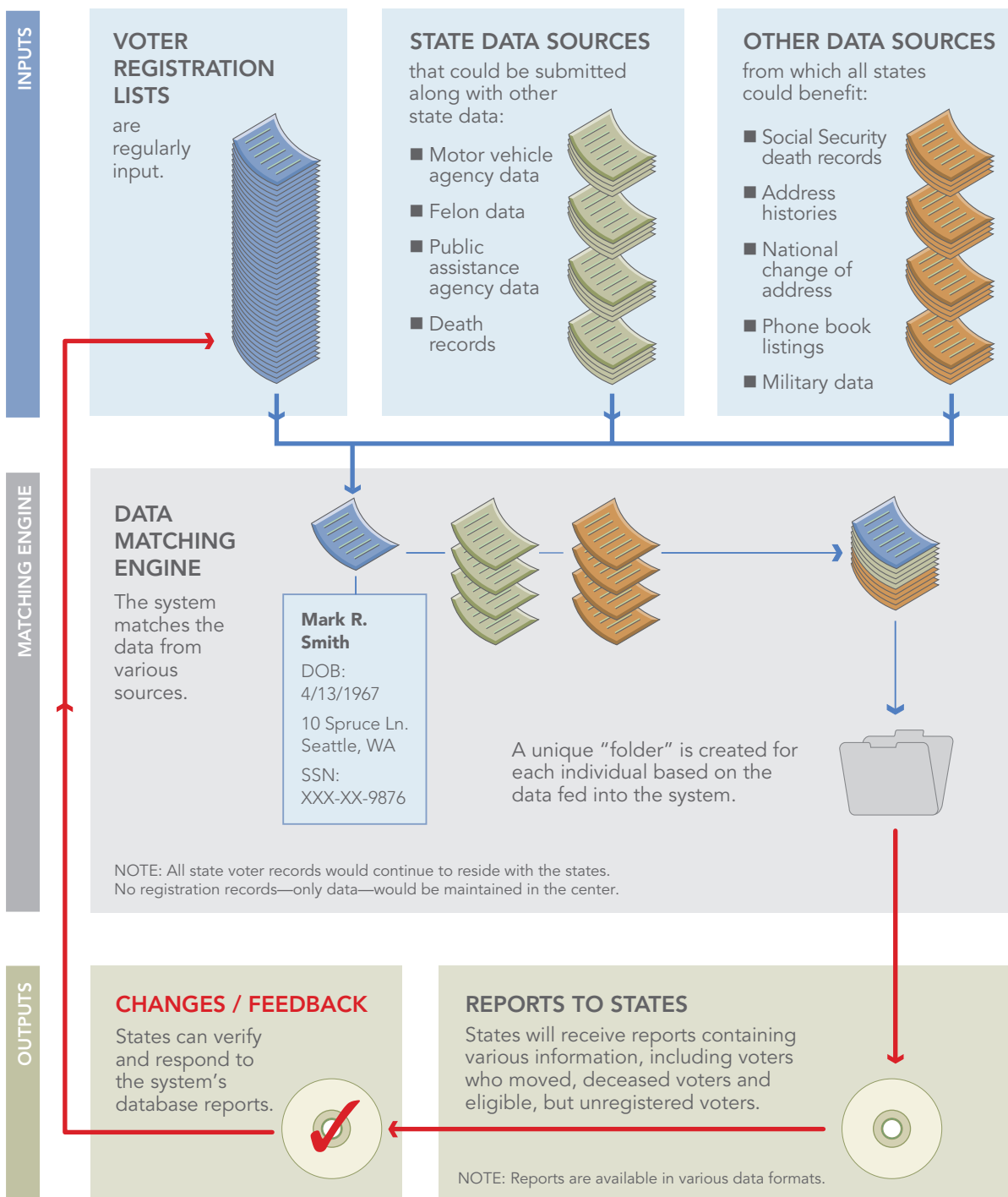
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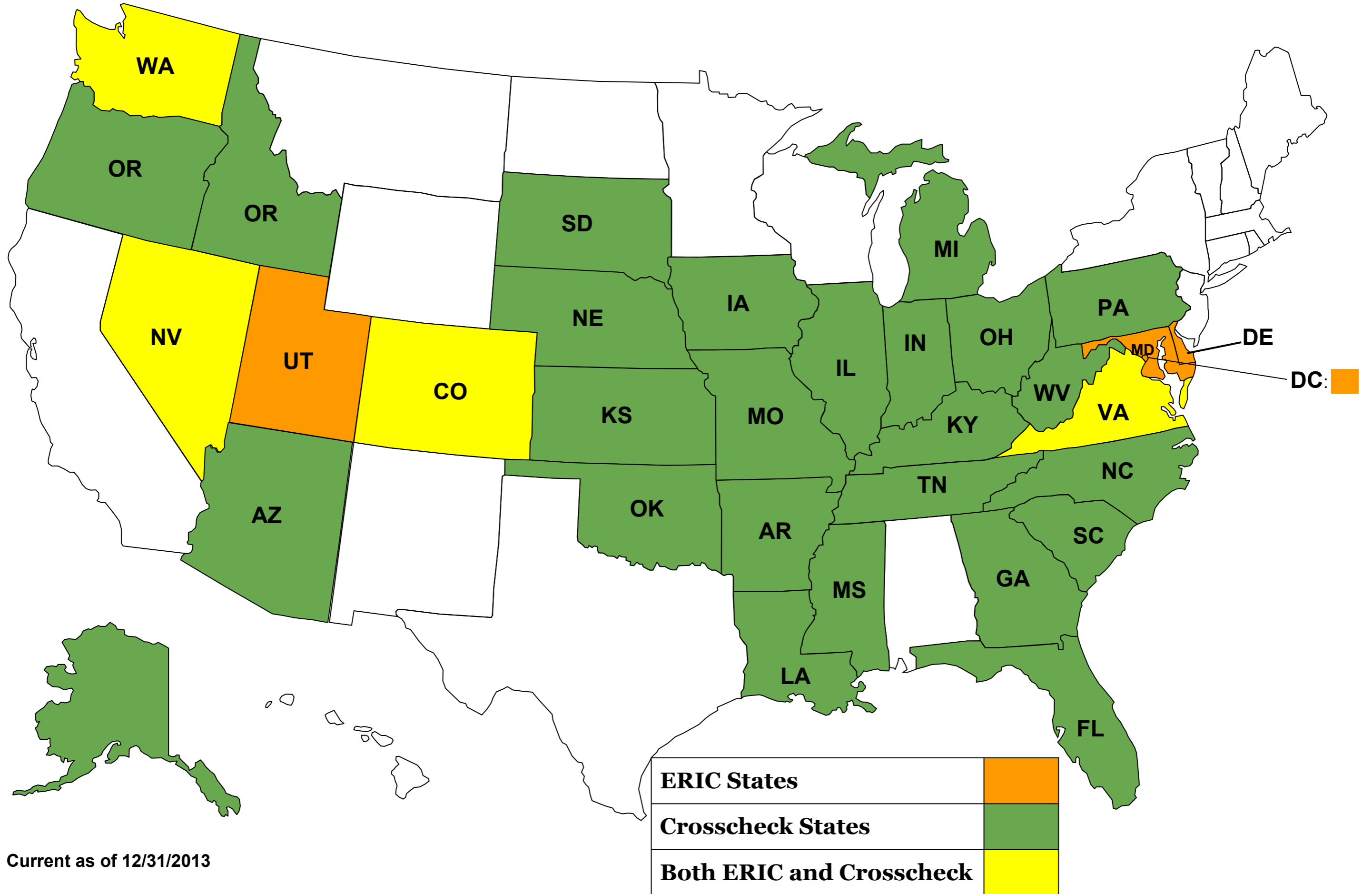
Exhibit 2

