

Cleta Mitchell, Trump push false claims of noncitizen voting : NPR

[npr.org/2024/03/13/1238102501/noncitizen-voting-immigration-conspiracy-theory](https://www.npr.org/2024/03/13/1238102501/noncitizen-voting-immigration-conspiracy-theory)

2024 Election

Conservatives are warning about noncitizens voting. It's a myth with a long history

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Heard on [Morning Edition](#)



[Miles Parks](#)



Conservative attorney Cleta Mitchell, seen here at a South Carolina Republican Party event in 2022, has been circulating a memo laying out "the threat of non-citizen voting in 2024."

Gerard Albert III/Myrtle Beach Sun News/Tribune News Service via Getty Images

For those looking to raise doubts about American elections, it's becoming clear that a key 2024 voting boogeyman will be immigration.

The false notion that undocumented immigrants are affecting federal elections has been floating around for over 100 years, experts say, but this year, due in part to an increase in migrants at the southern U.S. border, the idea could have new potency.

The narratives are being pushed by prominent right-wing figures including [Cleta Mitchell](#), a former adviser to Donald Trump, along with the presumptive Republican presidential nominee himself.

NPR acquired a two-page memo Mitchell has been circulating laying out "the threat of non-citizen voting in 2024."

"I absolutely believe this is intentional, and one of the reasons the Biden administration is allowing all these illegals to flood the country," Mitchell said on a conservative radio show in Illinois last month. "They're taking them into counties across the country, so that they can get those people registered, they can vote them."

Trump has [made the same claims on the campaign trail](#). And even Elon Musk, the Tesla founder and owner of X, has used his social media platform to push the baseless idea to millions of people.

"[Democrats] are importing voters," Musk wrote in [a post](#) about undocumented immigrants on March 5 that X claims has been seen more than 23 million times.

National

Immigrants are less likely to commit crimes than U.S.-born Americans, studies find

It's illegal for noncitizens to vote in federal elections, and numerous studies over the years have found that it almost never happens, but voting experts still worry the claims could take hold at a time when huge numbers of Republicans simultaneously [don't trust elections](#) and see immigration as the [top problem](#) facing the country.

"I think that's what it's meant to do — to freak people out over an issue. It's a continuation of this myth of voter fraud," said Gilda Daniels, an election law professor at the University of Baltimore. "It not only creates hysteria, but it [furthers] this idea that only certain people should be allowed to participate in the process."

A tale as old as voter registration

The idea that people are being shuttled into the U.S. to influence elections is a familiar tale for seasoned election officials.

"I've been hearing it my whole career," said Kim Wyman, a senior fellow at the Bipartisan Policy Center and the former Republican secretary of state of Washington.

In fact, the myth started taking hold in the U.S. in the late 1800s.

A hundred years before, when the country was first founded, noncitizen voting was actually fairly common and uncontroversial, says Ron Hayduk, an expert on noncitizen voting at San Francisco State University. But after the Civil War and Reconstruction, a wave of migration from Europe of nonwhite, non-English-speakers led to xenophobic fears about what would happen to the U.S. if immigrants were allowed to exercise their power politically.

One by one, states began implementing voter registration systems specifically as a means to disenfranchise immigrants.

"Allegations of vote fraud were the main stated justification for imposing restrictive practices," Hayduk said.



Investigations

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And in the century since then, he said, every time the country has seen an influx of immigrants, a loosening of immigration policy or an expansion of voting access, accusations of voter fraud have followed.

Mitchell's memo about the risk of noncitizen voting touches on two of those things. Migrant encounters at the southern border hit an all-time high in December, and the document focuses mostly on the implementation of a 1993 law, the National Voter Registration Act, that made registering to vote easier.

The NVRA does not require proof of U.S. citizenship for people to register to vote, only that potential voters fill out a form and attest under penalty of perjury that they are citizens. A federal voting law passed in 2002 also required applicants to provide a unique identification number to register, like a driver's license or Social Security number, which election officials say effectively serves as a citizenship check since both of those forms of ID involve the government checking whether someone is a citizen or not.

