

October 19, 2024

Via email to JEPfursich@co.lancaster.pa.us

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Re: Denial of Voter registration and inaccurate information

Dear Ms. Pfurisch:

It has come to our attention that election office staff is preventing otherwise eligible voters from registering to vote by giving voters incorrect information about the process resulting in the failure of voters to be registered. Our reports are centered around students and faculty attempting to register who attend or work at Franklin and Marshall College.

According to our information, voters are being told two things:

1. If a voter previously registered in another state, they must cancel their voter registration in the other state *before* Lancaster County will permit them to register; and
2. A voter needs to have a Pennsylvania driver's license to register

Both of these items are incorrect and the failure to allow registration because of them violates federal and state law. We are taking this opportunity to remind you and the Lancaster County Board of Elections of the requirements of state and federal law.

Pennsylvania law does not contain any requirement that a voter “de-register” in a prior state before registering in Pennsylvania. Of course, a voter may only cast a ballot in one location at any given time. However, voters may—and routinely do—register after moving to a new state without first cancelling their prior registration at their former voting residence. Moreover, under the National Voter Registration Act, counties must “ensure that *any eligible applicant* is registered to vote in an election” so long as officials receive their valid voter registration form before the registration deadline. 52 U.S.C. § 20507(a)(1).

Pennsylvania law specifically allows students to register in the location they are living while studying in Pennsylvania. *See* 4 Pa. Code § 183.3(4). Advising students of the false additional step of cancelling any prior registration and providing proof of the cancellation prevents them from lawfully registering in Pennsylvania.

Secondly, it is absolutely not a requirement that a voter have a Pennsylvania driver's license to register to vote. Many Pennsylvania voters do not have one, and that is why providing the last four digits of their Social Security Number is acceptable proof of identification at the voter registration stage. Advising voters that they must have a Pennsylvania driver's license violates both federal and state law.

Please accept this letter as a request to stop providing inaccurate information to voters and to stop preventing voters from registering. In addition, to the extent that the board has denied voter registration to any otherwise eligible voter on these grounds, or if the board is refusing to process registrations until the voter "proves" they have cancelled their registration in another state, the board must immediately process those registrations and accept them, if they are otherwise valid. To the extent that the board has turned away potential voters, it must reach out and offer voters who were turned away an opportunity to register by Monday's deadline.

Finally, please provide a list of all rejected voter registration applications since June 1, 2024 and the reason for the rejection within 24 hours of receipt of this letter.

Very truly yours,

/s/

Marian K. Schneider
Senior Voting Rights Policy Counsel

Witold J. Walczak
Legal Director

cc: Christa Miller, Director of Elections (*via email* mchrista@co.lancaster.pa.us)
Lancaster County Board of Elections,
c/o Chief Clerk (*via email* Georgel@lancastercountypa.gov)