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Mr. Mark Goins
Coordinator of Elections
Division of Elections, Tennessee Department of State
312 Rosa L. Parks Avenue, Snodgrass Tower, 9th Floor
Nashville, TN 37243

Re: SOS response to Benton County list maintenance efforts

DELIVERED VIA E-MAIL

Thank you for speaking with me last week about the Secretary of State's response to the news reports of purging in Benton County, Tennessee. My understanding, based on our discussion is the following:

- No voter registration record has been cancelled, removed, or purged in connection with Mr. Ward's discovery of approximately 2,100 registration records he believed could be classified as "deficient" under state law.
- Notices were mailed to all voters with purportedly deficient registration records; the notices asked the voter to provide the information that was allegedly missing.
- Approximately 300 of the notices referenced above were returned as undeliverable to the election office. All voters whose notice was returned as undeliverable will be afforded the protections required under the NVRA in response to returned mail, namely that the voter will be permitted to vote a regular ballot unless:
 - the voter fails to respond to an address confirmation notice sent via forwardable mail accompanied by a postage pre-paid and pre-addressed return card allowing the voter to confirm, or if necessary, correct her address; AND
 - the voter does not vote or appear to vote (and if necessary, correct the voter record) for two subsequent general federal elections following the mailing of an address confirmation notice.
- Approximately 1,200 of the affected voters have modified their registration record and will be able to vote a regular ballot at the

upcoming election and all future elections unless the voter becomes ineligible for some reasons unrelated to Mr. Ward's discovery.

- All affected voters whose records were flagged, but who have not modified their registration record by the May elections, and who present themselves to vote in the May election, will be offered the opportunity to update their registration record. But in any event, these voters will be allowed to cast a regular ballot except those whose record does not include a signature.
- All voters holding records without a signature who present themselves to vote in the May elections will be offered the opportunity to sign their registration card. Those who refuse to sign their registration card will be offered a provisional ballot in accordance with all federal laws governing provisional ballots.
- None of the 2,100 voter registration records flagged as "deficient" will be removed from the rolls.
- The Division of Elections will issue guidance as necessary to ensure that affected Benton County voters are given regular ballots unless they refuse their opportunity to sign their registration card.[†]

Please let me know if my understanding is incorrect in any way. I thank you again for our productive conversation and the information you provided.

Yours,



Myrna Pérez
Counsel, Brennan Center for Justice

CC: Hedy Weinberg

[†] This text has been altered from its original form to reflect subsequent communications between the author and recipient. Those communications are on file with the author.