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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA

CASE NO:

Plaintiff,

COMPLAINT

v.

STEVE HOBBS, in his official  
capacity as Secretary of State of the  
State of Washington,

Defendant.

**INTRODUCTION**

1. Title III of the Civil Rights Act of 1960 (“CRA”) imposes a “sweeping” obligation on election officials, *Kennedy v. Lynd*, 306 F.2d 222, 226 (5th Cir. 1962), to “retain and preserve ... *all* records and papers which come into [their] possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election,” 52 U.S.C. § 20701 (emphasis added).

2. Title III likewise grants the Attorney General the sweeping power to obtain these records: “Any record or paper required by section 301 to be retained and preserved shall, upon demand in writing by the Attorney General or [her] representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying at the principal office of such custodian by the Attorney General or [her] representative....” 52 U.S.C. § 20703. The written demand “shall contain a statement of the basis and the purpose therefor.” *Id.*



1 8. Defendant Secretary of State Steve Hobbs is sued in his official  
2 capacity as Secretary of State of Washington, the chief state election official  
3 responsible for coordinating Washington’s responsibilities under the NVRA. *See* 52  
4 U.S.C. § 20509; RCA 29A.04.230 (“Secretary of state as chief election officer”).  
5 Secretary Hobbs is an officer of election as defined by Section 306 of the CRA. *See*  
6 52 U.S.C. § 20706. Secretary Hobbs is sued in his official capacity only.

7 **BACKGROUND**

8 9. This proceeding arises from the Attorney General’s investigation into  
9 Washington’s compliance with federal election law, particularly the NVRA and  
10 HAVA.

11 10. Both the NVRA and HAVA require States to maintain and preserve  
12 certain records and papers that fall within the scope of Section 301 of Title III of the  
13 CRA.

14 **THE NATIONAL VOTER REGISTRATION ACT**

15 11. The NVRA requires each state to “designate a State officer or employee  
16 as the chief State election official to be responsible for coordination of State  
17 responsibilities” under the NVRA. 52 U.S.C. § 20509. Defendant Hobbs is the chief  
18 election official of the State of Washington.

19 12. The NVRA requires States to “conduct a general program that makes a  
20 reasonable effort to remove the names of ineligible voters from the official lists of  
21 eligible voters by reason of” the death of the registrant, or “a change in the residence  
22 of the registrant, in accordance with subsections (b), (c), and (d)[.]” 52 U.S.C. §§  
23 20507(a)(4)(A)-(B).

24 13. The NVRA also requires States to maintain, with exceptions not  
25 relevant here, “all records concerning the implementation of programs and activities  
26 conducted for the purpose of ensuring the accuracy and currency of official lists of  
27 eligible voters.” 52 U.S.C. § 20507(i)(1).

1 **THE HELP AMERICA VOTE ACT**

2 14. HAVA requires all States to maintain and administer “a single, uniform,  
3 official, centralized, interactive computerized statewide voter registration list” that  
4 contains “the name and registration information of every legally registered voter in  
5 the State and assigns a unique identifier to each legally registered voter in the State.”  
6 52 U.S.C. § 21083(a)(1)(A).

7 15. HAVA further establishes “[m]inimum standard[s] for accuracy of State  
8 voter registration records,” 52 U.S.C. § 21083(a)(4), and prohibits States from  
9 processing voter-registration applications without obtaining and verifying certain  
10 identifying information from the applicants, *Id.* § 21083(a)(5)(A).

11 **FACTUAL ALLEGATIONS**

12 16. The United States Election Assistance Commission (“EAC”)—“an  
13 independent, bipartisan commission whose mission is to help election officials  
14 improve the administration of elections and help Americans participate in the  
15 election process”—conducts a biennial Election Administration and Voting Survey  
16 (“EAVS”). EAC, *About the EAC*, <http://eac.gov/about> (last visited Nov. 14, 2025).

17 17. For the EAC’s most recent report, “Election Administration and Voting  
18 Survey 2024 Comprehensive Report: A Report from the U.S. Election Assistance  
19 Commission to the 119th Congress” (“2024 EAVS Report”), States “reported data  
20 on their efforts to keep voter registration lists current and accurate, known as list  
21 maintenance.” EAC, 2024 EAVS Report at 7.<sup>1</sup>

22 18. Based on a review of the 2024 EAVS Report, Assistant Attorney  
23 General Harmeet K. Dhillon, on behalf of the Attorney General, sent a letter to  
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27 <sup>1</sup> [https://www.eac.gov/sites/default/files/2025-07/2024\\_EAVS\\_Report\\_508.pdf](https://www.eac.gov/sites/default/files/2025-07/2024_EAVS_Report_508.pdf) (last  
28 visited Nov. 24, 2025).

1 Secretary Hobbs on September 8, 2025, seeking information regarding Washington’s  
2 compliance with federal election law.

