

Update on Judicial Watch Lawsuit Against Los Angeles County and the State of California

Election Integrity Project California announces the following update with respect to our joint lawsuit with Judicial Watch:

1. Section 8 of the National Voter Registration Act (NVRA) requires states to identify and remove ineligible voters from their voter rolls. Citing Section 8(i), **Election Integrity Project California** (EIPCa) sent a letter to the California Secretary of State and the Los Angeles County Registrar, among others, asking for “all pertinent records concerning ‘the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency’ of California’s official eligible voter lists during the past 2 years.”

These records included, but were not limited to, all records from the California State Department of Health, the California State Department of Corrections, the California Department of Motor Vehicles, U.S. Social Security Administration, the U.S. Postal Service, the U.S. Citizenship and Immigration Services, and the U.S. Department of Homeland Security concerning Los Angeles County’s identification and removal of deceased, non-citizens, and voters who have moved outside of the jurisdiction. In response to our demands, **the LA County Registrar said that no records exist between these state and federal agencies.**

2. Section 8 contains extensive provisions regarding the sending of address confirmation notices and the processing and removal of registrations where voters do not respond to such notices or vote during the statutory waiting period. 52 U.S.C. § 20507(d). The NVRA requires states to place voters on inactive status should they fail to respond to an address confirmation notice, and remove them if they fail to vote for two consecutive elections.

California reported to the Elections Assistance Commission (EAC) that Los Angeles County sent 187,329 address confirmation notices during the period from November 2014 to November 2016. This is about 93,664 confirmation notices each year. In other words, **only about 2% of those holding active registrations in Los Angeles County** receive a confirmation notice in any given year.

This number is even more shocking given the Census Bureau reports that **the annual mobility rate is 13% for residents in Los Angeles County.**

Moreover, according to the latest Election Administration and Voting Survey, California reported to the EAC that Los Angeles County removed **zero** voters for failing to respond to a confirmation notice and failure to vote in two consecutive elections.

3. On December 13, 2017, **EIPCa**, in partnership with Judicial Watch, filed a civil lawsuit in the United States District Court for the Central District of California claiming the California Secretary of State and the Los Angeles County Registrar were in violation of their list maintenance obligations under Section 8 of the NVRA.

The Secretary of State and Los Angeles County Registrar responded to our complaint on January 23, 2018. Counsel for both parties are scheduled to meet and confer no later than February 22, 2018 and prepare a discovery plan thereafter.