



## THE TRUTH ABOUT “VOTER FRAUD”

February 2017

*Donald Trump has recklessly claimed that three to five million people voted illegally in the 2016 election, and announced his intention to launch a major investigation into so-called “voter fraud.” But any fair and honest investigation will tell us nothing more than what we already know from every credible study and investigation previously conducted: that the myth of widespread voter fraud is absolutely without substance.*

*Such wild allegations about “voter fraud” are not simply inaccurate, but deliberately disingenuous. Their goal is to create a perception of a problem, in order to pass stricter voter ID requirements, draconian proof-of-citizenship requirements, and laws that allow partisan election officials the freedom to purge the voter rolls of anyone they don’t like.*

### What are the Most Important Things to Know?

- Multiple studies have proven that widespread or coordinated voter fraud, the kind that changes election outcomes, simply doesn't happen in today's America.
- Study after study has shown that voter fraud is extremely rare in the United States, and in-person voter fraud is so rare as to be almost non-existent.
- The real fraud is that politicians use false claims of “voter fraud” to sell Americans on policies that disenfranchise Americans: policies such as strict voter-ID and proof-of-citizenship requirements, reckless voter purges, and restrictions on voter registration efforts.
- Voter fraud allegations, on examination, turn out to be one of three things: errors by individual voters or election officials, pranks, or unsubstantiated accusations by a losing candidate.
- While there is no evidence that these rare instances of voter fraud pose a realistic danger to the democratic process, there is a mountain of evidence that the barriers to voting erected to combat so-called “voter fraud” are undermining our elections by making it harder for low-income and minority Americans to vote.
- The voting system has procedures in place to prevent, detect, and punish fraud. In every state, voting if you are not eligible, or while impersonating another person, is a crime, with serious consequences. There is no reason to add extra barriers to the ballot box when we already have working deterrents in place that punish those who commit fraud with jail time and a hefty fine.
- The history of civil-rights progress in America is the history of expanding access to voting. There is a genuine need to modernize and expand America's voter registration systems, but we need to make voting easier, not harder.

## What is Voter Fraud?

- “Voter fraud” is the intentional corruption of the electoral process by the voter. To commit voter fraud, a registered voter must intentionally commit a premeditated action intended to fraudulently and unfairly skew the results of an election.

## What is NOT Voter Fraud?

- Definitions are important. Politicians and reporters often conflate a lot of different things, accidentally or intentionally, under the heading of “voter fraud.”
- Being registered in more than one state is not “fraud.” When people move, very few think to notify their previous election officials and cancel their old voter registration. This leads to people being registered in more than one state, but it does not lead to people *voting* in more than one state.
- Dead people on the voter rolls is not “fraud.” Though there are sensible efforts states can and should make to keep the voter rolls up to date, dead people don't vote, and there is no evidence to support the myth that live people are somehow voting in the names of dead people.
- Duplicate registrations are not “fraud.” Often, people don't realize or remember that they are already registered and so fill out another application.
- Voter registration errors are not “fraud.” There are many reasons why there are some administrative errors with voter registration. For example, sometimes people make mistakes when filling out registration cards, such as forgetting to sign the voter registration card or writing down the wrong address. These small errors do not result in fraudulent voting.
- Confusion over eligibility is not “fraud.” Several ex-felons have been prosecuted for “voter fraud,” for example, because they simply did not understand the complicated (and often changing) requirements for having their voting rights restored.

## Historic Pattern of Partisan Accusations

- “There is a long history in America of elites using voter fraud allegations to restrict and shape the electorate. In the late nineteenth century, when newly freed black Americans were swept into electoral politics...it was the Democrats who were threatened by a loss of power, and it was the Democratic Party that erected new rules said to be necessary to respond to alleged fraud by black voters. Today, the success of voter registration drives among minorities and low income people in recent years threatens to expand the base of the Democratic Party and tip the balance of power away from the Republicans. Consequently, the use of baseless voter fraud allegations for partisan advantage has become the exclusive domain of Republican Party activists.” — Dr. Lorraine Minnite, [The Politics of Voter Fraud](#).
- Republican Royal Masset, for 15 years the political director of the Republican Party of Texas, said claims of fraudulent voting by individuals are almost a “religious part of the Republican canon.” In an [interview with the Houston Chronicle](#), Masset ad-

mitted, "It's a lie. It's not true. It does not exist."

