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Democracy Dies in Darkness

## EXCLUSIVE

## Top GOP lawyer decries ease of campus voting in private pitch to RNC

A presentation by Cleta Mitchell at a donor retreat urged tougher rules that could make it harder for college students to cast ballots

By <u>Josh Dawsey</u> and <u>Amy Gardner</u> April 20, 2023 at 11:28 a.m. EDT

NASHVILLE — A top Republican legal strategist told a roomful of GOP donors over the weekend that conservatives must band together to limit voting on college campuses, same-day voter registration and automatic mailing of ballots to registered voters, according to a copy of her presentation reviewed by The Washington Post.

Cleta Mitchell, a longtime GOP lawyer and fundraiser who worked closely with former president Donald Trump to try to overturn the results of the 2020 presidential election, gave the presentation at a Republican National Committee donor retreat in Nashville on Saturday.

The presentation — which had more than 50 slides and was labeled "A Level Playing Field for 2024" — offered a window into a strategy that seems designed to reduce voter access and turnout among certain groups, including students and those who vote by mail, both of which tend to skew Democratic.

Mitchell did not respond to a request for comment, and it is unclear whether she delivered the presentation exactly as it was prepared on her PowerPoint slides. But in addition to the presentation, The Post listened to audio of portions of the presentation obtained by liberal journalist Lauren Windsor in which Mitchell discussed limiting campus and early voting.

"What are these college campus locations?" she asked, according to the audio. "What is this young people effort that they do? They basically put the polling place next to the student dorm so they just have to roll out of bed, vote, and go back to bed."

The GOP has not formally endorsed Mitchell's plan but has worked closely with her since Trump left office. The presentation made clear that at least some key figures within the party remain intent on tightening rules for voting and elections. The persistence of the message as the 2024 vote approaches comes despite the fact that candidates who emphasized Trump's stolen election narrative were repudiated in many key statewide races in the 2022 midterms.

After the presentation, Mitchell was seen at the Four Seasons hotel bar, meeting with donors and Republican strategists.

"As the RNC continues to strengthen our Election Integrity program, we are thankful for leaders like Cleta Mitchell who do important work for the Republican ecosystem. Our guests in Nashville were grateful for her to travel to the event and share her efforts," said Keith Schipper, an RNC spokesman.

Mitchell told her RNC audience that her organization, the Election Integrity Network, "is NOT about winning campaigns," according to the text of the presentation. But the slides gave little other rationale for why campus or mail voting should be curtailed. At another point in the presentation, she said the nation's electoral systems must be saved "for any candidate other than a leftist to have a chance to WIN in 2024."

"The Left has manipulated the electoral systems to favor one side ... theirs," she wrote in the presentation. "Our constitutional republic's survival is at stake."

Republicans have claimed that lax ID requirements — such as allowing college identification or mail voting where no ID is required — open the door for voter fraud. But they have produced no evidence of widespread fraud — and experts say that's because it doesn't happen.

At one point in the presentation, Mitchell said she is optimistic that the Virginia Senate will flip to Republican control this year, allowing for the elimination of early voting in the state, according to the audio reviewed by The Post.

"Forty-five days!" she said in a reference to Virginia's early voting period. "Do you know how hard it is to have observers be able to watch for that long a period?"

Some advisers to other elected officials were frustrated the RNC allowed her to speak at a major event, given <u>her role</u> <u>on behalf of Trump</u> after the election and her repeated false claims about voter fraud. But they did not want to criticize her publicly. RNC officials noted that other speakers who were critical of Trump were also given prime billing at the event.

In Trump's private comments to donors at the event, he said that he eventually wants to end all mail and early voting, according to <u>audio obtained by The Post</u>. But until that happens, he said, Republicans had to get better at it.

Mitchell advised Trump and was on <u>the call</u> between Trump and Georgia Secretary of State Brad Raffensperger in January 2021 when Trump asked Raffensperger to "find" enough votes to overturn the result.

"All we have to do, Cleta, is find 11,000-plus votes," Trump said on the call, which is now under investigation by Fulton County District Attorney Fani Willis as part of a broader inquiry into efforts to overturn the 2020 result in Georgia.

