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### **Hawaii Attorney General Joins Coalition Defending Texas County Clerk's Decision to Send Mail-In Voting Applications**

**HONOLULU** – Hawaii Attorney General Clare E. Connors today joined a group of 17 state Attorneys General to defend a Texas county clerk's decision to send mail-in voting applications to registered voters ahead of the November election. The State of Texas is suing to block the county clerk from mailing the applications, claiming that he does not have the authority to make such a decision and that the mailers will confuse ineligible voters into voting by mail. In a friend-of-the-court brief filed in *Texas v. Hollins* in the Texas Supreme Court, the coalition argues that local election officials require the ability to tailor their election rules to protect voter participation and the health and safety of residents during the COVID-19 pandemic. The brief also argues that there is no evidence that voting by mail—let alone sending mail-in voting applications to registered voters—results in widespread fraud.

“At its core, voting is a local matter and the county clerk in this situation has a responsibility to protect the integrity of the system,” said Attorney General Connors. “There is no evidence that mail-in voting processes result in fraud; they do, however, increase voter access, which is crucial during this pandemic”

Election experts project that voter turnout in the general election this November could be the highest in over a century. At the same time, however, according to one study, 49 percent of U.S. registered voters expect to face difficulties casting a ballot due to the coronavirus outbreak. As a result, states across the country have modified their election procedures to protect both voter participation and the health of voters and election workers.

On August 25, 2020, Chris Hollins, the Harris County Clerk, stated that his office would mail every registered voter in the county an application to vote by mail in the November election. The mailer would clearly outline the categories of voters who are eligible to vote by mail. The State of Texas filed for a temporary injunction to block this vote-by-mail outreach, claiming that Hollins did not have the authority to make such a decision

and that it would confuse recipients into committing voter fraud since only certain voters are eligible to vote by mail. The trial court denied Texas's motion for a temporary injunction, and the Court of Appeals affirmed. The State has appealed to the Texas Supreme Court.

In the amicus brief, the coalition supports the Harris County Clerk's plan to send vote-by-mail applications to registered voters because:

- **Local election officials have a responsibility to protect voter participation and voter safety:** The Supreme Court has recognized that states have both a major role to play in election administration and a primary responsibility to protect the health and safety of their residents. The nuts and bolts of most election administration, however, remain local. Because of COVID-19, states and local election officials like Hollins require flexibility to preserve their residents' access to voting while protecting the health and safety of their communities. Hollins's plan to mail ballot applications to registered voters is consistent with his duties under Texas law and similar policies adopted by state and local election administrators across the United States.
- **No evidence exists that sending vote-by-mail applications to voters results in widespread fraud:** Since 2000, over 250 million people in all 50 states have voted using mail-in ballots, yet officials at the state and federal level have consistently found no evidence of widespread fraud. There is also no evidence of widespread fraud where states and local election officials mail ballot applications, as is the case here in Hollins's plan. Further, the mailer outlines the categories of voters who are eligible to vote by mail, clarifying in bold, red lettering that fear of contracting COVID-19 by itself is not enough to qualify to vote by mail in Texas.

The brief is available at: <https://oag.dc.gov/sites/default/files/2020-09/Texas-v-Hollins-Amicus.pdf>

Attorney General Racine is leading today's friend-of-the-court brief and, in addition to Attorney General Connors, is joined by Attorneys General from California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New York, Oregon, Rhode Island, Vermont, and Virginia.

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