- After the contested results of the 2000 election, the GOP ramped up its efforts to manipulate the electorate with phony voter fraud claims and restrictive election laws.
- During George W. Bush's administration, the Justice Department perpetuated the "voter fraud" narrative for partisan purposes. When U.S. Attorneys like New Mexico's [David Iglesias](#) refused to fabricate cases against voter registration drives, they were fired. This blatant politicization of nation's highest law enforcement office came to be known as the "[U.S. Attorneygate](#)" scandal, and resulted in the resignations of Karl Rove and Attorney General Alberto Gonzales in 2007.
- When asked why the GOP was so interested in pursuing "voter fraud" cases, Iglesias said "in battleground states such as New Mexico, prosecuting even a few cases sends a very strong message and could actually result in suppressing minority voting."
- In a 2004 report to the Center for Voting Rights and Protection entitled "[Republican Ballot Security Programs: Vote Protection or Minority Vote Suppression—Or Both?](#)", scholars from Rice University discussed the history of what they call "ballot security programs gone bad." "These are programs that, in the name of protecting against vote fraud, almost exclusively target heavily black, Latino, or Indian voting precincts and have the intent or effect of discouraging or preventing voters in those precincts from casting a ballot," the report says.

## Election Experts Agree Voter Fraud is Not a Problem

- In one of the most comprehensive investigations of fraud, Justin Levitt of Loyola Law School, Los Angeles [turned up only 31 credible instances of voter impersonation out of more than 1 billion votes cast](#) between 2000 and 2014. Some of those cases may have been because of clerical errors. Levitt's investigation suggests that while voter impersonation does indeed happen, it happens so rarely that the rate is approximately one instance out of ever 32 million ballots cast.
- Researchers at Stanford and the University of Wisconsin conducted a [study](#) to measure the prevalence of two specific types of voter fraud: repeat/fraudulent ballot casting and vote buying. They concluded that "The notion that voter impersonation is a widespread behavior is totally contradicted by these data."
- A 2011 study by the Republican National Lawyers Association found that, between 2000 and 2010, 21 states had 1 or 0 convictions for voter fraud or other kinds of voting irregularities.
- In December, a Washington Post analysis of news reports found four documented cases of voter fraud out of about 136 million votes cast. That would yield a voter fraud rate of one instance per every 34 million ballots, close to what Levitt's investigation turned up. Two of those fraud cases involved Trump voters trying to vote twice, one involved a Republican election judge trying to fill out a ballot on behalf of her dead husband, and the last involved a poll worker filling in bubbles for a

mayoral candidate in absentee ballots in Florida.

- A team of Dartmouth researchers undertook a comprehensive statistical investigation of the 2016 results, looking for evidence of abnormal voting patterns. They checked for evidence of noncitizen voting, dead people voting and tampering by election officials. They didn't find any. "Our findings do strongly suggest, however, that voter fraud concerns fomented by the Trump campaign are not grounded in any observable features of the 2016 presidential election," they concluded (emphasis theirs). "There is no evidence of millions of fraudulent votes."
- Trump's assertion of widespread voter fraud contradicts statements by his campaign's lawyers, who stated unequivocally that "all available evidence suggests that the 2016 general election was not tainted by fraud or mistake." The statement was made in a filing opposing Green Party candidate Jill Stein's recount efforts in Michigan.
- The National Association of Secretaries of State, which represents most of the nation's top election officials (most of whom happen to be Republican), released a statement in January 2017 saying, "We are not aware of any evidence that supports the voter fraud claims made by President Trump."

[Source: [Washington Post](#)]

## Even Previous Investigations have Proven Voter Fraud is Not a Problem

- Even with a great deal of pressure to achieve prosecutions, the Bush administration's three-year federal "crackdown" on illegal voting "turned up virtually no evidence" of organized fraud, in the words of [the New York Times](#).
- In 2014, [a two-year investigation into voter fraud by Iowa's Republican secretary of state yielded only 27 criminal charges](#), a number of which were apparently related to mistakes or misunderstandings of voting rules.
- In Kansas, the Republican secretary of state—given unprecedented powers to investigate alleged "voter fraud"—examined 84 million votes cast in 22 states. The project yielded only 14 prosecutions, representing 0.000017 percent of the votes cast.
- In July 2013, Colorado Secretary of State Scott Gessler referred 155 cases of alleged "non-citizen voters" to 15 district attorneys statewide. After a lengthy and large-scale investigation, the result was one single misdemeanor conviction.

## Debunking In-Person Voter Fraud

- A [December 2006 report](#) by the U.S. Election Assistance Commission interviewed more than two dozen researchers and experts on voter fraud and intimidation. That report concluded that "impersonation of voters is probably the least frequent type

of fraud because it is the most likely type of fraud to be discovered, there are stiff penalties associated with this type of fraud, and it is an inefficient method of influencing an election."

