

May 10, 2021

Mr. Clay Helms, Deputy Chief of Staff
and Director of Elections
Mr. Jeff Elrod, Supervisor of Voter Registration
ATTN: ELECTIONS DIVISION
600 Dexter Ave, Suite E-208
Montgomery, Al 36130

Re: 2021 Purged Voter Lists with Contact Information

Mr. Helms and Mr. Elrod:

The enclosed request is addressed to you on behalf of Greater Birmingham Ministries and additional advocates in pursuit of renewing our request for purged voter lists and contact information for every county in Alabama at no cost to us and in a timely manner pursuant to law. This renewed request is written by Ms. Dori Miles, GBM's lead volunteer in our Reclaim My Vote Campaign/Purged Voter. I, Scott Douglas, as Executive Director of Greater Birmingham Ministries support and co-sign this letter and the request therein.

DocuSigned by

E: 36130

Scott Douglas, Executive Director

Enc:
Miles Letter
Coalition Endorsement

cc:
John Merrill, Secretary of State (w/enc)
ATTN: EXECUTIVE DIVISION
600 Dexter Ave, Suite S-105
Montgomery, Al 36130



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Supporting Faith Communities

- African Methodist Episcopal Church
9th Episcopal District
- African Methodist Episcopal Zion Church
Alabama-Florida Episcopal District
- Alabama Cooperative Baptist Fellowship
Birmingham Friends Meeting
(Quaker)
- Birmingham Islamic Society
- Christian Church (Disciples of Christ)
Alabama & Northwest Florida Region
- Christian Methodist Episcopal Church
5th Episcopal District
- Episcopal Church
Diocese of Alabama
- Evangelical Lutheran Church in America
Southeastern Synod
- Holy Trinity-Holy Cross Greek Orthodox Cathedral
- Presbyterian Church (USA)
Presbytery of Sheppards and Lapsley
- Roman Catholic Church
Diocese of Birmingham in Alabama
- Sixteenth Street Baptist Church
- Temple Beth-El
(Conservative Judaism)
- Temple Emanu-El
(Reform Judaism)
- Unitarian Universalist Church of Birmingham
- United Church of Christ
Birmingham Congregations
- United Methodist Church
North Alabama Conference



Dear Mr. Helms and Mr. Elrod:

First, I want to thank you for your responsiveness in providing Greater Birmingham Ministries (GBM) with the 2021 list of Jefferson County purged voters and their contact information. This information is proving to be immensely helpful in reaching out to voters purged after the 2020 general election and re-registering them if they are eligible and interested. GBM is committed to ensuring that there is fairness and equity in access and opportunity to participate in our democratic process.

I do have two concerns at this juncture that I'm hoping can be addressed. My first concern is regarding the maintenance of purged voter records. Mr. Elrod and I have had a number of conversations about GBM obtaining 2021 purged voter lists and contact information for several other counties—e.g., Mobile, Hale, Houston and Dale Counties. Initially, Mr. Elrod told me there could be a problem obtaining lists from other counties because of the way in which they kept the information—that other counties kept their information differently than Jefferson County and could be more difficult to compile and produce. Later, in another telephone conversation, Mr. Elrod advised me that your office's legal counsel has stated that we are no longer able to receive this information because it is considered to "not exist" any longer as the voters have been purged—that the information is no longer considered, "public" information. Apparently, when I requested and received the list for Jefferson County in January 2021, the "information was still fresh" according to Mr. Elrod and could be provided.

My understanding according to the National Voter Registration Act, however, is that states have an affirmative duty to "maintain for at least 2 years . . . all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters." 52 U.S.C. § 20507(i)(1). And, pursuant to Alabama law, the Secretary of State's office has a duty to share and secure information from the Boards of Registrars regarding registered voters who have been purged from the rolls, and to "maintain all information furnished . . . relating to deletion of names from the lists." Ala. Code §§ 17-4-35(4), (6), (9) (describing the duties of the Supervisor of Voter Registration). So, if these records of voters who were purged from the voter rolls just a few months ago no longer exist and thus cannot be provided, it would seem to be a violation of the NVRA and the Alabama Code? Please advise.