How a Data Center Would Work

The system would have three main parts: **inputs** of data on eligible voters; a **matching engine**; and a system of **outputs** that would provide participating states with up-to-date information about their eligible voters.

INPUTS

VOTER REGISTRATION LISTS

are regularly input.

STATE DATA SOURCES

that could be submitted along with other state data:

- Motor vehicle agency data
- Felon data
- Public assistance agency data
- Death records

OTHER DATA SOURCES

from which all states could benefit:

- Social Security death records
- Address histories
- National change of address
- Phone book listings
- Military data

MATCHING ENGINE

DATA MATCHING ENGINE

The system matches the data from various sources.

Mark R. Smith

DOB: 4/13/1967

10 Spruce Ln. Seattle, WA

SSN: XXX-XX-9876

A unique "folder" is created for each individual based on the data fed into the system.

NOTE: All state voter records would continue to reside with the states. No registration records—only data—would be maintained in the center.

OUTPUTS

CHANGES / FEEDBACK

States can verify and respond to the system's database reports.

REPORTS TO STATES

States will receive reports containing various information, including voters who moved, deceased voters and eligible, but unregistered voters.

NOTE: Reports are available in various data formats.

SOURCE: Pew Center on the States, 2010.

Note: Reprinted from the Pew Center on the State's "Upgrading Democracy" report from November, 2010.

Voter Registration List Maintenance

Map of the United States showing voter registration list maintenance status by state.

State labels: WA, OR, OR, NV, UT, CO, AZ, SD, NE, KS, OK, IA, MO, AR, LA, MS, IL, IN, KY, TN, OH, MI, PA, WV, VA, NC, SC, GA, FL, MD, DE, DC, AK

Legend:
- **ERIC States** (orange)
- **Crosscheck States** (green)
- **Both ERIC and Crosscheck** (yellow)

Current as of 12/31/2013