- Polling place fraud is "inherently incredible," according to [Richard L. Hasen](#), professor at Loyola Law School and author of the Election Law Blog. "The idea of massive polling-place fraud (through the use of inflated voter rolls) is inherently incredible. Suppose I want to swing the Missouri election for my preferred presidential candidate. I would have to figure out who the fake, dead or missing people on the registration rolls are, then pay a lot of other individuals to go to the polling place and claim to be that person, without any return guarantee – thanks to the secret ballot – that any of them will cast a vote for my preferred candidate. Those who do show up at the polls run the risk of being detected and charged with a felony. And for what – \$10? Polling-place fraud, in short, makes no sense."
- Laws that purport to address the non-existent issue of in-person voter fraud—like strict photo ID laws—are at best a costly solution in search of a problem. At worst, they are deliberate attempts to suppress the vote.
- A [2015 study by Project Vote](#) determined that racial minorities, low-income people, and people under 25 are all far more likely to lack photo identification.
- In April of 2016, Republican congressman Glenn Grothman was asked why he believed the GOP candidate could win Wisconsin for the first time in more than 30 years. "Now we have photo ID," [Grothman said](#). "And I think photo ID is gonna make a little bit of a difference." (Trump, as predicted, won Wisconsin, by 27,000 votes. As many as 300,000 registered Wisconsin citizens lacked the necessary ID, according to [court documents](#).)

## Debunking Non-Citizen Voting

- Illegal voting by non-citizens is extremely rare: it is a problem dreamt up by politicians eager to implement Jim-Crow style tactics to deter America's growing Latino electorate from voting.
- The notion that an undocumented alien would voluntarily enter the system—let alone risk a \$10,000 fine, jail-time, or deportation—just to cast a single ballot in an American election is unlikely in the extreme. The idea that millions of such people do so is patently absurd.
- Karen Osborne, former elections director for Maricopa County Arizona, said in 2013 that voter fraud is rare, and even rarer among illegal immigrants. "That just does not seem to be an issue," [Osborne said](#) of the claim that illegal immigrants are voting. "They did not want to come out of the shadows. They don't want to be involved with the government."
- The very few instances of non-citizen voting that have been proven have almost all been cases of legal residents—not undocumented people—who were confused about eligibility requirements.

- Following enactment of Arizona's Proposition 200 (which included the state's documentary proof of citizenship law), over 31,000 individuals were initially rejected for voter registration in Arizona between January 2005 and September 2007 because of a failure to comply with Proposition 200's requirements. Only about 11,000 of these individuals were subsequently able to register to vote.
- In the litigation regarding Arizona's proof of citizenship requirement, which culminated in the Supreme Court case *Arizona v. Inter Tribal Council of Arizona*, Arizona produced no evidence that the remaining 20,000 individuals who were barred by Proposition 200 from registering to vote were non-citizens, as opposed to individuals who simply were unable to furnish the requisite unreasonably burdened by Proposition 200's documentation requirements.
- This drummed up fear, generated by partisan politicians, has real consequences: it excludes legitimate voters who do not have documentary proof of citizenship, such as elderly people, students living away from home, or married people who adopt the surname of their spouses.
- Further, proof-of-citizenship policies essentially quash community-based voter registration drives, which are responsible for reaching large numbers of potential voters at markets, churches, and other public places where one is unlikely to carry birth certificates and passports.
- After Donald Trump cited a misleading article about the possibility that millions of non-citizens were voting, the managers of the database cited in the article—researchers at Harvard and MIT—issued [a blistering rebuke](#) of the claim. "The likely percent of non-citizen voters in recent U.S. elections," they concluded, "is 0."

## Debunking "Cemetery" Voting

- There is no evidence to support the prevalent myth that ballot boxes are stuffed with votes from dead people.
- For example, in 2012, South Carolina's attorney general notified the U.S. Department of Justice of potential voter fraud after finding ballots cast in the 2010 election by voters listed as deceased, in some cases as long as six years. A subsequent review by [the State Election Commission](#) found no evidence of fraud and that human error and clerical errors accounted for 95 percent of the cases investigated.
- In this modern era of early voting, and voting-by-mail, it is also not unheard of for an eligible voter to actually die after legally casting their ballot. This is NOT "voter fraud."
- While it is true that there are dead people still on the voter rolls, this is an administrative problem, not evidence of any kind of fraud. It can and should be addressed through sensible voter list maintenance procedures that properly identify deceased individuals without putting eligible, living voters at risk of being purged.

