



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

March 29, 2022

Civil Law and Data Practices Committee
75 Rev. Dr. Martin Luther King Jr Blvd, Room G-15
St. Paul, MN 55155

Dear Members:

I am writing today in opposition of Senate File 3665.

This bill is an apparent reaction to the Minnesota Supreme Court decision in *Cilek v. Office of the Secretary of State* (decided on April 8, 2020), in which the Court concluded that certain information in the Statewide Voter Registration System was protected from automatic public disclosure. SF 3665 would undo that decision, handing the plaintiffs the victory they could not accomplish through litigation.

The principal piece of data that this legislation would make public is the potential challenged status of a voter. In 2018, the Office of the Legislative Auditor conducted a review of Minnesota's voter registration system. The report rightly summarized the "challenged" status with the following:

"Challenged" records indicate that there is a question about the registrant's eligibility to vote. A registrant may be challenged due to questions about a felony conviction, guardianship, citizenship, address, or other reasons. A challenge does not necessarily mean that the person is ineligible to vote.

This legislation's intent to make public what is now sensitive and private information will be harmful to Minnesota voters and could open our county officials to liability if a challenge was applied inaccurately. I would ask this committee to continue the balance that Minnesota law currently strikes -- protecting sensitive data on voters while still providing transparency to Minnesotans in the form of the wealth of data currently on the public information list.

I respectfully urge members to vote no Senate File 3665, and any legislation that exposes additional voter data.

Sincerely,

A handwritten signature in black ink that reads "Steve Simon".

Steve Simon
Minnesota Secretary of State