

PIME files federal complaint against SOS Benson. Says joining ERIC violates U.S. law

Voters Accuse Secretary of State Jocelyn Benson of Violating Federal Election Law

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September 21, 2022 -- *Pure Integrity Michigan Elections* (PIME) has filed a complaint against Michigan's Secretary of State Jocelyn Benson for violating the federal Help America Vote Act (HAVA) when she contracted with the Electronic Registration Information Center (ERIC) to clean up Michigan's voter rolls.

If this sounds like a big deal, it's because it is.

Jocelyn Benson, Secretary of State, is the state's chief election officer, and her Michigan Bureau of Elections will consider the alleged breach of federal law.

Thomas More Society attorneys filed the complaint against Benson on behalf of non-profit Pure Integrity Michigan Elections (PIME) and its President, Patrice Johnson. The complaint was filed on Sep. 21, 2022, in accordance with Secretary of State-HAVA requirements.

"Membership in ERIC is a disaster," said Patrice Johnson, chair of PIME. "Federal law prohibits states from sharing their voters' confidential information, let alone with an opaque third-party organization that refuses to respond to Freedom Of Information Act requests and shares residents' legally protected, personal information with biased contractors and subcontractors."

The ERIC Agreement states that ERIC was formed to "reform the election system of the United States" and it may share information with "contractors and subcontractors."

"Excuse me," Johnson said, "but that's the role of our elected state legislature, not some four-employee, Soros-funded Delaware nonprofit that hasn't published an annual report since 2017."

The congressionally enacted Help America Vote Act (HAVA) requires the secretary of state to maintain and implement Michigan's Qualified Voter File, the secure voter list used by the Bureau of Elections and more than 1,500 Michigan election clerks, without outside assistance. However, Benson violated this federal law by contracting with Electronic

Registration Information Center to maintain and implement Michigan's Qualified Voter File. Thomas More Society Special Counsel Erick Kaardal asserts that Benson's decision to avoid her federally designated constitutional duty and to illegally outsource voter file maintenance and implementation could wreak havoc on the state's election process and potentially rig Michigan's federal elections toward certain candidates, a clear violation of the Help America Vote Act.

"Under the Help America Vote Act, maintaining state voter registration is seen as such a core governmental purpose that Congress deemed that it cannot be delegated to any other organization, including the Electronic Registration Information Center," Kaardal explained. "As every Michigan resident knows, some things must be done by oneself. Similarly, the Help America Vote Act requires the Michigan secretary of state to fulfill her constitutional duty and maintain the Qualified Voter File by herself, even if she does so badly."

"Secretary of State Benson joined Michigan in ERIC on the auspices of cleaning the state's voter rolls." Johnson added. "Today, the number of Michigan's registered voters has climbed to more than 104% of its voting-age population. That impossible number could serve as a slush fund of phantom voters for fraudsters to dip into."

Johnson said. "ERIC does NOT clean the voter rolls. It bloats them. Sixteen states—That's more than half of the 31 states that participate in ERIC—have voter rolls containing more registered voters than they have voting age residents." She cited data published in Settling the Confusion about ERIC by the American Policy Center, investigative findings from Verity Vote, and reports from Judicial Watch.

The complaint also contends that while the Help America Vote Act does not authorize states to share voter data with third party entities, Benson's agreement with the Electronic Registration Information Center requires her to provide this information to the organization.

"Under Michigan's current agreement with Electronic Registration Information Center, the secretary of state must transmit all voter data to the center, as well as licensing and identification records from the motor vehicle department," Kaardal noted. "That clearly violates the Help America Vote Act and should be ceased immediately."

To read the complaint *Pure Integrity Michigan Elections et al v Jocelyn Benson, Secretary of State*, go to <https://pureintegritymichiganelections.org/2022/09/21/pure-integrity-michigan-elections-files-complaint-against-jocelyn-benson/>. Scroll down to view all the documents and exhibits.

About the Thomas More Society

The Thomas More Society is a national not-for-profit law firm dedicated to restoring respect in law for life, family, religious liberty, and election integrity. Headquartered in Chicago and with offices across the country, Thomas More Society fosters support for these causes by providing high quality pro bono legal services from local trial courts all the way up to the United States Supreme Court. For more information, please visit thomasmoresociety.org.

The Thomas More Society officially launched its own Election Integrity Initiative in 2022 to preserve and protect Americans' sacred right to vote against those who would use money or

other illegal means such as conditional “gift” or “grant” agreements to distort, evade or compromise electoral laws and safeguards.

About Pure Integrity Michigan Elections

Pure Integrity Michigan Elections (PIME) is a non-profit, nonpartisan political organization that welcomes all who support election integrity and the U.S. and Michigan Constitutions. PIME’s mission is to help restore election integrity to Michigan elections through a peaceful political process. PIME is a member of Michigan Fair Elections.