## Debunking Multiple-Registration “Fraud”

- Donald Trump has claimed that millions of Americans are registered to vote in more than one state. While this is true, it is NOT a problem that leads to voter fraud.
- When people move, they tend to cancel their phone, electricity, and cable service. Very few people think to cancel their voter registration.
- In 2016, Donald Trump's [chief advisor, press secretary, labor secretary, son-in-law, and daughter](#) were all registered to vote in more than one state. So—ironically—was Trump's so-called “[voter fraud expert](#).” But no one would suggest that any of them hopped on a jet to cast multiple ballots in the 2016 election.
- Once again, people being registered in multiple jurisdictions is an administrative issue, not evidence of voter fraud. It can and should be addressed with sensible methods of cleaning the rolls, such as [the Electronic Registration Information Center \(ERIC\)](#), a multi-state consortium that uses many data points to accurately and responsibly identify duplicate registrations.
- However, bad list maintenance procedures—which do not follow proper procedures—can have a high rate of false positives, and lead to the purging of eligible, properly registered voters from the rolls.

## Debunking “Fraud” Based on Database Matching

- Many voting fraud claims are frequently based on attempts to match names from voter registration databases, or from lists of actual voters, with other databases (for instance, Social Security Administration records, lists of the deceased, or voter registration rolls in other states).
- However, accurate database matching is a very complex practice; running simple procedures on large databases will produce a great many spurious matches. Data entry errors, similar-sounding names, and changing information can all produce false matches.
- Much of what is being described as voter registration fraud is actually social security number and address matching problems caused by error filled, outdated databases, data entry mistakes, and cultural differences.
- For example, the Crosscheck database matching scheme created by Trump advisor Kris Kobach compares one state's voter rolls to another's using only people's first name, last name, and date of birth. But [statistical research](#) demonstrates that many people share these three data points.
- Furthermore, databases themselves are notoriously prone to error. The Social Security Administration (SSA), for example, has [acknowledged](#) that matches between its database and voter-registration records have yielded a 28.5 percent error rate.
- The SSA has also [admitted](#) that, every year, it wrongfully declares 14,000 Americans dead.
- Voter purges based on database matching errors disproportionately impact black,

Latino, and Asian-American citizens.

- In its [notorious 2000 voter purge](#), for example, Florida wrongly labeled 12,000 eligible voters as felons—41 percent of whom were African-Americans—and kicked them off the voting rolls. (This was the year George W. Bush officially won Florida, and the election, by 537 votes.)

## Debunking Voter Registration Fraud

- Community-based voter registration drives have proved to be one of the most effective means of engaging low-income Americans and communities of color. As such, they are a frequent target of partisan attacks, using bogus claims of “voter fraud” to hinder their success.
- There has NEVER been a single proven case of a fraudulent vote being cast as the result of a bogus application collected by a voter registration drive.
- Voter registration drives have a responsibility to turn in every application they receive. It is the responsibility of election officials, not voter registration drives, to determine if each of those applications is valid.
- A canvasser who falsifies applications, rather than doing their job, is not committing “voter fraud,” but defrauding the organization they work for. Such employees are fired and turned over to law enforcement, as would happen with any employee theft, but their goal is to receive a paycheck for doing nothing: it is not to commit voter fraud.
- While stories abound that Dick Tracy, Mickey Mouse, or someone's cat registered to vote, no fictitious character or household pet is going to show up to actually cast a ballot. A canvasser turning in bogus applications does not lead to a single fraudulent vote cast in the election.

## Useful Articles

- ["7 papers, 4 government inquiries, 2 news investigations and 1 court ruling proving voter fraud is mostly a myth,"](#) Christopher Ingraham, The Washington Post, July 9, 2014
- ["Voter Fraud. Explained,"](#) Gail Ablow, Moyers & Co., June 24, 2016
- ["Voter Suppression is a Much Bigger Problem than Voter Fraud,"](#) Ari Berman, The Nation, October 20, 2016
- ["Trump's Lies About Voter Fraud Are Already Leading to New GOP Voter-Suppression Efforts,"](#) Ari Berman, The Nation, December 6, 2016
- ["All this Talk of Voter Fraud? Across U.S., Officials Found Next to None,"](#) Michael Wines, The New York Times, December 18, 2016
- ["Trump's bogus voter fraud claims,"](#) Robert Farley, Factcheck.org, October 19, 2016
- ["Trump Won't Back Down From His Voting Fraud Lie. Here Are the Facts,"](#) Nicholas Fandos, The New York Times, January 24, 2017
- ["Here are nine investigations on voter fraud that found virtually nothing,"](#) by Christopher Ingraham, The Washington Post, January 25, 2017
- ["Voter Fraud Experts: Trump's 'Bizarre' Claim of Illegal Votes Could Lead to Severe Voter Restrictions,"](#) by Joe Strupp, Media Matters, January 25, 2017
- ["Trump's bogus voter fraud claims revisited,"](#) by Robert Farley, Factcheck.org, January 25, 2017
- ["The Voter Fraud Fantasy,"](#) Editorial Board, The New York Times, January 27, 2017