3 19. The Letter requested – pursuant to Section 8(i) of the NVRA – that  
4 Washington provide a current electronic copy of its computerized statewide voter  
5 registration list (“VRL”), required under Section 303 of HAVA.

6 20. The Letter asked Washington to produce the requested information and  
7 records by encrypted email or via the secure file-sharing system, Justice Enterprise  
8 File Sharing (JEFS).

9 21. In response, on September 23, 2025, Secretary Hobbs sent a letter  
10 refusing to provide the statewide VRL, stating that Washington State law prohibits  
11 its release – even to the Attorney General – because the VRL contains private  
12 information.

13 22. The Attorney General’s written demand was made pursuant to the CRA.  
14 *See* 52 U.S.C. § 20703. The letter expressly demanded “an electronic copy of  
15 Washington complete and current VRL” and advised that “[t]he purpose of the  
16 request is to ascertain Washington’s compliance with the list maintenance  
17 requirements of the NVRA and HAVA.” The Letter directed that the SVRL should  
18 contain “all fields, which includes either the registrant’s full name, date of birth,  
19 residential address, his or her state driver’s license number, or the last four digits of  
20 the registrant’s social security number as required under the Help America Vote Act  
21 (‘HAVA’) to register individuals for federal elections. *See* 52 U.S.C. §  
22 21083(a)(5)(A)(i).” (footnote omitted).

23 23. The Letter explained “that HAVA specifies that the ‘last 4 digits of a  
24 social security number . . . shall not be considered a social security number for  
25 purposes of section 7 of the Privacy Act of 1974’” (5 U.S.C. § 552(a) note); 52  
26 U.S.C. § 21083(c)). In addition, any prohibition of disclosure of a motor vehicle  
27 record contained in the Driver’s License Protection Act, codified at 18 U.S.C. §  
28 2721(b)(1), is exempted when the disclosure is for use by a government agency in

1 carrying out the government agency’s function to accomplish its enforcement  
2 authority as the Attorney General is now doing.

3 24. Letter also provided that “the information that the U.S. Justice  
4 Department collects will be maintained consistent with Privacy Act protections as  
5 explained on the Department’s website at [https://civilrights.justice.gov/privacy-](https://civilrights.justice.gov/privacy-policy#:~:text=Our%20Statutes-)  
6 [policy#:~:text=Our%20Statutes-](https://civilrights.justice.gov/privacy-policy#:~:text=Our%20Statutes-)  
7 [,Privacy%20Act%20Statement,the%20scope%20of%20our%20jurisdiction.](https://civilrights.justice.gov/privacy-policy#:~:text=Our%20Statutes-) The  
8 full list of routine uses for this collection of information can be found in the System  
9 of Records Notice (“SORN”) titled, JUSTICE/CRT – 001, “Central Civil Rights  
10 Division Index File and Associated Records”, 68 Fed. Reg. 47610-01, 611 (Aug. 11,  
11 2003); 70 Fed. Reg. 43904-01 (July 29, 2005); and 82 Fed. Reg. 24147-01 (May 25,  
12 2017). It should be noted that the statutes cited for routine use include NVRA,  
13 HAVA, and the CRA. The records in the SORN are kept under the authority of 44  
14 U.S.C. § 3101 and in the ordinary course of fulfilling the responsibility assigned to  
15 the Civil Rights Division under the provisions of 28 C.F.R. §§ 0.50, 0.51.ON.”

16 25. On September 23, 2025, Secretary Hobbs refused the Attorney  
17 General’s written demand.

18 **COUNT ONE**

19 **VIOLATION OF THE CIVIL RIGHTS ACT OF 1960, 52 U.S.C. § 20703**

20 26. On September 8, 2025, the Assistant Attorney General on behalf of the  
21 Attorney General sent a written demand to Secretary Hobbs for the production of  
22 specific election records, as authorized by the CRA, 52 U.S.C. § 20703.

23 27. The written demand “contain[ed] a statement of the basis and the  
24 purpose therefor.” 52 U.S.C. § 20703.

25 28. Secretary Hobbs refused to provide the records requested as described  
26 in his September 23, 2025, letter.

27 Wherefore, the United States respectfully requests this Court:

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- A. Declare that Defendants’ refusal to provide the election records upon a demand by the Attorney General violates Title III of the Civil Rights Act as required by 52 U.S.C. § 20703;
- B. Order Defendants to provide to the United States the current electronic copy of Washington’s computerized statewide voter registration list, with all fields, including each registrant’s full name, date of birth, residential address, and either their state driver’s license number, or the last four digits of their Social Security number as required by 52 U.S.C. § 21083; and awards such additional relief as the interests of justice may require

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Dated: December 2, 2025

Respectfully submitted,

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*Maureen Riordan*

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 2, 2025, a true and correct copy of the foregoing document was served via the Court’s ECF system to all counsel of record.

/s/ Eric Neff  
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