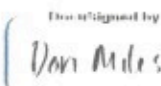
My second concern is that GBM purchased information that I now realize should have been provided at no cost. The NVRA states that the State "shall make [records] available for public inspection and, where available, photocopying at a reasonable cost." 52 U.S.C. § 20507(i). It further states that the Secretary of State's Office is required to maintain these records under

both federal and state law, and those records are required to be made public. 52 U.S.C. § 20507(i)(1) ("Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered. ") Furthermore, the NVRA specifically requires the names and address of individuals who have been purged from the rolls should be produced on demand. See, *id.* at (i)(2). The purged voter list we received for Jefferson County was produced electronically, without photocopying, so it seems that no costs are authorized by the statute. It is GBM's belief that these records should have been provided free of charge. It would be helpful if you could advise of the specific statute, regulation or language that was the basis for the cost of 1 cent per purged voter's name and contact information GBM was charged?

GBM's original plan was to work with other voting rights groups across the State to contact purged voters, a few counties at a time, to make sure that they were aware they had been purged from the voter rolls, confirm their status and offer them the opportunity to re-register if eligible. Our work and the records we are requesting go directly to ensuring the accuracy and currency of Alabama's voter rolls. Therefore, and as Mr. Douglas, Executive Director of Greater Birmingham Ministries has also noted, please consider this our renewed request for purged voter lists and contact information for every county in the state at no cost to us and in a timely manner pursuant to law. Please advise on the time and manner in which we may expect this information. Please note, that if this request is not responded to in a timely manner or if we are not provided the requested information in a timely manner, the Secretary of State's office should consider this letter notice pursuant to 52 U.S.C. § 20510(b) that it is in violation of the NVRA.

We look forward to hearing from you as soon as may be possible.

Very truly yours,

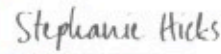
Electronically signed by


DocuSign Envelope ID: 375BF10C-CEAB-4F38-BB0A-4D1A81374C43
Dori E. Miles, Volunteer

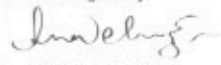
Greater Birmingham Ministries (GBM)

Reclaim My Vote Coalition Support Statement

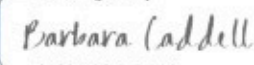
We, the undersigned, are members of the Reclaim My Vote Coalition working in partnership with Greater Birmingham Ministries. The Reclaim My Vote Coalition is made up of diverse local, state, and national organizations committed to ensuring every Alabamian has fair access to the democratic process. We are non-partisan and work to ensuring the accuracy and currency of Alabama's voter rolls. The failure, inability and/or refusal to provide access to purged voter information greatly impacts our ability to ensure that every Alabamian eligible to vote deserves the opportunity to do so without undue obstruction and/or suppression. Therefore, we support Greater Birmingham Ministries' request for purged voter lists and contact information for every county in the state at no cost and in a timely manner pursuant to law.

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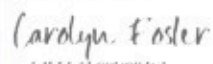
Stephanie Hicks, Co-Chair
Alabama Civic Engagement Coalition

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Ana Delia Espino, Executive Director
Alabama Coalition for Immigrant Justice

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Barbara Caddell, President
League of Women Voters of Alabama

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Carolyn Foster, Tri-Chair
Alabama Poor People's Campaign

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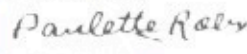
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Cara McClure, Founder & Executive Director
Faith & Works

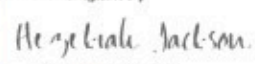
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Eric Hall, Chair
Our Revolution Birmingham

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Paulette Roby, President
The Civil Rights Activist Committee

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Hezekiah Jackson, President/CEO
Urban Progressive Solutions Network