

Illinois HAVA Hearing Puts Unite4Freedom Data Analysis Into the Official Record

Six-hour evidentiary hearing examines discrepancies in Illinois voter-registration records and questions about HAVA compliance

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CHESTERFIELD, MO — An Illinois citizen received a formal administrative hearing last week on the Help America Vote Act (HAVA) complaint she filed in July, bringing years of data analysis, legal research, system testing and documentation into a formal Illinois administrative proceeding.

The complaint invokes the administrative process established under HAVA §402 (52 U.S.C. §21112) and centers on a straightforward question:

Does the Illinois statewide voter-registration system satisfy HAVA's requirements for a single, uniform, official, centralized and interactive statewide system when state-produced records contain material discrepancies that remain unexplained and unreconciled?

During the approximately six-hour hearing, witnesses testified, exhibits were entered into the administrative record, state representatives had the opportunity to challenge the evidence and testimony, and the Hearing Officer heard evidence concerning the operation of Illinois's statewide voter-registration system.

A Voter's Own Record Raises a Fundamental Question

Representing herself against attorneys for the State of Illinois, the Complainant presented evidence concerning a discrepancy between information contained in her county voter-registration record and information maintained at the state level.

Testimony and evidence presented at the hearing indicated that:

- the county and state reflected different information concerning the same voter on their registration record;
- the Illinois State Board of Elections (ILSBE) acknowledged in writing that the State-level redaction was erroneous;
- ILSBE stated that it had no record of any request for redaction;
- the local election authority could not explain why the discrepancy existed;
- the record did not establish that the erroneous redaction had been independently detected before the Complainant brought it to officials' attention;
- no audit trail explaining how or why the erroneous State-level redaction occurred, or who authorized it, was produced in the record; and
- the record did not establish whether the erroneous condition was isolated to this voter or existed elsewhere.

Those facts matter because HAVA requires states to maintain a single, uniform, official, centralized and interactive computerized statewide voter-registration list. Local election officials must have access to that system, and voter-registration information obtained locally must be entered electronically into the statewide list on an expedited basis.



The question presented by the Complainant is therefore not simply whether Illinois has a database officially designated as its statewide voter-registration system. The question is whether the system, as actually operated and maintained, satisfies the requirements Congress imposed upon it.

Unite4Freedom's Data Analysis Enters the Record

Alongside the Complainant's individual voter record, Unite4Freedom witnesses presented testimony concerning preserved state-source data, chain of custody, analytical methodology and the importance of reconciliation and auditability.

Unite4Freedom Data Team Lead and Illinois Analyst Ken Zitko testified extensively regarding the source, preservation, integrity and analysis of the State-produced voter data. Drawing on more than 30 years of professional experience with enterprise databases, SQL, large-scale systems, data architecture and data-integrity controls, Zitko explained the methodology used to preserve and analyze the records. Through his testimony and the supporting exhibits, a substantial body of Unite4Freedom's analytical work in Illinois was placed into the official administrative record, with Zitko explaining the read-only, reproducible methodology, validation, verification, deduplication and peer-review procedures underlying the findings.

Evidence presented during the hearing also addressed the provenance of the voter-registration data. Testimony from John Oldfield, Director of the Illinois State Board of Elections' Division of Voting and Registration Systems, confirmed that ILSBE received requests for statewide voter-registration data in a normalized multi-table format with history, produced those records, and provided them to the Complainant's witness, whose role established the acquisition and chain of custody of the data ultimately analyzed by Unite4Freedom.

That evidence is important to a central question raised throughout the proceeding: What exactly is Unite4Freedom analyzing? U4F's position is that its analysis is not based on a voter database created by the organization. Rather, it analyzes voter-registration data produced through Illinois's own election-administration processes.

HAVA, Accuracy and Reconciliation

Unite4Freedom Chairman Harry Haury also testified, providing broader context concerning election systems, cybersecurity, systems architecture, relational databases and HAVA requirements.

Haury explained a basic systems principle underlying U4F's analysis: when records that are expected to represent the same underlying information do not agree, a controlled system should provide a means to identify the discrepancy, determine its cause, correct errors when necessary and establish whether the same condition exists elsewhere.

That principle is central to U4F's work nationwide. The existence of a discrepancy does not, by itself, establish misconduct, but neither does the mere possibility of an innocent administrative explanation reconcile the discrepancy. The records should provide the answer.

The State Responds

In its written closing argument, the State challenged aspects of the foundation for the Complainant's evidence, emphasized that voter-registration and voter-history files are not ballot or canvass records, raised ordinary administrative activity as a potential explanation for changes in the data, and argued that the Complainant had not established the internal cause of the discrepancies identified.

The Complainant's written closing directly addressed those foundation arguments, pointing to the documented provenance and chain of custody of the State-produced data, preservation of the original files, read-only and reproducible analytical methods, and testimony from the State's own Division Director confirming ILSBE's production of the records provided to the Complainant's witness.



Those arguments highlight an important distinction. The Complainant's position is not that every unexplained discrepancy proves misconduct. It is that an unexplained discrepancy remains unexplained until evidence demonstrates what caused it and whether the applicable legal requirements were satisfied.

The complaint also does not contend that Illinois lacks a database officially designated as its statewide voter-registration system, that voter-history records constitute ballots, or that the Complainant was prevented from voting. The question before the administrative process is whether the conditions documented in the state and local records are consistent with the requirements of HAVA alleged in the complaint.

"How Do You Fix It?"

During the hearing, the Hearing Officer asked Haury an important practical question about resolving these problems. Haury's response focused on reconciliation, synchronization and auditability:

1. He testified that when records change, an audit log should show how they changed, why they changed and who had authority to make the changes.
2. He testified that State and county records are supposed to be synchronized and accurate, explaining that "they can't be different and both be accurate."
3. He emphasized that correcting an individual record does not resolve the underlying systems-control problem when the cause of the discrepancy remains unidentified. Asked whether simply correcting the Complainant's record resolved that issue, he answered, "Not at all."

Haury shared that unexplained discrepancies should be investigated and reconciled rather than assumed to be either misconduct or harmless administrative activity.

Now the Record Speaks

The proceeding now awaits the Hearing Officer's recommendation and the State Board of Elections' ultimate determination.

Whatever that determination may be, the hearing represents an important development: evidence, data provenance, analytical methodology, testimony, state responses and unresolved questions concerning reconciliation are now part of a formal Illinois administrative record.

That is what the HAVA administrative process is designed to permit—a citizen alleging a Title III violation can put evidence before the state and obtain a determination through the process established by law.

For Unite4Freedom, the larger principle is straightforward: Questions about election systems should be answered with evidence. Citizens should not assume that every discrepancy proves wrongdoing, nor should they be asked to assume that every discrepancy is harmless.

Preserve the records. Examine the evidence. Explain the discrepancies. Correct confirmed problems. Public confidence is earned through verification.

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