But Mitchell's main hope, according to the document, is to spur Congress to require documentary proof of citizenship as part of registration.

Experts say that sort of change would have a drastic negative impact on many eligible voters, like naturalized citizens, without solving any real problem.

"If you make [registering] harder, there will be students, young people, elderly people, poor people and other groupings of people who would just not bother," said Daniels, of the University of Baltimore. "This whole document is [saying] we don't want the NVRA or any other piece of legislation to do what it's supposed to do, which is register people to vote."

Mitchell did not respond to an email from NPR requesting comment.



Elections

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Solution in search of a problem

The right's concerns about noncitizens voting have persisted despite there being no recent evidence that ineligible people are voting at anything other than microscopic numbers in American elections.

After the 2016 election, the Brennan Center for Justice, which advocates for expanded voting access, looked at 42 election jurisdictions including some of the jurisdictions with the largest noncitizen populations in the country, and found suspected noncitizen votes made up roughly 30 of the 23.5 million votes cast (0.0001%) in those places.

A recent study in Arizona (first reported by The Washington Post) found that less than 1% of noncitizens attempt to register to vote, and even in those cases, the vast majority are thought to be mistakes.

"There are dire ramifications for those who register when they are not eligible—in the naturalization process applicants for citizenship must affirm that they have not registered to vote," wrote Tammy Patrick, a former local election official in Arizona who is now the CEO of the nonprofit Election Center, in an email. "The stakes are high and not something that most people would willingly, knowingly gamble away for the sake of casting a single ballot."

Hayduk, of San Francisco State, agreed.

"The last thing [migrants] want to do is put themselves at risk of being detained, deported, let alone put a wrench in their application for citizenship," he said.

In Georgia, Republican Secretary of State Brad Raffensperger had his office perform a citizenship audit that found fewer than 2,000 suspected noncitizens registering to vote in the state over the past 25 years. None were actually able to cast a ballot.

"Noncitizens are not voting in Georgia," said Raffensperger, in an interview with NPR.



Georgia Secretary of State Brad Raffensperger, a Republican, has made noncitizen voting a key focus of his time in office even as he has fought against other conspiratorial election narratives.

Patrick Semansky/AP

Still, in a sign that the issue has become a priority not just for the election denial wing of the Republican Party, Raffensperger has made noncitizens a key focus of his time in office even as he has fought against other conspiratorial election narratives.

Earlier this year, the secretary was pushing for a constitutional amendment in Georgia to explicitly ban noncitizen voting, something a number of other states, including neighboring Alabama and Florida, also passed recently.

"Perception is 9/10 of reality," said Hayduk. "Putting the solution on the table suggests there was a problem. And I think that's part of the point. [These laws] create a solution to a problem that doesn't exist."

Legislation tracking by the nonprofit Voting Rights Lab shows that in the first few months of 2024, 17 bills have been introduced in 12 different states that involve proof of citizenship provisions.

Federal law already bans noncitizens from voting in federal elections, but a few liberal U.S. cities, including Washington D.C., have begun allowing them to vote in local elections, adding to conservative fears that soon noncitizens will be voting en masse.

In Georgia the proposed amendment effort stalled in the legislature but Raffensperger said he plans to push for it next session.

"We think it's important, and I know that the majority of people from both political parties believe that only American citizens should vote in our elections," he said.

That is almost certainly true. Both Ohio and Florida's constitutional amendments banning noncitizen voting passed with more than 75% statewide support.

But it's one thing to say noncitizens shouldn't vote. It's another to claim, as Mitchell and Trump have, that they already are in great numbers.

But when asked by NPR what he thought of the false idea that President Biden was shipping in undocumented immigrants to boost his reelection bid, Raffensperger declined to comment on it.

"What Joe Biden's up to, I don't really know. You'd have to ask him," Raffensperger said. "I'm going to make sure that we secure our elections: Now more than ever, American citizens are demanding this."

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