

2/15/2024

Dear Senator Gaskill:

We are writing to express our opposition to HB1264 and hope that you will consider our objections and not allow this legislation to pass out of your committee. Courts have struck down such laws in Texas, with lengthy and expensive litigation and trials are proceeding in Georgia, Arizona, and elsewhere. This bill will not result in more secure elections in Indiana, which are already among the most secure in the nation. It will make registering to vote and exercising the right to vote more difficult, particularly for new and young voters. Since Indiana ranked 50th for voter turnout in 2022, this bill most certainly takes us in the wrong direction. We are calling on you to stop this from happening.

For many of us, the most troubling section of HB1264 calls for a crosscheck of the statewide voter file with a list of people who have been issued temporary credentials from the Bureau of Motor Vehicles in an attempt to identify and purge non-citizens. The data from the BMV used for this review will be outdated and will result in numerous false matches. The state will end up challenging the voter registrations of new citizens which hardly upholds our state motto of "Hoosier hospitality" and creates two classes of voters in Indiana, which violates the U.S. Constitution and other federal laws.

The 30-day period during which a challenged voter will be allowed to prove their eligibility to vote in Indiana is woefully inadequate. Your committee heard testimony from an immigration attorney who said that it can take months, and cost more than a thousand dollars to obtain proof of citizenship documents. This failsafe procedure does not provide adequate protection for those individuals who will inevitably be wrongfully identified through the use of outdated information.

Our organizations are also troubled by the sections of the bill that will require some voter registrants to prove their place of residence before their registration application will be fully processed. This is a major policy change from processes that have been in place and implemented by local election authorities since the Help America Vote Act was implemented more than twenty years ago. This bill will have an inordinate impact on high school and college students, young voters who live with their parents, and unhoused individuals.

Another troubling section in HB1264 will allow the state to contract with credit reporting agencies and other entities in a misguided attempt to update addresses in the statewide voter file. Legitimate concerns have been raised about the accuracy of this information and the privacy concerns that are raised by co-mingling these two sources of information about Hoosier voters. A better approach would be to utilize the United States Postal Services' National Change of Address system to track down the most recent address of a Hoosier voter.

Additionally, we have concerns about the section that creates a process for counties to search for voters who are registered at a non-residential address. Many of the tools that have been

proposed to confirm residential addresses use inaccurate, inexact, or outdated information that is not reliable enough for voter records purposes. Even things like zoning laws are not appropriate for voter registration research, as zoning designations and laws change frequently. Unreliable results would be a significant source of investigations which have no clear parameters or direction, leading to abuse and unfairness.

This bill will greatly stymie the efforts of nonpartisan groups who conduct voter registration drives because some of the applications they deliver won't get fully processed without further documentation.

In sum, HB1264 is unnecessary and if it becomes law, it will create more work for county election offices and threaten the voting rights of eligible citizens. Courts across the country have struck down and scrutinized such laws. Rushing this bill through the process in a short session is irresponsible and unwise. If these are real problems that must be addressed, solutions should be vetted in a summer study committee.

We urge you to do the right thing and not allow HB1264 to clear your committee in its current form.

Sincerely,

Julia Vaughn, Common Cause Indiana
Ami Gandhi, Chicago Lawyer's Committee for Civil Rights
Kerwin Olson, Citizens Action Coalition
Phil Goodchild, Indiana Friends Committee on Legislation
Chris Chyung, Indiana Conservation Voters
Jalyn Radzinski, Count Us Indiana
Rev. David Green, Concerned Clergy of Indianapolis
Ephrin Jenkins, Black Labor Week
Shannon Anderson, Earth Charter Indiana
Melissa Borja and Michelle Dahl, Hoosier Asian American Power
Tracey Hutchings-Goetz, Hoosier Action
Melissa Gruver, Vanessa Pachero, Lacey Davidson, Indiana Task Force
Barbara Tully, Indiana Vote by Mail
Linda Hanson, League of Women Voters of Indiana
Chelsea McDonnell, MadVoters Indiana
Jenn Watts, Stand Up Indiana
Kennedy Phillips, Women for Change

cc: Senator Rod Bray, President Pro Tempore
Senate Minority Leader Greg Taylor

Senator J.D. Ford, Ranking Minority Member, Senate Elections Committee