Voter Fraud Is a Myth

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Evidence shows that voter fraud is extremely rare; harassment and intimidation at the polls are the real issues. Close elections, as seen during the 2000 presidential race, also are unlikely. Nonetheless, the Republican Party uses the myth to justify unfair restrictions on voting and influence the outcomes of elections. Unwarranted obstructions include matching registration data with state databases, heightened identification requirements, and other procedures that disenfranchise thousands of eligible voters—mainly minorities, the poor, and the elderly. And although most have failed, the spate of legal attacks and investigations by conservatives threaten to undermine legitimate elections and discourage new groups of voters.

Earlier this month [in October 2008], Republicans in Ohio lost their lawsuit challenging a state rule that allows voters to register and vote early on the same day. But the state party had no intention of conceding the point. GOP [Grand Old Party, or Republican] officials demanded records from all 88 county boards of election identifying every person who took advantage of same-day registration and voting. In one county, the Republican district attorney even opened a grand jury investigation.

“He’s investigating people who the law says are allowed to vote,” said Ohio ACLU [American Civil Liberties Union] law-

yer Carrie Davis. After it was revealed that the district attorney was also the local chairman of the [Republican candidate John] McCain campaign, he was forced to appoint a special prosecutor to handle the case.

There’s no indication that any of these voters did anything illegal. But the attempt to investigate voters who took advantage of a state rule designed to encourage voter participation exemplifies the kinds of attacks on new voters that are going on across the country.

Even when the challenges fail, Republican officials persist in their claims of voter fraud in what appears to be an effort to lay the groundwork for challenging the outcome of Election Day. In about a dozen interviews, legal scholars and voting experts say this broad-based attack could lead to serious and continuing challenges to the legitimacy of the next president.

“[Republicans are] trying to do what they can to poison the well on the eve of the election because they’re not winning on the issues,” contends Charles Lichtman, statewide lead counsel for the Florida Democratic Party. The party, like the Obama campaign, is assembling a team of volunteer lawyers to take on unwarranted challenges and obstruction to voters on Election Day. “They know there are more Democrats registered than Republicans,” said Lichtman, “so they’re calling out fraud where it didn’t occur.”

For months now, Republicans have been claiming that voter fraud is rampant and that government officials aren’t sufficiently cracking down. Democrats insist that voter fraud is practically nonexistent—the real problem is intimidation and harassment of voters at the polls, they say.

Voting-rights experts tend to agree with the Democrats. A study by the Brennan Center for Justice, for example, found that, “It’s more likely that an individual will be struck by lightning than that he will impersonate another voter at the polls.”