



**STATE OF IDAHO  
OFFICE OF THE SECRETARY OF STATE  
LAWRENCE DENNEY**

FOR IMMEDIATE RELEASE - July 3<sup>rd</sup>, 2017

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**DENNEY SAYS VOTING PRIVACY STILL SAFE IN IDAHO**

(BOISE) - **Idaho Secretary of State Lawrence Denney** received a request by email on Friday for specific information pertaining to Idaho state voter registrations from the Presidential Advisory Commission on Election Integrity. “While a request for voter information itself is not atypical, and while specific parts of the state voter roll are in fact public, this particular request was of a unique enough nature that it bears some additional review,” says Denney.

“I am carefully reviewing the request from the Presidential Advisory Commission on Election Integrity. The request asks only for the ‘publicly available’ voter roll data, including, ‘if publicly available,’ additional identifying information. We are interpreting this as a public records request from the Commission. As such, Idaho law requires me to respond ONLY with the non-exempt public records available under the request.” While additional information is requested in the letter (such as driver’s license and the last 4 of a voter’s social security number), that information is NOT considered public and Secretary Denney could not be compelled, outside of a specific court order detailing the need for and intended use of such data, to provide that information under Idaho Public Records statutes.

The Statewide List of Registered Electors (voter roll) is a publicly available document under Idaho Statute 34-437A(3) that includes the First, Middle, Last, Street Address, Mailing Address, county, gender, age (not DOB), telephone # if provided (optional), and party affiliation (if declared) of all currently registered electors in the state. It also includes a record of which elections that currently registered elector participated in, but does NOT include any of their voting decisions. “That information, who someone voted for, is never even seen by our office. That is how we ensure that YOUR ballot, as prescribed by the Idaho Constitution, remains sacred and private”, says Denney.

Also important to note is the fact that the physical Voter Registration Card itself is NOT a public record as set forth in Idaho Statute 74-106-25, as portions of the form contain non-public information (driver’s license, last 4 of social, date of birth, and signature). The remaining information on the form, barring special circumstances for the protection of a physical address, are public information available from the database within the voter roll.

The specific information requested by the Commission was:

<b>Item Requested</b>	<b>Based on Idaho Statute</b>
Voter Roll Data for Idaho	
(includes First, Middle, Last, Street Address, Mailing Address, county, gender, age (not DOB), telephone # if provided (optional), party affiliation if declared, and yes/no on the elections in which the registered voter has participated)	ALL PUBLIC INFORMATION available under Idaho statute 34-437A-(3)
Full First and Last name of all registrants	In voter roll above
Middle Names and Initials	Middle name part of voter roll above
Addresses	In voter roll above
Dates of Birth	Not public information
Political Party	In voter roll above
Last four of social	Not public information
Voter history	Participation data is public and in voter roll, but no actual ballot information is recorded.
Active/Inactive status	Not applicable to the Idaho System. It is ONLY a list of registered voters.
Cancelled Status	Not applicable
Felony Conviction Information	Not applicable
Voter Registration in another state	Not part of the public voter roll, and not available

The official letter from the commission was received on July 3<sup>rd</sup> by mail and receipted into the Secretary's office at 9:42 am. The Commission has requested a response by July 14, 2017, and the Secretary of State's office will continue to utilize that time to review what the appropriate and legally required response is, in coordination with the office of both the Governor and the Idaho Attorney General.

Secretary Denney concluded, "In the end, I will look to fulfill the requirements of the law under Idaho Statute while continuing to protect both the Idaho Voter, their non-public, personal information, and their right to an absolutely private ballot under Article VI, section 1 of the Idaho Constitution."

Additional online information can be found on the following at the links provided:

**Idaho Constitution, Article VI** - <http://www.sos.idaho.gov/elect/stcon/articl06.htm>

**Idaho Public Records Act** - <https://legislature.idaho.gov/statutesrules/idstat/Title74/T74CH1/SECT74-106/>

**Statewide List of Registered Electors** -

<https://legislature.idaho.gov/statutesrules/idstat/Title34/T34CH4/SECT34-437A/>