Mitchell has long been a prominent Republican lawyer who has worked for a range of causes, candidates and committees, including the National Rifle Association, former EPA administrator Scott Pruitt and the National Republican Senatorial Committee. Mitchell was a partner in the firm Foley and Lardner but resigned a day after the Raffensperger call, following a statement from the firm criticizing her participation in the call and her involvement with Trump.

After her resignation, Mitchell defended her involvement with Trump's efforts in a letter to family and friends. "Those who deny the existence of voter and election fraud are not in touch with facts and reality," she wrote.

Mitchell soon founded the Election Integrity Network and has recruited volunteers and held regular calls with officials across the country in a bid to "develop and share research and information, develop policy proposals and create legal strategies," according to the group's website.

Campus voting has been a contentious issue for years, with Republicans in states including New Hampshire, Idaho and Texas seeking to curtail the use of college identification cards to vote. Supporters of these measures have said they want to prevent out-of-state students from voting in their states and also prevent the use of identification that does not include a home address.

In her presentation in Nashville, Mitchell focused on campus voting in five states — Arizona, Georgia, Nevada, Virginia and Wisconsin — all of which are home to enormous public universities with large in-state student populations.

Mitchell also targeted the preregistration of students, an apparent reference to the practice in some states of allowing 17-year-olds to register ahead of their 18th birthdays so they can vote as soon as they are eligible.

Marc Elias, a Democratic election lawyer who has sued Republicans over their efforts to tighten student and youth voting laws, said Mitchell's efforts appear aimed at making it harder for young people, who tend to vote Democratic, to cast their ballots.

"Imagine if in every place in this presentation where she references campuses, she talked about African Americans," Elias said. "Or every place she says students, she instead talked about Latinos. There is a subtle but real bigotry that goes on when people target young voters because of their age."

Elias is leading a suit in Idaho seeking to block a new law that removes student IDs from the list of permissible identification for voting. Idaho, which has a large in-state student population, saw one of the largest increases of student-aged voter registration between 2018 and 2022 of any state, according to <u>research from Tufts University</u>.

"The point is they don't want their Idaho students voting in their state," Elias said.

The chief sponsor of the Idaho bill, Rep. Tina Lambert (R), said on the floor of the statehouse in February that its purpose was to prevent the use of IDs that are issued without rigorous verification processes. She said the bill is not intended to block students from voting.

In her presentation, Mitchell also called for the ouster of two Republican elected officials in Maricopa County, Ariz., who defended President Biden's victory there in the face of Trump's false claims that the election was rigged — County Recorder Stephen Richer and County Supervisor Bill Gates.

Richer said any effort to try to eliminate campus voting locations would fail because Maricopa polling places are chosen based on data science. He said such an effort wouldn't have much effect in Arizona anyway, since the vast majority of voters cast ballots early and by mail.

He also decried the "audacity" of Mitchell targeting two Republican officials at a meeting of the RNC and said it would backfire.

"What do they think will happen in Maricopa County if they run an election denier in the primary against me?" Richer asked. "How do they think that person will do in the general? They'll get their butts kicked, just like Mark Finchem" — the 2022 Republican nominee for secretary of state — "got his butt kicked."

Much of Mitchell's report appeared to be based on years-old Republican talking points, including the need to fight back against moves Democrats made as long as a decade ago to oppose voter ID laws.

But she also exhorted Republicans to help her build — and fund — on-the-ground organizations in 10 states. In particular, she called for "oversight" in Fulton County, home of Atlanta, where Republicans have long criticized election management. And she called for combating the power of the Culinary Workers Union in Nevada, an election turnout juggernaut for Democrats in the Las Vegas area.

The presentation featured a map claiming to highlight the eight states that will decide the 2024 presidential election. But the list included Alaska — a state that has not chosen a Democrat for president since 1964 — and Virginia, which hasn't chosen a Republican for president since 2004. And it omitted two states that have been razor-thin battlegrounds in recent elections: Pennsylvania and Michigan.

Gardner reported from Washington. Michael Kranish in Washington contributed to this report.