



March 23, 2023

Dear OAEO Members,

I'm sure many of you have seen media reports and social media commentary about my decision to resign Ohio's membership in the Electronic Registration Information Center ("ERIC"). This membership began in 2016 under the previous administration in a hopeful effort to partner with other states under a joint voter data-sharing agreement and as a contingency plan to the ongoing United States Supreme Court litigation at the time. Much of the rhetoric around our resignation from ERIC has been highly partisan, misinformed, and sometimes outright false. As the front-line public servants of our state's election process, I want to be transparent with you about how I arrived at this point.

My decision follows nearly a year of bipartisan effort to make very basic reforms to ERIC's services and bylaws. My senior advisor and former elections director, Mandi Grandjean, chaired the ERIC board at my direction last year. During that time, she led a bipartisan working group of nine member states that set out to address growing concerns about the influence of highly partisan ex officio board members and the use of ERIC data by member states. This working group voted unanimously to recommend two proposals for adoption by the full ERIC board:

1. The removal of two unnecessary and politically polarizing ex officio seats on the ERIC board, and clarification that board seats can only be filled by representatives from the dues-paying member states, and
2. A change to the use of ERIC's data-sharing policies that would allow member states to utilize the data exchange "a la carte," or in the way that each state determined was best for their respective interests.

Let me explain. ERIC has an escalating identity and public relations crisis. Over the past several years, the organization has become the target of criticism for its alleged connection to partisan donors and political operatives, some of which sat on its board in ex officio roles. However fair or accurate, perception is often reality for any organization. This reputational damage began to erode ERIC's claim of bipartisanship, with some member states calling for accountability audits to ensure data wasn't being misused or shared improperly. Others raised frustrations about the lopsided requirement forcing member states to use ERIC data against their respective wishes or needs. The membership agreement requires states to send multiple rounds of voter registration mailings but leaves optional the use of ERIC data for voter fraud analysis. These forced mailings often produced problems, from Colorado "accidentally" sending registrations to 30,000 non-citizens to Florida erroneously informing registered voters they were not registered. They also fed the perception that ERIC was only interested in advancing voter registration interests but not voter fraud investigations.

The working group addressed both issues by recommending the above-mentioned reforms. The ex-officio members would be removed from the board (restricting membership only to dues-paying states who are accountable to the taxpayers), and states would be allowed to use exchanged data "a la carte,"

or however they choose. I fundamentally viewed both reforms as essential to restoring ERIC's brand as a truly bipartisan organization and to ensuring the future growth of its membership. Unfortunately, what started out and should've remained a non-controversial, politically neutral improvement became an epic battle. After a failed attempt to adopt the recommended reforms in February, several member states reluctantly gave up and resigned their memberships, including Florida, which obviously shares a lot of voter migration with Ohio. This development meant Ohio would no longer be able to use ERIC to share data with Florida, further diminishing the return on our membership investment. It's worth noting here that for all the hype of ERIC's value by its defenders, some of the biggest Democratic-led states in the nation, such as California and New York, have refused membership.

My team and I worked tirelessly and renewed our push for a vote on the proposed reforms at ERIC's meeting last week. After operatives once again tried to stifle that action, we successfully made a motion to remove the ex officio board members, but two separate votes on "a la carte" data use failed (for a total of three rejections). Candidly, these changes shouldn't take this much effort, and the board's refusal to make them only reinforces the perception of partisan influence and bias. For that reason, I decided to join other states in resigning our ERIC membership.

Critics have suggested that doing so will harm Ohio's voter list maintenance efforts and curtail our ability to flag potentially fraudulent voting activity. First, Ohio doesn't use ERIC data to cancel inactive or ineligible registrations; we use the supplemental process required by state law. In fact, we sent a letter this week encouraging election officials in other states to adopt that process as an alternative to a third-party data-sharing agreement. Second, I've already opened conversations with other states about direct data-sharing agreements without the use of third-party organization. Ohio law already allows me to do this, and I plan to announce more on that effort in the days ahead. Simply put, however, Ohio's ability to engage in a meaningful exchange of voter data with ERIC member states is seriously diminished with so many states leaving or refusing to join the organization. I simply can't justify spending more than \$60,000 in annual dues (more than double the membership fee in just six years) to an organization that can't deliver a solid return on investment. Unfortunately, ERIC's board appears unwilling to address this concern.

I realize misinformation and political agendas can cloud the commentary around this issue, so I'm informing you directly of the fact set that led to my decision. Please don't hesitate to contact me if I can provide any additional context or answer any questions. I wish you the best in your service to the citizens – specifically the voters – of our great state.

Yours in service,



Frank LaRose
Ohio Secretary of State